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# FEDERAL STUDENT AID HANDBOOK

2014–2015

WITH ACTIVE INDEX

## Application & Verification Guide

Volume 1: Student Eligibility

Volume 2: School Eligibility & Operations

Volume 3: Calculating Awards & Packaging

Volume 4: Processing Aid & Managing Federal Student Aid Funds

Volume 5: Overawards, Overpayments, & Withdrawal Calculations

Volume 6: Managing Campus-Based Programs

Appendices



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**Federal Student Aid**

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Federal Student Aid, an office of the U.S. Department of Education, ensures that all eligible Americans benefit from federal financial assistance—grants, loans and work-study programs—for education beyond high school. By championing the promise of post secondary education, we uphold its value as a force for greater inclusion in American society and for the continued vitality of America as a nation.

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# Index to the 2014–2015 Federal Student Aid Handbook

*Page numbers are given in the following format: Volume number–Page number.*

*AVG in place of a volume number refers to the “Application and Verification Guide.”*

*In general, concepts with established acronyms are found under the acronym (e.g., FAFSA, FSEOG).*

*Entries with multiple page numbers are in blue italics.*

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# Introduction



*This publication is intended for financial aid administrators and counselors who help students begin the aid process—filing the Free Application for Federal Student Aid (FAFSA®), verifying information, and making corrections and other changes to the information reported on the FAFSA.*

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Throughout the Handbook we use “college,” “school,” and “institution” interchangeably unless a more specific use is given. Similarly, “student,” “applicant,” and “aid recipient” are synonyms. “Parents” in this volume refers to the parents of dependent students, and “you” refers to the primary audience of the Handbook: financial aid administrators at colleges. “We” indicates the U.S. Department of Education (Department, ED), and “federal student aid” and “Title IV aid” are synonymous terms for the financial aid offered by the Department.

We appreciate any comments that you have regarding the Application and Verification Guide (AVG), as well as all the volumes of the Federal Student Aid Handbook. We revise and clarify the text in response to questions and feedback from the financial aid community, so please contact us at [fsaschoolspubs@ed.gov](mailto:fsaschoolspubs@ed.gov) to let us know how to improve the Handbook so that it is always clear and informative.

## CHANGES FOR 2014–2015

On page 9 we added a margin note about the new phone number you can use to contact any of several FSA contact centers for schools.

On page 12 we modified the margin note on pseudo-Social Security numbers for persons from the Freely Associated States. We emphasized that students who are issued such a number beginning with 666 should use the same number every year they fill out a FAFSA.

Also on page 12, as a consequence of the 2013 Supreme Court decision on same-sex marriages (*United States v. Windsor*), we updated the previous guidance about the Defense of Marriage Act (DOMA); see DCL GEN-13-25.

We modified the guidance on page 13 about high school completion and included new tests similar to the GED: the High School Equivalency Test or HiSET and the Test Assessing Secondary Completion or TASC, both of which will be used in some states beginning in 2014 as a substitute for or alternative to the GED test.

We mentioned at the end of the second paragraph on page 15 that e-mails encouraging the use of the IRS Data Retrieval Tool (DRT) were sent in April and beginning in May, respectively, to those who indicated on the FAFSA that they would yet file a tax return or that they had filed a return but had not used the DRT.

On page 16 we added guidance about how to answer questions 33 or 81 on the FAFSA when the student and spouse or the parents file separate and different returns and guidance about how to figure the AGI when one of the spouses does not file a return at all.

We added a margin note to page 21 about extended foster care benefits. These count as untaxed income to the student unless they are made under the authority of Title IV, Part E, of the Social Security Act, in which case they are excluded from the FAFSA.

We noted on page 27 that beginning this year if both legal (biological or adoptive) parents of a dependent student are living together but are not married, their status is unmarried and living together and both must report their information on the FAFSA. This is true for parents of the opposite and same sex.

To clarify how attendance at the U.S. service academies affects household size and number in college, we added a margin note to page 29 and removed related guidance from where it appeared in the bodies of the pages dealing with the issue.

On page 31 we modified the guidance for divorced and legally separated parents of dependent students who are still living together. Now they will report their status as unmarried and living together unless one or both of them have remarried.

On page 38 we shortened the description of the requirements for an automatic zero EFC by contrasting them to those for the simplified formula.

We removed the note about EFCs of 99,999, which was in the margin of page 39. The income fields in the Central Processing System are now seven spaces, and the EFC field is six, so there is no longer a need for hand calculations of the EFC with very large income values.

Many of this year's changes occur in Chapter 4, where new guidance about verification appears; we discuss this in detail as follows. We also reorganized and removed some material, such as the page on tax documents and special situations. Some of the text on that page was redundant, while much of it we moved elsewhere in the chapter.

On page 79 we added the new verification category, Household Resources Group, with tracking flag V6 and removed the SNAP Verification Group with tracking flag V2, which is now reserved. Also on this page, we explained the new requirement for schools to report their results for students they verify who have flag V4 or V5.

On page 81 we listed in the margin which items the IRS Data Retrieval Tool imports to a student's FAFSA.

On page 82 we incorporated in the margin note on requesting a tax transcript the changes to how the IRS will handle transcript requests for 2013 returns. We also added a margin note about schools' use of transcripts obtained from participants in the IRS's Income Verification Express Service.

In the margin of page 83 we added notes about using "per computer" amounts from the tax return transcript and about verifying qualified roll-overs, which are not taxable and are not to be included on the FAFSA as untaxed income.

Our verification guidance for tax filers who are victims of identity theft has changed; now they call the IRS, authenticate their identity, and receive a printout of their tax information in the mail. See page 84.

We added guidance on page 84 to assist persons who cannot use the IRS DRT or get a tax transcript, who did not save their tax information, and whose tax information can't be found by the IRS or the pertinent government agency (if they filed a non-IRS return).

We removed some of the text from page 85 since it was presented elsewhere. The rest of the guidance we moved: the paragraph on immigrants and the ITIN went to page 84, guidance on non-tax filers was expanded and moved to the body of page 83, and the guidance about electronic filing went to page 84.

On page 86 we gave guidance on documenting other untaxed income.

On page 87 we included as a type of legitimate documentation records of electronic child support payments made.

We added to the list of documentation for proof of high school completion the HiSET and TASC (page 88), both similar to the GED test, which, if approved by the student's state, demonstrate high school completion for students who achieve a passing score on the tests. We also added the option for students who excelled in high school but did not finish, as well as the secondary school leaving certificate that students who completed their secondary school in a foreign country might have earned (page 88).

We gave guidance on page 88 to assist students when documentation of high school completion is not available.

On page 88 we also wrote that the identification used for verification of identity must be unexpired, and we added a margin note stating that the ID does not have to comply with the REAL ID Act of 2005.

On page 88 we noted that schools may convert a student's statement of educational purpose into an electronic record after examining it.

We removed the email address for the OIG Hotline on page 126 and directed readers to file a complaint online at the Hotline's webpage.

Also on page 126 we added a margin note about the new comments that may appear on the ISIR and SAR when there is a discrepancy between the reported marital status and tax filing status (a new FAFSA question for 2014–2015). These comments do not constitute conflicting information, but we do encourage schools to review applications that they appear on.

# The Application Process: FAFSA to ISIR

## CHAPTER 1

*The laws governing the Federal Student Aid (FSA) programs require that a person apply for aid with a form provided by the U.S. Department of Education (ED) and that no fee be charged for processing it. This form is the Free Application for Federal Student Aid (FAFSA®), and its online version is FAFSA on the Web<sup>SM</sup> (FOTW®).*

To be considered for federal student aid, a student must complete a FAFSA. It collects financial and other information used to calculate the expected family contribution (EFC) and to determine a student's eligibility through computer matches with other agencies.

The FAFSA is the only form students must fill out to apply for Title IV aid. A school cannot require extra information from students except for verification or resolution of conflicting information. However, a school may require additional information for other purposes, such as packaging private or institutional aid. If the school collects additional information that affects Title IV eligibility, it must take the information into account when awarding Title IV aid.

### TYPES OF APPLICATIONS

Most students use *FAFSA on the Web* to apply for federal student aid, but there are other options.

#### **FAFSA on the Web (FOTW)**

Students can complete an application online at [www.fafsa.gov](http://www.fafsa.gov) and send it directly to the Central Processing System (CPS). They can also correct any of their previously submitted data. Help is available for students online or by calling the Federal Student Aid Information Center (FSAIC) at 1-800-4-FED-AID (1-800-433-3243).

#### **FAA Access to CPS Online**

You can submit a student's application data at FAA Access to CPS Online (<https://faaaccess.ed.gov>). You can also connect to the site through EDExpress.

Before submitting the data, print the signature page/FAFSA summary for the student (and parent) to sign, or have the student fill out and sign a paper FAFSA. As noted at the end of *Chapter 2*, you will need to retain either the signed signature page/summary or signed FAFSA for your records, even if the student doesn't receive aid or attend your school.

#### **FAFSA on the Web worksheet**

To make using the Web application easier, ED makes available the FAFSA on the Web worksheet. The worksheet can be printed from the website, and schools can order bulk quantities on the Web at [www.fsapubs.gov](http://www.fsapubs.gov).

#### **Advantages of electronic filing**

We strongly recommend electronic applications over the paper FAFSA because of the following benefits:

- Faster processing
- Fewer errors and rejected applications because internal and end-of-entry data edits ensure that required fields are completed and conflicts are resolved prior to submission
- Skip logic, which helps "shorten" the form by allowing applicants to skip over questions that don't pertain to them
- Availability of online help



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**Websites for students****www.fafsa.gov**

- FAFSA on the Web
- Make corrections to the application
- Check status of application
- Online SAR
- FAFSA4caster, which allows future college students to estimate what their EFC might be and what kind of federal student aid they might be eligible for when they apply for aid

**www.pin.ed.gov**

PIN website

**www.studentaid.ed.gov**

Higher education portal for students

**www.nsls.ed.gov**

Students' loan database

**https://studentloans.gov**

Loan information and counseling

**https://teach-ats.ed.gov**

TEACH grant website

**Paper FAFSA**

Schools can place limited orders (at [www.fsapubs.org](http://www.fsapubs.org)) of up to 50 copies of the paper FAFSA. Students can request a copy from the FSAIC by calling 1-800-433-3243. Another paper option is the PDF FAFSA, which students can get at the FOTW site. They can print the PDF and fill it out by hand, or they can type their data on the PDF before printing and mailing it.

**FAFSA on the phone**

Students who have limited or no Internet access and face pressing deadlines can choose to complete and submit their application by calling 1-800-433-3243, telling a representative they would like to fill out their FAFSA over the phone and providing their information. This typically takes about half an hour. Students will receive a paper student aid report (SAR) 7–10 days later, which they (and their parents, if appropriate) must sign and return. Because this is not the preferred method to apply for aid, it should be used sparingly and only by those students identified above.

**The FSA personal identification number (PIN)**

The FSA PIN, with other identifiers, gives students Internet access to their information in FSA systems. Students (and parents) can get a PIN at [www.pin.ed.gov](http://www.pin.ed.gov) or by choosing to apply for a PIN when completing a FAFSA online. The PIN is available to use immediately to sign the FAFSA; once the application passes the Social Security Administration (SSA) match, the PIN becomes fully functional. Applicants can then use the PIN to:

- access and electronically sign a renewal *FAFSA on the Web*;
- correct their FAFSA information online, including using the IRS Data Retrieval tool to populate tax-related fields;
- view their SAR online and print it;
- review their financial aid history as maintained in the National Student Loan Data System (NSLDS);
- access Direct loan information and tools, including entrance and exit counseling and the loan consolidation application at <https://studentloans.gov>;
- sign master promissory notes at <https://studentloans.gov> and TEACH grant agreements to serve at <https://teach-ats.ed.gov> and complete the PLUS request process at <https://studentloans.gov>.

Students without a PIN will automatically receive one if their application was signed, passed the data match with the SSA, and had a complete postal or e-mail address. They will receive a paper mailer with the PIN or an e-mail (if an e-mail address was given) with a secure link to their PIN online.

Students should not give their PIN to anyone. No person or entity may request, obtain, or use a student's PIN for submitting a FAFSA on behalf of the student. The unauthorized use of a PIN by anyone but the owner may result in the deactivation of the PIN or the invalidation of signed documents, including FAFSAs and promissory notes.

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**FAFSA on the Web demo**

You can use the FAFSA on the Web demonstration to train financial aid staff or to show students how to use the on-line application. Go to <http://fafsademo.test.ed.gov> and type in eddemo for the user name and fafsatest for the password.

**Renewal FAFSA**

A student who has received a PIN and who the year before had a successful match on Social Security number (SSN), name, and date of birth with the Social Security Administration (SSA) is eligible for a renewal FAFSA. When he enters his personal identifiers on FOTW, he will be asked if he wants to pre-fill some of the application with data from the prior year. By choosing this option, he can review each pre-filled item, correct any that has changed, and provide new information as needed. If an aid administrator’s school does not appear on the renewal application, she can use the student’s data release number (DRN) to access the application on FAA Access.

In January 2014, renewal-eligible students automatically received a renewal reminder by e-mail if they provided an e-mail address in the previous application year. The reminder tells students that they can reapply for aid on the Web and that if they forgot their PIN, they can retrieve it online.

**PROCESSING THE FAFSA**

Paper FAFSAs go to the FAFSA processor for data entry and then to the CPS. Applications that are signed and submitted on the Web go directly to the CPS. If a Web applicant indicated she would sign electronically later or send a paper signature page, her FAFSA goes to a signature hold file for up to 14 days. If some type of signature is not received in that time, the application will be sent to the CPS but will be rejected; it won’t be processed again until a signature is received.

The CPS uses application data to calculate the EFC and to match against several databases: those of NSLDS, the Department of Defense, the Department of Justice, the SSA, and the Department of Veterans Affairs, as well as the Department of Homeland Security’s database of noncitizens and the Selective Service System registration database.

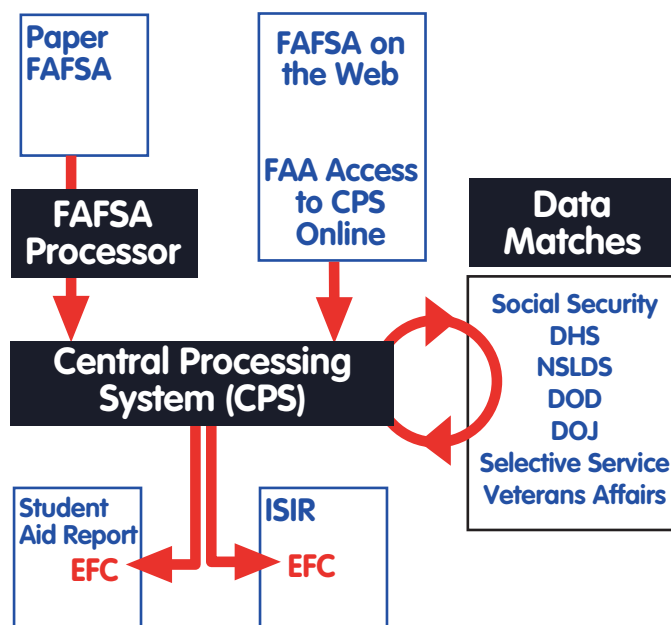
The CPS also checks the application for possible inconsistencies and mistakes. For instance, if a dependent student reported the parents’ mari-

**Renewal FAFSA and students from Palau, the Marshall Islands, and Micronesia**

Because students from the above Pacific islands, known collectively as the Freely Associated States, are not eligible for a PIN (for lack of an SSN), they can’t pre-fill data on FAFSA on the Web. But an FAA can use FAA Access to CPS Online to enter and access renewal applications for these students if they meet the renewal application eligibility requirements.

**Renewal FAFSA reminders**

For more information, see the electronic announcements on 1/14/14 and 10/30/13.



**From FAFSA to SAR/ISIR**

## 2014–2015 Summary of Changes for the Application Processing System

Go to [www.ifap.ed.gov](http://www.ifap.ed.gov) and select Publications > Summary of Changes for the Application Processing System > 2014–2015. This is posted in autumn.

tal status as married but reported the household size as “2,” the edit checks would catch the inconsistency. Even when data is inconsistent, the CPS may be able to calculate an EFC based on assumptions. For applications that your school submits through FAA Access, you can anticipate certain assumptions and correct or override information on the student’s FAFSA submission. Students who submit applications using FOTW can also correct or override some of the CPS edits before submitting the application.

## OUTPUT DOCUMENTS: THE SAR AND ISIR

After processing is complete, the CPS produces output documents or records that show the information the student originally provided, the EFC, the results of the eligibility matches, and information about any inconsistencies identified through the CPS edits. If the CPS was unable to calculate an EFC, the output record will not show one.

There are two types of output documents: the *Institutional Student Information Record* (ISIR), which is made available electronically to the schools the student listed on the FAFSA (or added later) and their state agency, and the *Student Aid Report* (SAR), which is sent to the student or made available to her online.

You will receive an ISIR for the student only if she includes your school on her FAFSA. If your school is not listed, you can request an ISIR for her through FAA Access by adding your federal school code if you have her DRN. The DRN appears in the upper right corner of the first page of the SAR and at the top of some of the correctable pages. The DRN and PIN are different: the DRN authorizes your access to the student’s application information; the PIN is the student’s personal code, which she should give to no one. A school may ask for the student’s DRN, but it should never request the PIN.

You are required to receive ISIRs and to accept SARs from students, but you cannot require them to submit SARs in order to receive aid. If you don’t have an ISIR for a student, your federal school code must be added to her record so an ISIR is sent to you. We recommend making corrections electronically via FOTW (the student) or FAA Access (the school); however, you can require students to use a SAR to make corrections. If you don’t have an ISIR for a student who provided a SAR or SAR Acknowledgement, you must use the SAR or the acknowledgement to award and disburse the student aid. Again, you must also ensure that your school code is added to the student’s CPS record (see page 92).

The SAR arrives in one of three ways. (1) Students who give an e-mail address, whether on a paper FAFSA or an electronic application (FOTW or FAA Access), will receive an e-mail with a link to an online SAR they can access by providing their SSN, date of birth, and first two letters of their last name. (2) Students who don’t give an e-mail address and who apply with a paper application will receive a paper SAR. (3) Students who apply electronically and don’t provide an e-mail address will receive a SAR Acknowledgement, which has fewer and less detailed comments than the SAR and which can’t be used for corrections as the SAR can. If a student or parent signature is missing, students will receive a paper SAR, which they must sign and return for processing to continue.

## Resources for aid administrators

For CPS technical support and questions about EDconnect, EDEExpress, and Renewal FAFSAs, call or email CPS customer service:  
1-800-330-5947  
TDD/TTY 1-800-511-5806  
CPSSAIG@ed.gov

For technical systems publications, go to [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov) and click on “Technical References and Guides.”

For questions about Title IV programs, regulations, and policies, call or email the Federal Student Aid Research and Customer Care Center (RCCC):  
1-800-433-7327  
9 a.m.–5 p.m. (ET), M–F  
fsa.customer.support@ed.gov

The SARs and ISIRs include comment codes and text explaining any questionable results from the matches and edits described here. For some of these there will also be a C code, which you must resolve before paying the student aid. For instance, if a student has defaulted on a federal student loan, the SAR and ISIR will note this in several places, including comments to the student and the NSLDS financial aid history page.

For other problems, the SAR and ISIR will show that the student's application has been rejected and no EFC has been calculated. The SAR will tell the student how to remove the reject by providing signatures or more information or by correcting errors. Reject codes are given in the FAA Information section, and a complete list of reject codes is in *The ISIR Guide 2014–2015* at [www.ifap.ed.gov](http://www.ifap.ed.gov).

## DEADLINES

The application processing cycle lasts 18 months. For the 2014–2015 award year, applications are accepted beginning January 1, 2014, and will be accepted through June 30, 2015.

The CPS must receive a student's electronic FAFSA by June 30, 2015. A paper FAFSA must be legible, and it must be mailed to the Federal Student Aid Programs address listed on the FAFSA in time for the processor to receive it by June 30, 2015. There are no exceptions to these deadlines. An electronic application cannot be received before January 1, 2014, and if it is received after June 30, 2015, it will not be processed. A paper application received before January 1, 2014, or after June 30, 2015, will be returned unprocessed with a letter of explanation. If it is signed before and received after January 1, 2014, it will be accepted, but the student will receive a rejected SAR asking him to date and re-sign the SAR and return it for processing.

In addition to the above dates, the following are **anticipated** (see the margin note) deadlines for the 2014–2015 award year:

- Corrections on a paper SAR must be received by September 21, 2015.
- Corrections through FOTW or FAA Access to CPS Online must be received and accepted by the CPS before midnight (central time) on September 21, 2015.
- Address and school changes through the Federal Student Aid Information Center can be made through September 21, 2015.
- A school must pay or offer to pay any disbursements (except for parent PLUS loans) for a student if it receives a SAR or ISIR with an official EFC while she is enrolled and eligible, but not later than September 28, 2015.
- To give subsidized Title IV aid to a student, a school must have a valid output document while the student is still enrolled for the award year or in the timeframe he qualifies for a late disbursement under 34 CFR 668.164(g)(4)(i) and (iv) but no later than September 28, 2015.

## Reach FSA

We established a new phone number that simplifies access to FSA's contact centers for schools. You can now call a single toll-free number, 1-855-FSA-4-FAA (1-855-372-4322), to reach any of the following:

- Campus-Based Call Center
- CPS/SAIG technical support
- COD School Relations Center
- eZ-Audit Help Desk
- Research and Customer Care Center (RCCC)
- Foreign Schools Participation Division
- G5 Hotline
- NSLDS Customer Support Center
- Nelnet Total and Permanent Disability Servicer
- School Eligibility Service Group

At this single number you can get more information about the various call centers or connect directly to the center you need. The existing phone numbers for all the centers will remain, and you can continue to use those to call the centers directly.

## Deadline Date Notice

Every year the Department publishes in the *Federal Register* a deadline notice that provides all the processing deadline dates. When the official deadline notice for the 2014–2015 award year is published, it will be available on the IFAP website under "Federal Registers."

**Valid SAR or ISIR**

A SAR or ISIR on which all the information reported on a student's FAFSA is accurate and complete as of the date the application is signed.  
34 CFR 668.2

- For students selected (by ED or the school) for verification, the school must have verification documents and a valid output document no later than 120 days after the last day of enrollment or September 28, 2015, whichever is earlier. Schools may set earlier deadlines for the Campus-Based and loan programs.

For the deadlines described here, the date the CPS processed the ISIR transaction is considered to be the date the institution received the ISIR. On the SAR, SAR Acknowledgement, and ISIR printout, the processed date is above the EFC on the first page.



# Filling Out the FAFSA

## CHAPTER 2

*The FAFSA is the first step in the financial aid process. Because it's important to complete the form correctly, this chapter discusses some of the more difficult questions that arise. While the chapter more closely follows the organization of the paper application, the guidance applies equally to FAFSA on the Web<sup>SM</sup> (FOTW<sup>®</sup>). To see how FAFSA data are used to calculate the expected family contribution, refer to Chapter 3.*

The FAFSA is organized as steps, each consisting of a group of related questions. There are also instructions on how to fill out the form.

As of the date the FAFSA is signed, it is considered a “snapshot” of the family’s information that can be updated only in certain circumstances and only for certain items; see *Chapter 4*.

The guidance in this chapter supplements the application instructions. Students can get similar advice on filling out the FAFSA online at [www.studentaid.ed.gov](http://www.studentaid.ed.gov). The parents mentioned are those of dependent students. The numbers in parentheses are for the items as they appear on the SAR, ISIR, paper FAFSA, and FAA Access.

### STEP ONE: GENERAL STUDENT INFORMATION

**Purpose:** This step identifies the student and establishes his aid eligibility based on factors such as citizenship, educational level, and Selective Service registration (see also *Volume 1: Student Eligibility*). Some questions are included to help the school package awards and to eliminate the need for students to fill out a separate state or school financial aid form.

- **Student’s name (1–3).** The name, along with other identifying information, is used for several data matches. Because the U.S. Department of Education (ED) matches the student’s name and Social Security number (SSN) with the Social Security Administration (SSA), the name here should match the one in the SSA’s records, i.e., as it appears on the student’s Social Security card.
- **Permanent mailing address (4–7).** This cannot be the school address, with two exceptions: an incarcerated student or homeless youth may use his college’s administrative address and, if he is submitting a paper FAFSA, he will include with it a letter from the school indicating that he is incarcerated or homeless and is using the school’s address. If he is applying on the Web, he should send the letter to the FAFSA processor (the same address to which a paper FAFSA is sent) and be sure that it contains his SSN.

#### Paper FAFSA steps

**Step One**—General student information

**Step Two**—Student/spouse income and assets

**Step Three**—Dependency status

**Step Four**—Parents’ information (dependent students only)

**Step Five**—Independent student data

**Step Six**—School information

**Step Seven**—Signature(s)

#### Completing the FAFSA

Information for students is online at [www.studentaid.ed.gov/resources](http://www.studentaid.ed.gov/resources). You may want to link to this reference from pages that students use on your website. Scroll down the page for the *Completing the FAFSA* brochure. You can also download FAFSA on the Web graphics to use on your website: <http://studentaid.ed.gov/about/link>.

# STEP 1

## Questions 8–23

### Student information

#### The SSN and certain Pacific island residents

Persons from the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau (the Freely Associated States or FAS) typically do not have SSNs. Students who are filling out a FAFSA for the first time and who indicate that their state of legal residence is one of the above Pacific island groups should enter “666” for the first three digits of their SSN, and the CPS will assign them an identification number. Students from the FAS who have submitted a FAFSA before and were issued such a pseudo-SSN will enter it in the SSN field. **It is important that they use the same number on all subsequent FAFSAs** because it allows for more accurate information on Pell Grant lifetime eligibility used. See the relevant electronic announcements from October 7, 2011, and November 20, 2013.

#### Same-sex marriage and the FAFSA

In 2013, in *United States v. Windsor*, the Supreme Court ruled that Section 3 of the Defense of Marriage Act (DOMA) was unconstitutional because it violates the principles of due process and equal protection. As a result, same-sex couples who have married in a domestic or foreign jurisdiction that recognizes the marriage should complete the FAFSA as a married couple regardless of whether the jurisdiction in which they reside or the student attends school recognizes the marriage. This applies to independent students and to the parents of dependent students. It also includes those filling out a 2013–2014 FAFSA for the first time.

Those who previously submitted a 2013–2014 FAFSA and were married at the time but did not, because of DOMA, fill out the application as married, may, if they choose, correct that FAFSA to show they are married and to include all the relevant information. If they married after signing the 2013–2014 FAFSA, the normal rules for updating marital status explained on page 89 apply. See DCL GEN-13-25 for more information.

- **Student’s SSN (8).** With the exception noted in the margin, a student must have an SSN to apply for federal student aid. If she submits a FAFSA without an SSN, the FAFSA will be returned to her unprocessed. To get an SSN or to determine what the number is if the Social Security card was lost, she must contact the local Social Security Administration (SSA) office. Call the SSA at 1-800-772-1213 (TTY: 1-800-325-0778) for more information.

The student should be careful when entering her SSN. Although it can be corrected after the FAFSA is processed, the number originally entered will always be used as her ID, and it is likely to cause confusion and extra work for the financial aid administrator if it doesn’t match the student’s SSN. While not required, the student can solve the confusion by filing a new original FAFSA using the correct SSN.

- **Student’s e-mail address (13).** If the student provides this address, he should get an e-mail with a link to his online SAR data within one to three days after the CPS receives his application. The Department will also use this e-mail address to correspond with him regarding his application and PIN.
- **Citizenship status (14).** Examples of noncitizenship categories are given in the FAFSA instructions, and a detailed discussion of citizenship issues can be found in *Volume 1: Student Eligibility*. Only citizens or certain classes of noncitizens are eligible for Title IV aid; however, a student should still submit the FAFSA if she might be eligible for aid from institutional, state, or private sources that do not require U.S. citizenship.
- **Student’s marital status (16 and 17).** This is marital status “as of today”—the day the application is signed. Marital status cannot be projected. It can be updated in limited circumstances; see *Chapter 4*.
- **Student’s state and date of legal residence (18–20).** This information is used in the EFC calculation to determine the appropriate allowance for state and other taxes.

It also indicates which state agency should receive the student’s FAFSA information. States have varying criteria for determining whether the student is a resident for purposes of their financial aid. However, residing in one state for four years will meet any state’s criteria. Therefore, a person answering “Yes” to Question 19 will likely meet the residency requirements of the state reported in Question 18, while the state eligibility for a person answering “No” will depend on the date reported in Question 20 and the state’s requirements.

- **Conviction for possessing or selling illegal drugs (23).** Students convicted of a federal or state offense of selling or possessing illegal drugs that occurred while they were receiving federal student aid should still complete and submit the FAFSA because they may be eligible for federal aid, and even if they aren’t, they may be eligible for state or institutional aid.

Students who fill out their FAFSA online and answer “Yes” to Question 23 will immediately receive a series of questions to determine their eligibility.

Students who fill out a paper FAFSA and answer “Yes” to this question will receive a worksheet with their SAR to determine whether the conviction affects their eligibility for federal student aid. If the date they regain eligibility falls before July 1, 2014, the worksheet will instruct them to change the response to a “1,” indicating full eligibility for the award year. If the date falls between July 1, 2014, and June 30, 2015, they will not be eligible for part of the award year and will need to change the response to a “2.”

If the date falls after June 30, 2015, the students’ response will remain a “3.” They will not be eligible for federal aid during the entire award year unless they complete a qualified drug rehabilitation program or pass two unannounced drug tests given by such a program. See *Volume 1: Student Eligibility* for more information.

Students who leave Question 23 blank cannot be paid Title IV aid until they respond by submitting a corrected SAR or ISIR.

- **Highest level of school completed by student’s parents (24 and 25).** Some state agencies use this information to award grants and scholarships. Father and mother are defined here as the student’s birth or adoptive parents but not stepparents, guardians, or foster parents. This definition is unique to these questions—all others use the definition on page 27.
- **High school completion status (26).** The student indicates whether he has a high school diploma or General Educational Development (GED) certificate, he passed a state equivalent test, he was homeschooled, or none of these apply. The last category includes those who have the equivalent of a high school diploma (see *Volume 1, Chapter 1*, of the FSA Handbook) other than a GED certificate or state test completion. State test includes tests comparable to the GED (*i.e.*, they are created and distributed by a test publisher and approved by states), such as the High School Equivalency Test or the Test Assessing Secondary Completion, as well as those established by states, for example, the California High School Proficiency Exam (CHSPE); California considers a passing grade on the CHSPE to be equivalent to a diploma.
- **High school (27).** This question asks for the name of the high school where the student received or will receive her diploma, as well as the city and state where it is located. On FAFSA on the Web, the student will be able to choose the name from a list or type in the name if the school is not on the list. See *Volume 1* of the Handbook about checking the validity of a high school education.
- **First bachelor’s degree (28).** The student indicates whether he will have a first bachelor’s degree before July 1, 2014, because eligibility for Pell and Federal Supplemental Educational Opportunity grants

# STEP 1

## Questions 23–28 Student information

### Undergraduate student definition

A student who is enrolled in a program that usually does not exceed four academic years or is enrolled in a longer program designed to lead to a first degree at the baccalaureate level. A student enrolled in a program that is longer than five years is considered an undergraduate for only the first four years.

For the FSEOG, Pell, and TEACH Grant programs, a student is an undergraduate only if he has not earned, or completed the requirements for, a bachelor’s or professional degree. Students enrolled in a postbaccalaureate program as described in 34 CFR 686.2(d) and 690.6 are still undergraduates for receiving TEACH and Pell grants.

Students enrolled in dual degree programs that confer a bachelor’s degree and either a graduate or first professional degree are undergraduates for at least the first three years of the program. The school determines at what point after three years the student ceases to be an undergraduate.

34 CFR 668.2(b)

### Graduate or professional student definition

A graduate student is one who: is not receiving aid as an undergraduate for the same period of enrollment; is enrolled in a program above the bachelor’s degree level or one leading to a professional degree; and has completed the equivalent of at least three years of full-time study, either before entrance into the program or as part of it.

34 CFR 668.2(b)

# STEPS 2 & 4

## Questions 29–35 and 80–83

### Grade level, tax return, and filing status

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#### Income and assets

HEA Sec. 480(a), (b), (f), (g)

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#### Income earned from work and the IRS 1040 form

The FAFSA instructs the applicant to sum lines 7, 12, and 18 of the 1040 form and box 14 [code A] of Schedule K-1 (Form 1065) as an option for determining the income earned from work. But when the values of lines 12 or 18 or box 14 are negative, this will reduce the total and can wrongly affect the Social Security allowance. If values from lines 12 or 18 or box 14 are negative, treat them as zero when determining the income earned from work.

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#### Income earned from work and combat pay

Because combat pay is not counted as untaxed income and is removed from the AGI when it is taxable, it should not be included in the income earned from work.

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#### EFA or not?

Sometimes it is difficult to account for an outside financial award. If a student receives the award because of post-secondary enrollment, it counts as estimated financial assistance (EFA) if it is not considered wages for employment according to federal or state rules, or if it is considered wages and is based on need. Any amount that appears as income on the tax return will also be included on the appropriate line of item 44 or 93 on the FAFSA. If the award is considered wages for employment but is not based on need, then it is not EFA and it remains in income.

(FSEOGs) is almost exclusively restricted to students who have not received a bachelor's degree or completed the requirements for one. See "Pell Grants" in *Chapter 6 of Volume 1: Student Eligibility* regarding degrees from unaccredited and foreign schools, which can count as bachelor's degrees for Pell and FSEOG eligibility.

- **Student's grade level at the start of the school year (29).** This is not based on the number of years the student has attended college but on work completed toward the degree/certificate. For instance, a full-time student might attain second-year grade level after one year of study, while a half-time student would take two years to reach that level.
- **Interest in work-study (31).** The student indicates whether she is interested in receiving Federal Work-Study (FWS). This helps the school in packaging her award. If she isn't sure about wanting FWS, she should answer "don't know" so she will be considered for it; later she can decline any aid she doesn't want.

### STEPS TWO AND FOUR: INCOME AND ASSETS

**Purpose:** Questions 32–44 ask for the student's and spouse's income and assets. Step Four collects similar information about parents' income and assets, so the following discussion also pertains to parents.

If the student or her parent wasn't married in 2013 but is married when the application is signed, the student also needs to provide income and asset information for the new spouse. If the student or her parent was married in 2013 but is separated or divorced or the spouse has died when the application is signed, the student or parent doesn't provide income and assets for that spouse even though the information may be on the 2013 tax forms.

The FAFSA asks for income and taxes paid according to lines on the IRS tax forms for 2013, the "base year" for 2014–2015. Data from the completed tax year is used as a predictor of the family's financial situation for the current year. If 2013 tax data is not available yet, best estimates can be used on the application, though the student is asked to correct them later when the tax return is filed.

The FAFSA also collects information for certain investments and other assets. Applicants only report the net worth of assets instead of reporting the value and debt. They should report asset amounts **as of the date the application is signed**.

- **Tax return filed and tax filing status (32–35, 80–83 for parents).** These questions ask if a 2013 tax return was completed, which return was or will be filed, what the filing status was or will be (new for 2014–2015), and whether the student or parents were eligible to file a 1040A or 1040EZ. This information is used in part to identify if the student is eligible for the simplified needs test or the auto zero EFC (see the margin note on page 17) and to identify inconsistencies between the FAFSA and the tax return.



- **Adjusted gross income (AGI) and other tax data (36–40, 85–89 for parents).** Dependent students report these items for their parents. Each question gives the line reference to the 2013 IRS tax forms, so it will be easier to enter the **income and tax paid** if the tax return has been completed. A student can instead estimate answers, but if the estimated information is wrong, she might have to correct it when the tax return is filed. The worksheet on page 16 can help students estimate their tax information.

The IRS Data Retrieval Tool (DRT) allows students and parents who are using FAFSA on the Web and who have already submitted their federal tax return to electronically retrieve their tax data from the IRS database. The ISIR will show that data was imported and if it was altered. All students and parents of dependent students who indicate on the application that they have already filed a federal tax return and who are otherwise eligible to use the DRT will be directed to do so. Students and parents are strongly encouraged to make use of the DRT (though it is voluntary) because it is accurate, efficient, and useful for verification and corrections; see the relevant chapters in this guide. Encouragements to use the DRT were sent in April 2014 to those who indicated on the FAFSA they would file a tax return and, beginning in May, to those who had filed but not used the DRT. See the 4/15/14 electronic announcement for details about the e-mails sent to these two groups.

Students or parents who filed a joint return but are divorced, separated, or widowed when the application is signed won't be able to copy the information from the tax forms or transfer data with the DRT. Instead, they must figure out how much of the income and taxes paid is attributable to them and not their spouse. For more on this calculation, see "Using a joint return to figure individual AGI and taxes paid" in *Chapter 4*.

If the student, spouse, or parents were not required to file a tax return, the student should still report any **income earned from work** in lines 39–40 (student and spouse) and lines 88–89 (parents). The W-2 form and other records of work earnings should be used to determine these amounts. Do not include combat pay (see the margin note on page 14).

Income earned from work is used to calculate allowances for the Social Security and Medicare tax (aka the Federal Insurance Contributions Act or FICA tax) and for the added costs incurred by working families. For non-taxfilers it will also be used in place of AGI and will cause the application to be rejected if it is above the tax filing threshold.

For a fiscal year tax return, as opposed to one for the calendar year, the applicant should report information from the fiscal year return that includes the greater number of months in 2013.

If the student or parents filed a tax return using something other than a common IRS form, such as a foreign or Puerto Rican tax form, the student should report on the FAFSA the amounts (converted to U.S. dollars) from the lines of the form that correspond most closely to those on the common IRS forms.

# STEPS 2 & 4

## Questions 36–40 and 85–89

### Income and other tax data

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#### Fiscal year return example

Owen's parents file a fiscal year tax return. They start their fiscal year in September. The return they filed for the fiscal year starting in September 2012 includes eight months in 2013. The return they'll file for the fiscal year starting in September 2013 only includes four months of 2013. Therefore, they should use the information from the tax return for the fiscal year that started in September 2012.

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#### When there are U.S. and foreign tax returns

When a student or parent has returns from both a foreign nation and the United States for the same tax year, they should use the data from the U.S. return when filling out the FAFSA.

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#### Other tax forms

The following tax forms are considered alternatives to a U.S. Form 1040A and 1040EZ: the income tax returns required by the tax codes of the Commonwealth of Puerto Rico, Guam, American Samoa, and the U.S. Virgin Islands. Information from these tax returns would be reported on the FAFSA in the same manner as U.S. tax information, and copies of these forms can be used for verification in the same way as U.S. tax forms are. Amounts are already reported in U.S. dollars, and the school should look at tax return line items that are comparable to the IRS line items for verification.



<b>AGI worksheet for those who have not completed a tax return</b>		
<i>Use this worksheet to estimate adjusted gross income (AGI) if you have not completed a tax return.</i>	<b>For Question 36 Student/Spouse</b>	<b>For Question 85 Parents</b>
Wages, salaries, tips, etc.	\$ _____ .00	\$ _____ .00
Interest income	+ _____ .00	+ _____ .00
Dividends	+ _____ .00	+ _____ .00
Other taxable income (alimony received, business and farm income, capital gains, pensions, annuities, rents, unemployment compensation, Social Security, Railroad Retirement, and all other taxable income)	+ _____ .00	+ _____ .00
Add all of the numbers in the column.	= _____ .00	= _____ .00
Subtract IRS-allowable adjustments to income (payments to IRA and Keogh plans, one-half of the self-employment tax, the self-employed health insurance deduction, the interest penalty on early withdrawal of savings, and alimony paid).	- _____ .00	- _____ .00
Total—write this amount in Question 36 or 85.	\$ _____ .00	\$ _____ .00

## Zero income

Occasionally an applicant will report no income for the base year. This can occur when the family has tax write-offs that produce a negative AGI or when the applicant neglected to report untaxed assistance. Zero income is noted in our CPS edits and may increase the likelihood that the applicant will be selected for verification. If the CPS does not select the student for verification, you may still choose to ask her for further information about her means of support during the base year. Also, you may use professional judgment (PJ) to adjust the income line items to reflect income the family receives that doesn't appear on the tax return.

Any cash support for the student, other than support from a parent for a dependent student, counts as untaxed income and must be reported. In-kind help (see page 23) from a friend or relative is not considered untaxed income, but you may use PJ to account for the value of that in-kind support. For example, you could adjust the room and board component of the cost of attendance (COA) for a student who lives with his aunt and eats meals with her family.

## Married and filing different types of returns

When a student and spouse or the student's parents file separate and different types of returns, what type should be indicated in Question 33 or 81? In such cases, IRS Form 1040 and foreign tax returns are considered comparable, while forms 1040A and 1040EZ are comparable to tax returns from the five inhabited U.S. territories: Puerto Rico, Guam, the U.S. Virgin Islands, the Northern Mariana Islands, and American Samoa. The former take precedence over the latter; for example, if a student filed a 1040A form and his spouse filed a foreign return, he would answer foreign tax return to question 33. When comparable but different returns are filed, the IRS return takes precedence and is indicated. If the above student's spouse filed a Puerto Rican return, then he would answer 1040A or 1040EZ to the question.

## Married filing separately and one spouse does not file

With a married student or the married parents of a dependent student, if one spouse files separately and the other does not file a return but has some income, how do you figure the AGI? Add the income earned from work (*e.g.*, earnings from the W-2 form or any other earning statements) of the spouse who does not file a return to the AGI (as given on line 37, 21, or 4 of Form 1040, 1040A, or 1040EZ respectively) of the spouse who does and enter the sum on the appropriate AGI line of the FAFSA.

# STEPS 2 & 4

## Questions 41–43 and 90–92 Assets

- **Assets (41–43, 90–92 for parents).** An asset is property that the family owns and has an exchange value. The FAFSA collects current (as of the day of signing the FAFSA) data about cash, savings and checking accounts, investments, businesses, and investment farms. Most assets are **investments** such as college savings plans, Coverdell education savings accounts, real estate, installment and land sale contracts (including mortgages held), trust funds, mutual funds, money market funds, UGMA and UTMA accounts, certificates of deposit, stocks, stock options, bonds, commodities, and precious metals. If the asset isn't a business or investment farm, it is reported as an investment.

The FAFSA asks for the net worth of investments, which is their total current market value minus their associated debts. If their net worth is negative, the student reports a zero.

Similarly for **businesses and investment farms**, the current net worth is reported for land, buildings, machinery, equipment, livestock, and inventories. The current market value of a business or investment farm is reduced by the debt owed on it to determine the net worth. Business or farm debt means only those debts for which the business or farm was used as collateral.

### Excluded assets—the following are NOT reported on the FAFSA:

- **Possessions** such as a car, a stereo, clothes, or furniture.
- **A family's principal place of residence**, even if it is part of a business.
- **A family farm** (including equipment, livestock, etc.) if:
  - it is the principal place of residence for the applicant and his family (spouse or, for dependent students, parents), and
  - the applicant (or parents of a dependent student) materially participated in the farming operation.
- **Family-owned and controlled small businesses** (which can include farms) that have 100 or fewer full-time or full-time equivalent employees. "Family-owned and controlled" means that more than 50% of the business is owned by persons who are directly related or are or were related by marriage (family members do not have to be counted in the household size for this question).
- **Retirement plans and whole life insurance.** The value of retirement plans—401(k) plans, pension funds, annuities, non-education IRAs, Keogh plans, etc.—is not counted as an asset, but distributions do count as income; they appear in the AGI if taxable and in questions 45 and 94 if untaxed. Similarly, the cash value or equity of a whole life insurance policy isn't reported as an asset, but an insurance settlement does count as income.

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### Simplified needs test

The law provides a "simplified EFC" calculation for a student who meets certain income and tax filing requirements. If the applicant is eligible based on the information on the FAFSA, the CPS will automatically exclude assets from the EFC calculation. However, some states and schools require this information for their own aid programs.

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### Rental properties

Rental properties are an asset. A unit within a family home that has its own entrance, kitchen, and bath (therefore a rented bedroom would not count) and that is rented to someone other than a family member counts as an asset. To calculate its net value, multiply the net value of the entire structure by the fraction the rented space represents. Similarly, if a family owned a 10-unit apartment building and lived in one of the apartments, 9/10 or 90% of the net value of the building would be an asset.

At times a student or parent will claim rental property as a business. Generally, it must be reported as real estate instead. A rental property would have to be part of a formally recognized business to be reported as such, and it usually would provide additional services like regular cleaning, linen, or maid service.

# STEPS 2 & 4

## Qualified tuition programs

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### UGMA and UTMA accounts

The Uniform Gifts and Uniform Transfers to Minors Acts (UGMA and UTMA) allow the establishment of an account for gifts of cash and financial assets for a minor without the expense of creating a trust. Because the minor is the owner of the account, it counts as his asset on the FAFSA, not the asset of the custodian, who is often the parent.

### Qualified education benefits

Qualified tuition programs (QTPs, also known as section 529 plans because they are covered in section 529 of the IRS tax code) and Coverdell education savings accounts are grouped together in the law as qualified education benefits and have the same treatment: they are an asset of the owner (not the beneficiary because the owner can change the beneficiary at any time) except when the owner is a dependent student, in which case they are an asset of the parent. When the owner is some other person (including a non-custodial parent), distributions from these plans to the student count as untaxed income, as “money received.”

States, their agencies, and some colleges sponsor plans known in the IRS tax code as qualified tuition programs. The IRS mentions two types of QTPs that are commonly called prepaid tuition plans and college savings plans. States may offer both plan types, but colleges may only sponsor prepaid tuition plans.

Prepaid tuition plans allow a person to buy tuition credits or certificates, which count as units of attendance. The number of units doesn’t change even though tuition will likely increase before the beneficiary gets to use the tuition credits. They are an asset of the plan owner, and their worth is the refund value of the credits or certificates.

College savings plans allow a benefactor to deposit money into an account that will be used for the beneficiary’s college expenses. The buyer does not pre-purchase tuition credits as with a prepaid tuition plan. Rather, this type of plan is essentially a savings account, and its value as an asset is the current balance of the account.

Coverdell education savings accounts, or ESAs, are another tax-advantaged savings vehicle for college education. They are treated the same as college savings plans: the current balance is an asset of the account owner.

As long as distributions from QTPs and ESAs do not exceed the qualified education expenses for which they are intended, they are tax-free, so they will not appear in the next year’s AGI. They should not be treated as untaxed income (except in the cases mentioned above) or as estimated financial assistance. For more information on these benefits, see the IRS’s Publication 970, *Tax Benefits for Education*.

### Reporting “take-back” mortgages

In a take-back mortgage, the seller of a house finances a portion of its cost for the buyer, who repays this additional mortgage to the seller. The seller reports the interest part of any payments received from the buyer on Schedule B of IRS Form 1040. Therefore, if a student or his parents report such interest on the tax return, it likely indicates an asset that should be reported on the FAFSA: the value of the take-back mortgage. There would be no debt reported against this asset. For example, if a dependent student’s parents sold their house for \$200,000 and financed a take-back mortgage of \$40,000 to the buyer, the parents should report \$40,000 as the net worth of the investment. The worth will decrease each year depending on how much of the principal the buyer paid back that year. This concept applies to other forms of seller financing of the sale of a home or other property.

## Reporting trust funds

Trust funds in the name of a student, spouse, or parent should be reported as that person's asset on the application, generally even if the beneficiary's access to the trust is restricted. If the settlor of a trust has voluntarily placed restrictions on its use, then the student should report its present value as an asset, as discussed below. If a trust has been restricted by court order, however, the student should not report it. An example of such a restricted trust is one set up by court order to pay for future surgery for the victim of a car accident.

How the trust must be reported depends on whether the student (or dependent student's parent) receives or will receive the interest income, the trust principal, or both. In the case of a divorce or separation where the trust is owned jointly and ownership is not being contested, the property and the debt are equally divided between the owners for reporting purposes unless the terms of the trust specify some other method of division.

### Interest only

If a student, spouse, or parent receives only the interest from the trust, any interest received in the base year must be reported as income. If the interest accumulates and is not paid out, the recipient must report an asset value for the interest she will receive. The trust officer can usually calculate the value of the interest the person will receive while the trust exists. This value represents the amount a third person would be willing to pay for the interest income.

### Principal only

The person who will receive only the trust principal must report as an asset the present value of his right to that principal. For example, if a \$10,000 principal reverts to a dependent student's parents when the trust ends in 10 years and the student is receiving the interest, he would report the interest he received as income and report as a parental asset the present value of his parents' rights to the principal. The present value of the principal can be calculated by the trust officer; it's the amount that a third person would pay for the right to receive the principal 10 years from now—basically, the amount that one would have to deposit now to receive \$10,000 in 10 years.

### Both principal and interest

If a student, spouse, or parent receives both the interest and the principal from the trust, the student should report the present value of both interest and principal, as described in the discussion of principal only. If the trust is set up so that the interest accumulates within the trust until it ends, the beneficiary should report as an asset the present value of the interest and principal that she is expected to receive when the trust ends.

## Ownership of an asset

In some cases the ownership of an asset is divided or contested, which can affect how the student reports the asset.

### Part ownership of asset

If the parent or student has only part ownership of an asset, the student should report only the owned part. Generally the value of an asset and debts against it should be divided equally by the number of people who share ownership unless the share of the asset is determined by the amount invested or the terms of the arrangement specify some other means of division.

### Contested ownership

Assets shouldn't be reported if the ownership is being contested. For instance, if the parents are separated and can't sell or borrow against jointly owned property because it's being contested, the parent reporting FAFSA information would not list any net worth for the property. However, if the ownership of the property is not being contested, the parent would report the property as an asset. If ownership of an asset is resolved after the initial application is filed, the student can't update this information.

### Lien against, and imminent foreclosure of, an asset

If there's a lien against the asset, the net value of the asset is determined by subtracting from its total value any associated debt as well as the amount of the lien. If foreclosure of an asset is imminent, the net value of the asset would still be reported until the party making the foreclosure completes legal action to take possession of the asset. If the status of the property changes after the application is filed, the student can't update the asset information.

# STEPS 2 & 4

## Questions 44 and 93

### Taxable income offsets

#### American Opportunity credit

Part of this credit can be refundable, that is, payable to tax filers even if they do not owe any federal income tax. The nonrefundable portion appears on the same lines of the tax return and the FAFSA as the Lifetime Learning credit. The refundable portion appears on line 66 of the 1040 form and line 40 of the 1040A. It does not appear on the lines of the FAFSA for the education tax credits, nor does it count as untaxed income.

#### Reimbursements and stipends

Employers often help with education costs by paying stipends or reimbursing employees for classes taken. These benefits count as estimated financial assistance (or reduce the cost of attendance) even if they aren't received until the end of the class(es) and are contingent on earning a minimum grade. Any taxable portion received in the prior year and appearing in the AGI is entered in Question 44 or 93.

#### Child support payments example

Steven and his wife each have a child from a previous relationship who doesn't live with them and for whom they pay child support. Because Steven provides over half of his daughter's support through his payments, he counts her in his household size. Therefore, he doesn't report the amount of child support he pays on his FAFSA. Steven's wife isn't providing over half of her son's support, so he isn't included in Steven's household size. Therefore, Steven can report the amount of child support his wife pays.

The full amount of the distribution is reported, whether it was a lump sum or annual distribution, and it will count as taxable or untaxed income, as appropriate. An exception to reporting pension distributions is when they are rolled over into another retirement plan in the same tax year.

→ **Excluded assets for Native American students.** The law excludes reporting any property received under the Per Capita Act or the Distribution of Judgment Funds Act (25 U.S. Code 1401, *et seq.*), the Alaska Native Claims Settlement Act (43 U.S. Code 1601, *et seq.*), or the Maine Indian Claims Settlement Act (25 U.S. Code 1721, *et seq.*).

■ **Taxable income offsets (44 and 93).** These questions total certain types of income and other monies that are excluded from income in the need analysis. The CPS subtracts these excluded amounts from the AGI when calculating the EFC.

**a. Education tax credits.** These are the American Opportunity and Lifetime Learning tax credits; the FAFSA refers to lines 49 and 31 on the 1040 and 1040A tax returns respectively. See the margin note.

**b. Child support payments.** Count those *made* during 2013 because of divorce, separation, or legal requirement by the student, spouse, or parent whose income is reported on the FAFSA. Don't include support for children in the household (see the example in the margin). Also, don't count child support *received* for a child in the household size; that is considered untaxed income.

**c. Taxable earnings from need-based work programs.** These are earnings from any need-based work program, including Federal Work-Study and need-based employment portions of fellowships or assistantships. The student uses the W-2s or other records she received for these earnings.

**d. Student grant and scholarship aid.** A student reports **only** the amount of grants and scholarships received that is taxable income. This includes grant and scholarship (not employment) portions of fellowships and assistantships, as well as taxable stipends and employer tuition reimbursements. Include also AmeriCorps benefits (awards, living allowances, and interest accrual payments) except those for health care or child care. The filer usually writes the taxable amount of the grant or scholarship separately on the tax form next to the line where wages and other earnings are reported. If the amount was reported this way, the student can copy it from the tax form.

**e. Combat pay.** Enter only the portion that was included in adjusted gross income. This should be zero for enlisted persons and warrant officers (including commissioned warrant officers) because their combat pay is entirely non-taxable. For commissioned officers generally, combat pay in excess of the highest enlisted person's pay (plus imminent danger/hostile fire pay) is taxable. To determine the taxable amount, find the total combat pay from the serviceperson's leave and earnings statements and subtract the untaxed portion,



which is reported in box 12 of the W-2 form with code Q. See IRS Publication 3, *Armed Forces' Tax Guide*, for more information.

**f. College cooperative education program earnings from work.** The student uses the W-2s or other records she received for these earnings.

- **Untaxed income (45 and 94).** These questions total the untaxed income, some of which is reported on the tax form even though it isn't taxed. A student who hasn't filed a return will have to estimate these amounts, and students or parents may need to separate information from a joint return.

**a. Payments to tax-deferred or sheltered pension and savings plans (paid directly or withheld from earnings).** This includes untaxed portions of 401(k) and 403(b) plans. These types of payments are listed in boxes 12a through 12d of the W-2 and will have one of the following codes: D, E, F, G, H, or S. Note that employer contributions to these plans shouldn't be reported as an untaxed benefit.

**b. Deductible IRA or Keogh payments.** Payments to an IRA or Keogh plan that are excluded from taxation are reported as untaxed income. These amounts appear on the tax return.

**c. Child support received for all children.**

**d. Tax-exempt interest income.** Certain types of interest, such as interest on municipal bonds, are tax-exempt. This amount is on line 8b on both the 1040 and 1040A forms.

**e. and f. Untaxed IRA distributions and pension or annuity payments.** A tax filer determines how much of his IRA distribution or pension or annuity payment is taxable when he completes his tax return. The applicant reports the untaxed portion, which is determined from the tax return, but should not include rollovers (transfers of funds from one IRA to another).

**g. Housing, food, and other living allowances.** Some people, particularly clergy and military personnel, receive these allowances as compensation for their jobs. Money received to pay for rent should also be reported, as should the free use of a house or apartment (the rent or market value of a comparable house or apartment can be used). Similarly, if the student received free room or board in 2013 for a job that was not awarded as student financial aid (including resident advisor positions that provide free room and board as part of the student's non-need-based employment compensation), she must report the value of the room and board as untaxed income. Note the housing exclusions on the following page.

**h. Veterans' noneducation benefits.** This includes disability, the death pension, Dependency and Indemnity Compensation (DIC), and Veterans Affairs (VA) educational work-study allowances.

## STEPS 2 & 4

### Questions 45 and 94

### Untaxed income

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#### Health savings accounts

Health savings accounts (HSAs) resemble tax-deferred pension and savings plans more than flexible spending arrangements; for example, the balance in an HSA persists from year to year, while that in a flexible spending arrangement must be spent on qualified expenses by the end of the year. Therefore, treat tax-free contributions to an HSA as untaxed income; these will appear on line 25 of the 2013 IRS Form 1040. The balance in the account does not count as an asset, nor would distributions from it count as untaxed income when they are used for qualified medical expenses. Distributions not used for qualified expenses are subject to income tax (and a possible penalty) and will be counted in the adjusted gross income.

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#### Extended foster care payments

Foster children who meet certain criteria can receive benefits until age 21. If these extended payments are under the authority of Title IV, Part E, of the Social Security Act, they are not reported on the FAFSA. If they are paid under some other authority, *e.g.*, a state foster youth support program, they are reported as untaxed income to the student in Question 45i of the 2014–2015 FAFSA. See DCL GEN-13-18.

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#### Independent student with parental support example

Doug is a graduate student, so he's independent even though he still lives with his parents and has no income of his own. Although the FAA at his school can't make him a dependent student, she can decide to use professional judgment to add an amount to his untaxed income to account for the in-kind support his parents provide.

# STEPS 2 & 4

## Questions 45 and 94

### Untaxed income

#### Box 14 items on the W-2

Schools are not required to review income listed in box 14 of the IRS's W-2 form. There are a few reasons for this. Several of the items the IRS suggests could be reported in box 14 are captured already on the FAFSA (in adjusted gross income for instance); also, employers could include in box 14 certain non-elective pension plan contributions, and non-elective contributions should not be counted in the need analysis. Finally, because no employer is required to provide information in box 14, it is unlikely that employers will be consistent in what they report there.

But if you are aware that a box 14 item should be reported—i.e., if it represents discretionary income—you should count it on the pertinent line. For example, clergy parsonage allowances often appear in box 14, and you would count that on line g of Question 45 or 94.

**i. Any other untaxed income not reported elsewhere.** This includes disability (but not Social Security disability), worker's compensation, tax-free contributions to HSAs (see the margin note), interest income on education IRAs, untaxed portions of Railroad Retirement benefits, black lung benefits, refugee assistance, the untaxed portion of capital gains, and foreign income that wasn't taxed by any government and isn't part of the Foreign Earned Income Exclusion.

**j. Money received (45 only).** The student reports any cash support he received, but if dependent he does not count his parents' support, with one exception: money from a non-custodial parent that is not part of a legal child support agreement is untaxed income to the student. Cash support includes money, gifts, and loans, plus housing, food, clothing, car payments or expenses, medical and dental care, college costs, and money paid to someone else on his behalf. For example, if a friend or relative pays his electric bill or part of his rent, he must report the amount as untaxed income. If he is living with a friend who pays the rent and the student's name is on the lease, the rent paid on his behalf counts as cash support because he is responsible for payments that his friend is making. Note that this item does not appear in the parents' question—only the student reports this information.

#### Tips on reporting benefits:

The student reports the actual amount of benefits received during the year, even if it is an underpayment or an overpayment that will be corrected in the next year. However, if the underpayment or overpayment was adjusted in the same year, only the net amount received during that year would be reported.

Benefits the student or parent receives on behalf of anyone included in his FAFSA household size count as income to him unless the person is an adult, e.g., a grandmother (a child would not count) who receives the benefits in her name. Such a person is not included in the household size if benefits in her name total more than half of her support.

#### Income and benefits NOT to be included:

- **Student aid** is accounted for in packaging (see *Volume 3: Calculating Awards and Packaging*); it does not count as income in the calculation of the EFC. Student aid includes tuition benefits a parent receives for a dependent, such as those from the parent's employer. Student aid that was included in the AGI is reported separately as an exclusion so that it can be subtracted from income.
- **Veterans' education benefits.** Appendix A in *Chapter 7 of Volume 3* for 2013–2014 has the list of excluded benefits. See also the August 13, 2009, electronic announcement at [www.ifap.ed.gov](http://www.ifap.ed.gov) for information.
- **The value of on-base housing** or the basic allowance for housing (BAH) for students or parents who are in the military. However, the basic allowance for subsistence (BAS) still counts as untaxed income.

- **Rent subsidies for low-income housing.**
- **Payments and services received from states for foster care or adoption assistance,** under Part A or Part E of Title IV of the Social Security Act.
- **Per capita payments to Native Americans.** Money received from the Per Capita Act or the Distribution of Judgment Funds Act should not be reported unless it exceeds \$2,000 per payment. Any amount over \$2,000 is reported as untaxed income.
- **Heating/fuel assistance.** This includes payments or allowances received under the Low-Income Home Energy Assistance Act (LIHEA). Payments under the LIHEA are made through state programs that may have different names.
- **Flexible spending arrangements.** These are employee benefit programs, sometimes called “cafeteria plans.” Neither contributions to nor payments from these programs should count as untaxed income.
- **Welfare benefits (e.g., Temporary Assistance for Needy Families or TANF), untaxed Social Security benefits, and the earned income and additional child tax credits.** Welfare benefits are state or federal supplementary assistance that is means-tested.
- **Combat pay, foreign income exclusion, and credit for federal tax on special fuels.**
- **In-kind support** is other than money, for example, friends or relatives giving the student food or allowing him to live with them rent-free. That support isn’t included as untaxed income, though you may use professional judgment (e.g., by reducing the cost of attendance or increasing income) with students who receive such in-kind support. This is not the same as housing and other allowances received as compensation for a job, which, as stated earlier, must be reported. If the student is living with someone who is paying living expenses, it can be difficult to determine whether the support is cash support or in-kind support. The basic rule is: if someone pays a cost the student is obligated to pay, the amount counts as cash support.

### STEP THREE: DEPENDENCY STATUS

**Purpose:** The law governing the FSA programs is based on the premise that the family is the first source of the student’s support, and the law provides several criteria that decide if the student is considered independent of his parents for aid eligibility. Note that a student reaching the age of 18 or 21 or living apart from his parents does not affect his dependency status. For the 2014–2015 year, a student who meets any of the following criteria from HEA Sec. 480(d) is independent; he

- was born before January 1, 1991,
- is married as of the date he applies,

## STEP 3

### Untaxed income not reported on the FAFSA

#### Dependent benefits example

Stanislaw’s uncle Yvor lives with him and receives a small disability payment each month. This amount is paid directly to Yvor, so Stanislaw doesn’t report it as income when he completes the FAFSA. The payment is small enough that Stanislaw is still providing more than half of Yvor’s support, and because he expects to continue to provide more than half support during the award year, he includes Yvor as a dependent in his household size. However, starting the July after the current award year, Yvor expects to also start receiving a pension. The combination of the pension and the disability payment will be enough that Stanislaw won’t be providing more than half of his uncle’s support and therefore won’t be able to include Yvor in his household size after this award year.

#### Examples of in-kind income (not to be reported on the FAFSA)

- SNAP (formerly Food Stamp Program)
- Women, Infants, and Children Program (WIC)
- Food Distribution programs
- National School Lunch and School Breakfast programs
- Commodity Supplemental Food Program (CSFP)
- Special Milk Program for children
- Daycare provided by the Social Services Block Grant Program (if the recipient receives **reimbursement** for child care expenses, that amount is reported as income)
- WIA (formerly JTPA) educational benefits
- Rollover pensions
- Payments and services received from states for foster care or adoption assistance, under Part A or Part E of Title IV of the Social Security Act

# STEP 3

## Questions 47–48 Dependency status

### Military service academies and preparatory schools

U.S. Military Academy (West Point)  
U.S. Naval Academy (Annapolis)  
U.S. Air Force Academy  
U.S. Coast Guard Academy  
U.S. Merchant Marine Academy  
U.S. Military Academy Preparatory School  
Naval Academy Preparatory School  
U.S. Air Force Academy Preparatory School

### Early exit cadets

Students who attend a U.S. military academy or military academy preparatory school and who are discharged other than dishonorably prior to commission are veterans for FSA purposes but might not be veterans for VA purposes. These students will likely receive match results showing that they aren't veterans. Just like other students who receive these match results, if an early exit cadet meets one of the other criteria for independence, no resolution is required. But if he meets no other independence criteria, he must provide the school with documentation that shows he was a cadet of a military academy or its preparatory school.

### Example: surviving parent and stepparent

Meurig's parents divorced when he was seven. His mother later remarried, and Meurig lived with her and with his stepfather, who did not adopt him. His mother died last year, but his father is still living. Meurig doesn't meet any of the independence criteria, so he's a dependent student. Because his father is his only surviving parent, Meurig needs to report his father's information on the form, even though he's still living with and being supported by his stepfather.

- will be a graduate or professional student when the award year starts,
- is currently serving on active duty for purposes other than training,
- is a veteran of the U.S. Armed Forces,
- has dependents other than a spouse,
- was an orphan, foster child, or ward/dependent of the court at any time since the age of 13,
- is an emancipated minor or in legal guardianship or was when he reached the age of majority in his state, or
- was determined at any time since July 1, 2013, to be an unaccompanied youth who was homeless or self-supporting and at risk of being homeless.

If a student is considered a dependent of his parents, their income and assets must be included on the FAFSA. The CPS will calculate a parent contribution and add it to the student's contribution to derive an EFC.

In unusual cases an aid administrator can determine that a student who doesn't meet any of the independence criteria should still be treated as an independent student. (See "Dependency Overrides" in *Chapter 5*.)

- **Married (47).** The student must answer this question according to her marital status at the time the FAFSA is signed; after that, she **cannot** update FAFSA information for changes in her marital status except in limited instances; see *Chapter 4*.

A student who is only engaged answers as unmarried unless she waits until after the wedding to complete the FAFSA. For this question a student is considered married if she is separated or planning to divorce or if she has a relationship that meets the criteria for common-law marriage in her state. A student who was independent only because she was married becomes dependent for the next award year if she divorces and cannot answer yes to any of the dependency questions.

- **Graduate or professional study (48).** The FAFSA asks if the student will be working on a master's, doctorate, or graduate certificate program at the beginning of the school year. A student who is a graduate or professional student is independent for purposes of Title IV aid.

Graduate and professional students aren't eligible for Pell grants, so a student who incorrectly answers "Yes" to this question must submit a correction before he can get a Pell grant, even if he is independent for another reason.

Students should fill out the FAFSA based on their expected grade level at the beginning of the award year. If a dependent student completes her undergraduate program during the year and begins graduate school, she can update the answer to the dependency question so that the CPS can reprocess her application, or the aid administrator at the graduate school can recalculate her EFC and use it to package her graduate aid.



■ **Member or veteran of the U.S. Armed Forces (49 and 50).**

Veterans and persons on active duty in the U.S. Armed Forces (the Army, Navy, Air Force, Marines, or Coast Guard) for purposes other than training are independent.

Veterans are those who were in active service (which includes basic training, aka boot camp) and were released under a condition other than “dishonorable.” This includes those who fraudulently entered the service, as long as their entire period of service was not voided. There is no minimum amount of time the student has to have served to be a veteran—even one day counts—but it does have to be active service. This is less stringent than the VA’s definition of a veteran for receiving certain VA benefits.

The application also tells students to answer “Yes” to the question about veteran status if they aren’t yet a veteran but will be by June 30, 2015. Students who attended a **U.S. service academy** or preparatory school (see margin note on page 24) for at least one day and were released under conditions other than “dishonorable” count as veterans for Title IV purposes. Students serving in ROTC or currently attending a U.S. military academy are not veterans.

Members of the **National Guard** or **Reserves** are only considered veterans if they were called up to active federal duty by presidential order for a purpose other than training. It does not matter how long the active duty lasted or if the student returned to reserve status afterward, but, as with the other qualifying veterans, the student must have had a character of service that was not “dishonorable.”

■ **Children and legal dependents (51 and 52).** Students who have legal dependents are independent. Legal dependents comprise children (including those who will be born before the end of the award year) of the student who receive more than half their support from the student, and other persons (except a spouse) who live with and receive more than half their support from the student as of the FAFSA signing date and will continue to do so for the award year. The same criteria apply to household size.

When a student applies after the award year has begun, in order to count a person not her child as a dependent, the support already given that year plus the future support must total more than 50% for the whole year. See the margin example.

■ **Orphan, foster child, or ward of the court (53).** A student who was an **orphan**—both her parents were dead—when 13 or older is independent even if she was subsequently adopted. Likewise, a student who was at any time since the age of 13 a **foster child** or a **ward of the court** is independent even if her status changed later.

## STEP 3

### Questions 49–53 Dependency status

#### Legal dependent examples

Laurel is going to college and is her cousin Paul’s legal guardian. Paul receives Social Security benefits, but because he’s a minor, the benefits are paid to Laurel on his behalf. These benefits provide more than half of Paul’s support. Because Paul lives with Laurel and will be supported by her (through the Social Security benefits) throughout the award year, Laurel answers “Yes” to the legal dependent question. If Paul didn’t live with Laurel, she would have to answer “No” to the question.

Alan pays \$4,000 to support his girlfriend, Cathy, who lives with him. She has earned income of \$3,000, and she receives \$200 a month (\$2,400 a year) from her parents. She uses all of this for her support. Alan cannot consider Cathy a dependent since the \$4,000 he provides is not more than half of her total support of \$9,400.

In April 2014 Anika applies for aid for 2013–2014. One month prior to that, her cousin Bettina came to live with her. Even though Anika provides all of her cousin’s support, the one month of support she has given plus the two months left in the award year would not amount to more than 50% for the entire year, so she can’t consider Bettina her dependent for 2013–2014. If Bettina had moved in just before the midpoint of the year, Anika would have been able to count her as a dependent for 2013–2014.



# STEP 3

## Veteran match

### Veteran match (for Question 50)

If the student answers “Yes” to the question about veteran status, the CPS performs a match with the U.S. Department of Veterans Affairs (VA) records to confirm that status. The VA sends the result back, which appears as a match flag in the FAA Information section of the output document. For flags 2, 3, and 4, a comment and a C flag will appear on the SAR only if veteran status is the sole reason that the student would be independent. See the guide *SAR Comment Codes and Text: 2014–2015* on the IFAP website.

#### Successful match (match flag 1)

There won’t be any comments on the output document if the VA confirms that the student is a veteran.

#### Not a veteran (match flag 2)

A student will receive this flag if the VA database indicates he is not a veteran. If the student answered “Yes” to one of the other dependency questions, he is independent based on that question and can receive student aid without resolving his veteran status.

If the student answered “No” to all the other dependency questions and he believes he is a qualifying veteran, he should provide the financial aid office at his school a copy of his DD214 (the Certificate of Release or Discharge from Active Duty, with “Character of Service” as anything but “dishonorable”). If it shows that he is a veteran, he can receive aid as an independent student. A dependency override is not necessary because the CPS accepts his “Yes” answer to the veteran question. If a national guardsman or a reservist who served on active duty (for other than training) did not receive a DD214 but can obtain a letter from a superior officer that documents the call-up to active duty and that classifies the character of service as anything but “dishonorable,” the student will be considered a veteran for FSA purposes. If the student turns out not to be a veteran, he will need to change his answer to the question from “Yes” to “No” and provide parent information, including a parent’s signature.

If the VA match problem is due to an error in the VA’s database, the student should contact the VA and correct the error. A subsequent transaction will then redo the match with the VA.

#### Not in database (match flag 3)

Much of the guidance above applies for students not in the VA database: if the student is independent for a reason other than being a veteran, she doesn’t need to resolve the problem before receiving student aid, although she should have the VA correct its database if it’s wrong. If she answered “No” to the other dependency questions, she must either correct any problem with the VA, provide documentation showing she is a veteran or will be one by June 30, 2015, or, if she is not a veteran and will not be one by that date, provide parent data and change her response to the question from “Yes” to “No.”

#### Active duty (match flag 4)

If the student is currently on active duty, he isn’t a veteran yet, but if his active duty will end by June 30, 2015, he counts as a veteran for dependency status. Because he should have answered “Yes” to the active duty question, he would be independent by that criterion and wouldn’t have to resolve this situation.

# STEP 3

## Who is a parent or has dependents

### Who counts as a parent on the FAFSA?

If the applicant answers “No” to questions 46–58, then she is dependent and must report parental information. In most cases it’s clear who the parents are but not always.

#### ✓ **Biological, adoptive, and stepparents**

A dependent student with two married, biological parents reports their income and assets in Step 4 on the FAFSA. Adoptive parents are treated just like biological parents. A stepparent is considered a parent if married to a biological or adoptive parent and if the student counts in their household size. Beginning with 2014–2015, biological and adoptive (whether of the opposite or the same sex) parents who are unmarried and living together will give that as their status in Question 59, and both will report their information on the FAFSA. See DCL GEN-13-12.

However, a stepparent who did not adopt the student cannot be the sole parent for determining dependency status. If the other parent dies, the student is still a dependent of the remaining biological parent, not the stepparent. If no biological parent remains, the student answers “Yes” to Question 53 and is independent.

#### ✗ **Foster parents, legal guardians, and relatives**

A foster parent or a legal guardian is not treated as a parent for FSA purposes. If at any time since the age of 13 both of the student’s parents were dead (and he did not have an adoptive parent) or he was in foster care, he is independent. If he is now, or was when he became an adult, an emancipated minor or in legal guardianship (see the exception under Question 55), he is independent.

If a student is living with her grandparents or other relatives, their data should not be reported on the FAFSA as parental data unless they have adopted the student. Any cash support from persons other than the student’s parents should be reported as untaxed income, as discussed in Step 2. The school may also consider other kinds of support as part of the student’s financial resources and use professional judgment to include the support under the item for student’s untaxed income (see *Chapter 5* on professional judgment).

### Other sources of support for children and other household members

If the student is receiving support to raise her child, is the child still considered a legal dependent? If one or both of the student’s parents are directly or indirectly providing more than 50% support in cash or other assistance to the child, then the student would answer “No” to the FAFSA question about legal dependents. “Indirect support” to the child includes support that a parent gives to the student on behalf of the child. If the student is living with a parent who is paying for most of the household expenses, the parent would usually be considered the primary source of support to the child, and the student would answer “No” to the question about legal dependents. However, there may be some cases where the student can demonstrate that she provides more than half of her child’s support even while living at home, in which case she would answer “Yes” to the question about legal dependents.

When the student receives money for the child from any source other than her parents, she may count it as part of her support to the child. Sources include child support and government programs, such as Temporary Assistance for Needy Families (TANF) and the Supplemental Nutrition Assistance Program (SNAP, formerly the federal Food Stamp Program), that provide benefits for dependent children. So a student may be considered independent when the benefit she receives is the primary support for her child. For example, if a student who lives alone with her child receives cash from her boyfriend that amounts to more than 50% support for her child, then she would be able to count the child as a dependent and in her household size, and she would be independent. If the boyfriend is the father of the child and a student himself, then he would also be able to count the child as a dependent and in his household size, and he would be independent too.

# STEP 4

## Questions 54–69 Dependency status and parent information

### Student living with relatives example

Millie's father is dead, and her mother can't support her, so she is living with her grandmother. Her mother doesn't pay any money for her support. Millie doesn't meet any of the independence criteria, so she has to provide parental information. Because her grandmother hasn't adopted her, her grandmother isn't her parent. Millie will have to provide information about her mother on the form unless there are unusual circumstances that would warrant a dependency override or her receiving only unsubsidized loans. In any case, the school might use PJ to account for the grandmother's support.

### Dependent student household size example

Lydia is a dependent student, and her parents are married. Her brother Ron is 26, but his parents still provide more than 50% of his support, so he is included in the household size. Her sister Elizabeth is attending college but is an independent student and isn't supported by their parents, so she isn't included in the household size. Her sister Susan is not attending college but is working and supporting herself. However, if Susan were to apply for student aid, she would be considered a dependent student, so she is included. Therefore, the household size that Lydia reports for her parents is five.

A student is a ward of the court if it has assumed legal custody of her. In some states the court may impose its authority over a juvenile who remains in the legal custody of her parents; such a student is not a ward of the court. Also, incarceration of a student does not qualify her as a ward of the court. In some states the phrase "ward of the state" is used. This is considered the same as a ward of the court for dependency status as long as the student is a ward of the state **not** due to incarceration.

- **Emancipation and legal guardianship (54 and 55).** Students are independent if they are, or were upon reaching the age of majority, emancipated minors (released from control of their parent or guardian) or in legal guardianship, both as adjudicated by a court of competent jurisdiction in the state of the students' legal residence at the time of the adjudication. While the basis for emancipation can vary by state, the emancipation must be determined by a court, not by an attorney. Students in legal guardianship to their parents, for instance, if they are disabled adults and under their parents' care, are not independent for Title IV program purposes by this criterion and would answer "No" to Question 55.
- **Unaccompanied homeless youth (56–58).** A student is independent if at any time on or after July 1, 2013 (irrespective of whether he is currently homeless or at risk thereof), he is determined to be an unaccompanied youth who is homeless or is self-supporting and at risk of being homeless. This determination can be made by: a school district homeless liaison, the director (or designee) of an emergency shelter or transitional housing program funded by the U.S. Department of Housing and Urban Development, or the director (or designee) of a runaway or homeless youth basic center or transitional living program. These authorities make this determination if the student is receiving their programs' services or if, in the case of a school district homeless liaison, the student is in high school. An FAA may also determine this; see *Chapter 5*.

## STEP FOUR: PARENTS' INFORMATION (DEPENDENT STUDENTS ONLY)

**Purpose:** Questions 59–79 collect information about the student's parents and their household. Questions 80–94 collect tax and financial data for the parents, and because these questions are answered in the same way as for the student, they were discussed earlier.

- **Parents' personal information (59–69).** The FAFSA asks for parents' marital status; the month and year they were married, separated, divorced, or widowed; SSN; last name; first initial; and date of birth. This information is used for the IRS Data Retrieval in FOTW and helps the government estimate erroneous Pell payments. If the SSN, last name, and birth date for at least one parent are not provided, or if neither parent's SSN matches with the Social Security Administration, the application will be rejected. When the SSN doesn't match with SSA, the wrong number must be corrected so that the application and SSA agree. For a name or birth date that doesn't match, correct the application if it's wrong or re-enter the information if it's correct. If the

parent doesn't have an SSN, enter 000-00-0000 to prevent or remove a reject code. (See also the SSN chapter in *Volume 1*.)

- **Parents' state of residence (70–72).** Parents who do not live in the U.S. should enter “FC” for Question 70.
- **Household size (73).** This determines the standard living allowance that offsets family income in the EFC calculation. The following persons count in the household size of a dependent student's parents:
  - **The student and parents,** even if the student is not living with them. Exclude a parent who has died or is not living in the household because of separation or divorce, but include a parent who is on active duty in the U.S. Armed Forces apart from the family.
  - **The student's siblings and children,** if they will receive more than half their support from the student's parent(s) from July 1, 2014, through June 30, 2015. Siblings need not live in the home. This includes unborn children and siblings of the student who will receive more than half support from the student's parent(s) from birth to the end of the award year. It also includes siblings who would be considered dependent based on the FAFSA dependency questions (i.e., they need not be students nor apply for aid).
 

For children in the household size, the “support test” is used rather than residency because there may be situations in which a parent supports a child who does not live with her, such as when the parent is divorced or separated. If the parent receives benefits (such as Social Security payments) in the child's name, these benefits must be counted as parental support to the child. An exception to this is foster care payments, which typically cover the costs of foster children, who for FSA purposes are not considered children of the foster parents and are not counted in the household size.
  - **Other persons** who live with and receive more than half their support from the student's parent(s) and will receive more than half support for the entire award year. When the application is submitted after the start of the year, see the relevant paragraph and example about legal dependents on page 25.
- **Number in college (74).** The applicant is **always** included in the number in college, but parents are not included. Others who count in the household size are in the number in college if they are or will be enrolled at least half time during the award year in an eligible degree or certificate program at a school eligible for any of the FSA programs. The definition of half-time enrollment for this question must meet the federal requirements even if the school defines half time differently. (See *Volume 1: Student Eligibility* for enrollment status requirements.)
- **Receipt of means-tested federal benefits (75–79).** This as an alternative for the tax return requirement of the simplified needs and automatic zero EFC tests.

## STEP 4

### Questions 70–79 State, household size, number in college, and federal benefits

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#### FSA and IRS household rules

The rules that decide whether someone is counted in the household for FSA purposes aren't identical to the IRS rules for determining dependents or household members.

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#### Service academies, household size, and number in college

Students at U.S. service academies (see the margin note on page 24) have most of their primary educational expenses paid for by the federal government. Because of this, their families cannot “reasonably be expected to contribute to their postsecondary education” and they are not counted in the number in college in the families of either dependent or independent students. Since they will not receive more than one-half of their support from any person, they also do not count in the household size of any independent students and some dependent students. However, if a service academy attendee is a sibling of a dependent student and can answer “No” to all the dependency status questions, he would count in the household size of that dependent student. HEA Sec. 474(b)(3); 480(k),(l)

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#### Number in college

HEA Sec. 474(b)(3)

# STEP 4

## Questions 80–84 Tax data and dislocated worker

### Response of “Don’t know”

“Don’t know” is treated as “No” by the CPS. If a person gives this response, you are not required to verify it, but you may want to determine if he is a dislocated worker and if that would affect the student’s eligibility for federal aid.

- **Tax forms filed by parents, filing status, income, and assets (80–83, 85–94).** Refer to the earlier discussion for these questions.
- **Dislocated worker (84).** This status, as defined (see 29 U.S.C. 2801) in the Workforce Investment Act of 1998 or WIA, is an alternative to the tax return and means-tested federal benefits criteria for determining if a person qualifies for the simplified needs test or automatic zero EFC. A person would answer “Yes” to this question if she meets the statutory definition of dislocated worker but does not appear to because of the general nature of the FAFSA instructions. Under the WIA, a dislocated worker is someone who falls into at least one of these categories:
  1. A person who meets all of the following requirements:
    - she was terminated or laid off from employment or received a notice of termination or layoff;
    - she is eligible for or has exhausted her unemployment compensation, **or** she is not eligible for it because, even though she has been employed long enough to demonstrate attachment to the workforce, she had insufficient earnings or performed services for an employer that weren’t covered under a state’s unemployment compensation law; **and**
    - she is unlikely to return to a previous industry or occupation.
  2. A person who was terminated or laid off from employment or received a notice of termination or layoff as a result of any permanent closure of, or any substantial layoff at, a plant, facility, or enterprise.
  3. A person who is employed at a facility at which the employer made a general announcement that it will close within 180 days.
  4. A person who is employed at a facility at which the employer made a general announcement that it will close.
  5. A self-employed person (including farmers, ranchers, or fishermen) who is unemployed because of natural disasters or because of general economic conditions in his community.
  6. A displaced homemaker who meets all of the following criteria:
    - she has been providing unpaid services to family members in the home;
    - she has been dependent on the income of another family member but is no longer supported by that income; **and**
    - she is unemployed or underemployed and is having difficulty obtaining or upgrading employment. An “underemployed” person is one who is working part time but wants to work full time or one who is working below the demonstrated level of her education or job skills.



## Reporting information in cases of death, separation, divorce, and remarriage

### Death of a parent

If one, but not both, of the student's parents has died, the student answers the parental questions about the surviving biological or adoptive parent and does not report any financial information for the deceased parent. If both her parents are dead when she fills out the FAFSA, she must answer "Yes" to Question 53, making her independent. Remember that an adoptive parent counts as a parent, but a legal guardian doesn't. If the surviving parent dies after the FAFSA has been filed, the student must update her dependency status and report income and assets as an independent student.

### Stepparent

A stepparent is treated like a biological parent if the stepparent has legally adopted the student or if the stepparent is married, as of the date of application, to a student's biological or adoptive parent whose information will be reported on the FAFSA. **There are no exceptions.** A prenuptial agreement does not exempt the stepparent from providing information required of a parent on the FAFSA. The stepparent's income information for the entire base year, 2013, must be reported even if the parent and stepparent were not married until after 2013. See above for how to fill out the parent questions when the stepparent's spouse (the biological parent) dies; if the stepparent has not adopted the student, he would no longer provide parental information as before, but any financial support he gives to the student would be counted as untaxed income.

### Divorce of the student's parents

If the student's parents are divorced, he should report the information of the parent with whom he lived longer during the 12 months prior to the date he completes the application, regardless of which parent claimed him as an exemption for tax purposes. If the student lived equally with each parent or didn't live with either one, then he should provide the information for the parent from whom he received more financial support or the one from whom he received more support the last calendar year for which it was given. Note that it is not typical that a student will live with or receive support from both parents exactly equally. Usually you can determine that the student lived with one of the parents more than half the year or that he received more than half support from one of the parents. Example: Marta is 22 and doesn't meet any of the independence criteria. Her parents divorced recently, and she hasn't lived with them since she was 18. Also, neither parent provided support in the past year. The last time she received support from her parents was when she lived with them and they were still married. Because her father's income was larger and he contributed more money to the overall household expenses, Marta determines that the last time she received support, most of it was from her father. She provides his data on the FAFSA.

If biological or adoptive parents who are divorced still live together, their status is unmarried and living together and both would report their information on the FAFSA; see page 27. If one or both of them have married someone else and all live in the same household (and presumably the student lived with both parents an equal amount of time), the parent and stepparent, if applicable, who provided more support in the previous year would include their information on the FAFSA. Schools may use PJ to account for the other parent's financial contribution that is not already properly counted as child support on line 45c or money received on line 45j of the 2014–2015 FAFSA.

### Separation of the student's parents or the student and spouse

A couple need not be legally separated to be considered separated—they may deem themselves informally separated when one of the partners has left the household for an indefinite period and the marriage is severed. For a dependent student, use the rules for divorce to determine which parent's information to report. While a married couple that lives together can't be informally separated, in some states they can be legally separated. If their state allows this, and if they are still living together and are legally separated, then that is their status on the FAFSA unless they are the parents of a dependent student, in which case their status is unmarried and living together and both would report their information.

### Common-law marriage

If a couple lives together and has not been formally married but meets the criteria in their state for a common-law marriage, they should be reported as married on the FAFSA. If the state doesn't consider their situation to be a common-law marriage, then they aren't married; a dependent student would follow the rules for divorce to determine which parent's information to report. Check with the appropriate state agency concerning the definition of a common-law marriage.

# STEP 5

## Questions 84 and 95 Dislocated worker and independent student household size

### Independent student household size example

Eddy is an independent student. He was married, but now he and his wife have separated. He's paying child support, but it isn't enough to provide more than half his children's support, so he can't include his children in his household size. Eddy's nephew Chavo lives with him and gets more than half of his support from Eddy (and will do so for the award year), so he can be counted in Eddy's household size, which is two.

Having just turned 24, Chavo is also independent, and his household size is one.

Not everyone who receives unemployment benefits will meet the definition of dislocated worker. For example, in general those who quit their jobs are not considered dislocated workers, even if they are receiving unemployment benefits.

You are not required to verify the answer to this question. If you choose to verify it, documentation can include, as appropriate to the category, a letter or a layoff or termination notice from the employer, unemployment insurance (UI) system verification, tax returns, a business license, or newspaper articles. You may also use documents from the state workforce agency or a "one-stop career center," though they are not required to provide you such documentation and a person may meet the dislocated worker definition without going to the workforce investment system for services. Absent all other evidence, self-certification will suffice, such as a statement signed by the person affirming that he meets the definition of dislocated worker.

**Information from the workforce investment system.** The local workforce investment system and state UI agency may support financial aid administrators by:

- providing general information to dislocated workers;
- providing general information to financial aid administrators, such as the WIA definition of dislocated workers and appropriate samples of documentation that financial aid offices can request from an individual to verify dislocated worker status;
- providing specific information to dislocated workers. A person can request documentation from the career center or other appropriate office that he is receiving dislocated worker services through the workforce investment system. That office can give the documentation to him, or at his request it may (but is not obligated to) give the documentation directly to the college.

If you must determine if someone is a dislocated worker, you have sole responsibility and must make the determination regardless of whether the person has proof of dislocated worker status—or is receiving dislocated worker services—from the workforce investment system.

### STEP FIVE: INDEPENDENT STUDENT DATA

**Purpose:** Questions 95–102 collect information about independent students. Only students who answered "Yes" to one or more questions in Step Three complete this step.

■ **Student's household size (95).** The following persons are included in the household size of an independent student:

- **The student and his or her spouse**, unless the spouse has died or is not living in the household due to separation or divorce.
- **The student's children**, regardless of where they live, if they will receive more than half of their support from the student from July

1, 2014, through June 30, 2015. This includes the student's unborn children who will be born during the award year and will receive more than half their support from the student from birth to the end of the award year. Foster children do not count in household size.

→ **Other persons** who live with and receive more than half their support from the student and will receive more than half support for the entire award year. For FAFSAs submitted after the start of the year, see the relevant paragraph and example about legal dependents on page 25.

- **Number in college (96).** The student is **always** included in the number in college. Also included are those in the household size who are or will be enrolled at least half time during the award year in a degree or certificate program at a Title IV-eligible school and who can reasonably be expected to receive aid from the family for their education. The definition of half-time enrollment for this question must meet the federal requirements even if the school defines half time differently.
- **Receipt of means-tested federal benefits (97–101).** This is an alternative for the tax return requirement of the simplified needs and automatic zero EFC tests.
- **Dislocated worker (102).** See the explanation of Question 84 earlier.

## STEP SIX: SCHOOL INFORMATION

**Purpose:** These items collect information about which colleges the student wants to receive his FAFSA information. For a college to be able to receive his data, the student must list the college's federal school code (not the OPE ID) or enter its complete name, address, city, and state. There is a federal school code search on FAFSA on the Web ([www.fafsa.gov](http://www.fafsa.gov)), and the entire list of school codes is available in portable document format (PDF) and Excel on the IFAP site ([www.ifap.ed.gov](http://www.ifap.ed.gov)).

For each school the student indicates whether he expects to live on or off campus or with his parents. This information is not used to calculate his EFC, but it is useful to schools for determining the cost of attendance.

The student can list up to four schools on the paper FAFSA and 10 on the Web (at least one is required). If he wants his information to be available to more schools, he can use his SAR or FOTW to change the schools listed. The CPS will send data to no more than 10 (four with the paper FAFSA) schools at a time. *Chapter 4* tells how a student can add or change schools.

## STEP SEVEN: SIGNATURE(S)

**Purpose:** By signing the FAFSA, the applicant is assuming responsibility for the accuracy of the information reported.

- **Date and signature(s) (104–105).** In addition to certifying that the data on the FAFSA are correct, the student is also signing a Statement of Educational Purpose, which is required to receive FSA funds. Among other things, the student agrees to spend FSA funds only on

# STEPS 6–7

## Questions 96–104

### Number in college, federal benefits, school data, and date

#### Copies of signed documents

While you will often receive documents with original or “wet” signatures from the student (e.g., a paper FAFSA that the student has worked on and signed while in your office), there might be an occasion where the student gives you a copy or sends you a fax of a signed document. Except for a copied FAFSA, other imaged versions of the original signed document are valid and may be kept in the student's file.

# STEP 7

## Questions 105–108

### Signatures and preparer's data

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#### Assistance in preparation of the FAFSA

HEA Sec. 483(d)

educational expenses and affirms that he is not in default on a federal loan or does not owe a grant overpayment. If he is dependent, one parent whose information is reported on the FAFSA must also sign.

**Substitutes for a parent's signature.** While parent information must be provided for a dependent student, a high school counselor or a college aid administrator may sign the application in place of a parent if:

- the parents are not currently in the United States and cannot be contacted by normal means,
- the current address of the parents is not known, or
- the parents have been determined physically or mentally incapable of providing a signature.

The signer must provide her title in parentheses next to her signature and briefly state the reason (only one is needed) why she is signing for the parents. The signer assures a minimum level of credibility in the data submitted; however, she does not assume any responsibility or liability in this process. If the counselor or FAA finds any inaccuracies in the information reported, she should direct the student to send the SAR through the normal correction process or, if she is an FAA, she can submit corrections through FAA Access. Because this proxy signing isn't possible electronically, it must be done on a paper FAFSA or on the signature page/FAFSA summary used with FAA Access.

- **Preparer's ID and signature (106–108).** Only persons who are paid a fee to help the student fill out the application are considered FAFSA preparers. Those who advise students without charging a fee, such as high school counselors and FAAs, are not preparers. A preparer must include his name, his company's name (if applicable), his address or the company address, and either his SSN or the company employer identification number (EIN, as assigned by the IRS). With the paper FAFSA, the preparer must also sign and date the form.

Preparers have other obligations. In their advertising and their initial contact with a consumer, including via the Internet or phone, they must clearly inform him that the FAFSA is free and can be completed electronically or on paper without professional help. If they have a website for their service, it must link to FAFSA on the Web. They may not use any form other than the FAFSA for the purpose of applying for Title IV aid.

A preparer who knowingly falsifies information on the application is subject to the same penalties as an applicant.

## Signatures for electronic applications

### FAA Access to CPS Online

If you enter a student's original application through FAA Access to CPS Online, you must obtain original or "wet" signatures on the printed signature page/FAFSA summary or on a completed paper FAFSA, and you must keep the signed document in the school files even if the student doesn't receive federal student aid or attend your school. You may electronically store the original document, but you may not accept faxed or copied signatures from the student for the FAFSA. (You have more latitude regarding verification documents and changes to the application; see *Chapter 4*.)

### FAFSA on the Web

Students who have PINs can electronically sign their FAFSA on the Web. Parents who have a PIN can also electronically sign. Parents and students will have to provide their name ID (first two letters of their last name), SSN, and date of birth with the PIN. Parents also must provide their child's name ID, SSN, and DOB in order to match the parent's signature record with the student's FAFSA.

Alternately, students can print the signature page, sign it, and mail it to the processor. If the processor doesn't receive the signature page within 14 calendar days of receiving the application data, it will mail a "reject 16" SAR to the student ("Missing student signature on Web application"), which the student can sign and return. If the student chooses not to print and send a signature page, or if no printer was available, the processor won't wait 14 days to print a rejected SAR for the student but will generate one within 72 hours of receiving the data.

If the student indicated on an electronic FAFSA that she would print, sign, and mail in a signature page but the processor has not received the signature page, the student can call FAFSA on the Web customer service and have her record released from the FAFSA hold file. Because no signature page has been received, the FAFSA processor will produce a rejected SAR and mail it to the student to sign and return. The processor will accept the first signature document it receives—either the signed signature page or the signed SAR.

Schools and states receive ISIRs for rejected records. A student's reject 16 SAR and her ISIR will reflect the data that she provided on the application; however, the CPS won't calculate an official EFC for the student (an unofficial EFC that cannot be used to award or disburse aid will appear on the ISIR) or do any database matches until it receives a signed signature page, a signed SAR, or an electronic signature. A school can also collect the required "wet" signatures at the school, either on the SAR or a document that has the required certification statements (FAA Access allows schools to print out a signature page for the ISIR). The school can then submit an electronic correction showing that the signatures have been provided.

### Renewal FAFSA on the Web

To access their Renewal FAFSA on the Web, students must provide their PIN and other identifiers. In addition to allowing access to application data over the Internet, the PIN is a legal equivalent to a manual or "wet" signature for FSA purposes. For an independent student, no other signatures are needed, and the application will be processed within 72 hours.

Parents of dependent students can sign with their own PIN. Otherwise, the student can print a signature page for the parent. If the student indicates that no printer was available, the CPS will generate a "reject 15" ("Missing parent signature on FAFSA or SAR") output document for the student within 72 hours. If the student indicated she would send in a signature page, the processor will wait up to 14 calendar days to receive the signed page. If it doesn't receive a signed signature page after 14 days, it will generate a reject 15 SAR and send it to the student. The student must have a parent sign the SAR and must send it back to the address on the SAR. For reject 15 records, a student's SAR and ISIR will reflect the data provided on the application, but the processor won't calculate an EFC for the student until it receives the parent's electronic signature or the signed SAR or signature page.

Signature requirements for changes made after the FAFSA is filed will be discussed in *Chapter 4*.



<b>Signature Requirements: Application and Verification for All FSA Programs</b>			
	<b><i>Application (FAFSA, FAFSA on the Web, FAA Access to CPS Online)</i></b>	<b><i>IRS Documentation (Transcript or other form submitted for verification)</i></b>	<b><i>Verification Document</i></b>
<b><i>Student</i></b>	Must sign statement that data are accurate and other conditions are met (on paper FAFSA, Web summary, or signature page or by using PIN).	IRS Data Retrieval Tool (DRT) or tax return transcript (does not need to be signed). In rare instances when the tax return is used, it must be signed by the student (or spouse), or the tax preparer must provide his name and SSN, EIN, or PTIN.	Must sign documents used to verify FAFSA data.
<b><i>Parent(s) (if student is dependent)</i></b>	One parent must sign statement that data are accurate (on paper FAFSA, Web summary, or signature page or by using PIN).	DRT or tax return transcript (which does not need to be signed). In rare instances when the tax return is used, it must be signed by one parent, or the tax preparer must provide his name and SSN, EIN, or PTIN.	One parent must sign documents used to verify FAFSA data.
<b><i>Aid Administrator</i></b>	Must certify if overriding dependency status or exercising PJ (can't be done on FAFSA on the Web).		
<b>Signature Requirements for Changes*</b>			
	<b><i>Changes via SAR or Corrections on the Web</i></b>	<b><i>Changes submitted via FAA Access</i></b>	<b><i>Professional Judgment via FAA Access</i></b>
<b><i>Student</i></b>	Must sign corrections statement on the SAR; on the Web the PIN serves as the student's signature.		
<b><i>Parent(s) (if student is dependent)</i></b>	One parent must sign the corrections statement on the SAR. If parent data are changed on the Web, a parent must sign with PIN or print and sign signature page.		
<b><i>Aid Administrator</i></b>		School must have signed documentation from student and parent.	Must certify for PJ/FAA adjustments or dependency override.

\* These requirements apply to any submission of changes to the Central Processing System, whether required by regulation (for Pell Grant recipients or corrections to data match items) or at the discretion of the financial aid administrator (for Campus-Based aid and Stafford Loans).

# Expected Family Contribution (EFC)

## CHAPTER 3

*The EFC is a measure of how much the student and his or her family can be expected to contribute to the cost of the student's education for the year. The EFC is calculated according to a formula specified in the law. In this chapter we describe the EFC formula in detail.*

### GENERAL INFORMATION

All the data the CPS uses to calculate the EFC come from the information the student provides on the FAFSA. The EFC formula uses many variables, including income, assets, the number of persons in the household, and the number attending college for the award year.

Every year the Department publishes updated tables used in the EFC calculation. The 2014–2015 updates are in the May 20, 2013, *Federal Register*. Also available at [www.ifap.ed.gov](http://www.ifap.ed.gov) is the *EFC Formula Guide*.

The law provides three different formulas to calculate the EFC: one for dependent students, one for independent students without dependents other than a spouse, and one for independent students with dependents other than a spouse. In addition there are three simplified versions of each formula with fewer data elements.

### SIMPLIFIED FORMULA

The simplified formula is basically the same as the regular formula except that asset information isn't considered in the calculation. A dependent student qualifies for the simplified calculation if

- the parents' combined AGI (for tax filers) or income earned from work (for non-filers) was less than \$50,000, and
- either (1) the parents were not required to file an IRS Form 1040,<sup>1</sup> (2) one of them is a dislocated worker as defined in the Workforce Investment Act of 1998 (see Chapter 2 for a description of dislocated worker), or (3) anyone counted in their household size received a means-tested federal benefit during 2012 or 2013.<sup>2</sup>

An independent student qualifies for the simplified calculation if

- the student's and spouse's combined AGI (tax filers) or income earned from work (non-filers) was less than \$50,000, and

### Basic EFC formulas

- Dependent students
- Independent students
- Independent students with dependents

### Special calculations

- Simplified formula (no assets)
- Automatic zero EFC
- Other than nine-month enrollment

HEA Sec. 474–479

<sup>1</sup> Persons not required to file the IRS Form 1040 comprise those who do not have to submit a return, who filed or will file a 1040A or 1040EZ, and who were eligible to file a 1040A or 1040EZ but filed or will file a Form 1040 for no substantial reason or solely to claim an education tax credit.

For qualifying for the simplified formula or the automatic zero EFC, a foreign tax return counts as an IRS Form 1040, while a tax return for Puerto Rico, Guam, American Samoa, or the Virgin Islands counts as a Form 1040A or 1040EZ.

<sup>2</sup> See margin note #2 on the next page.

<sup>1</sup> See margin note #1 on the previous page.

<sup>2</sup> The means-tested federal benefit programs are:

- Supplemental Security Income (SSI)
- Supplemental Nutrition Assistance Program (SNAP) benefits, also known as food stamps
- Free and reduced price school lunches
- Temporary Assistance for Needy Families (TANF)
- Special Supplemental Nutrition Program for Women, Infants, and Children (WIC)

A person need not have received the benefit for an entire year; receiving it at any time in the base or prior year qualifies. Also, an FAA may use professional judgment (PJ) to count a benefit if a person did not receive it during those 24 months but is receiving it now.

- either: (1) the student and spouse were not required to file an IRS Form 1040,<sup>1</sup> (2) one of them is a dislocated worker as defined in the Workforce Investment Act of 1998, or (3) anyone counted in the household size received a means-tested federal benefit during 2012 or 2013.<sup>2</sup>

FAFSA on the Web has a threshold question that will cause the asset questions to be skipped when the student seems eligible for the simplified formula or an automatic zero EFC. But in some instances, such as when using a paper FAFSA, a student who qualifies for the simplified formula will provide asset information. In those cases the CPS will calculate two EFCs: one using the assets and one excluding them. The EFC from the simplified formula (which excludes assets) is called the primary EFC and is printed on the front of the student's SAR, while the EFC from the full calculation is called the secondary EFC and is printed in the FAA Information section. To determine the student's federal aid, the school must use the primary EFC, which will always be less than or equal to the secondary EFC. If it turns out that the student was not eligible for the simplified formula and did not provide asset information, the school must correct and submit the record and use the EFC reported on the resulting transaction.

### AUTOMATIC ZERO EFC

The law also provides for an automatic zero EFC for some students. The rules for determining who they are are the same as those for the simplified formula with these differences:

- The income threshold is \$24,000 or less instead of less than \$50,000.
- Independent students without dependents other than a spouse (those who use Formula B) do not qualify for an automatic zero EFC.

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### Automatic zero EFC

HEA Sec. 479(c)

### DEPARTMENT OF DEFENSE MATCH AND IRAQ AND AFGHANISTAN SERVICE GRANT

Schools will consider the EFC to be zero for Pell-eligible students with a parent or guardian who was a member of the U.S. armed forces and who died as a result of service in Iraq or Afghanistan after September 11, 2001. These students must have been less than 24 years old or enrolled in college when the parent or guardian died.

The CPS will match applications against a file provided by the Department of Defense. If a match is found, a personalized letter will be sent to the student explaining the potential increase in funding, the DOD match flag will be set to "Y" on the ISIR, and a date will appear in the parent's date of death field (which, out of sensitivity, will not be noted on the SAR). The CPS will calculate an EFC normally; the school should use a zero EFC when packaging qualifying students.

Students in this situation who are not Pell eligible because their EFC is too high will be able to receive an Iraq and Afghanistan service grant (see *Volume 1, Chapter 6*) in the same amount of the Pell grant they would have

been eligible for with a zero EFC. However, for these students the school uses the EFC calculated by the CPS for packaging instead of zero.

### ALTERNATE EFCs

The law specifies how the EFC of a dependent student must be modified if the student is going to enroll for other than a nine-month period. The EFC found in the upper right corner of the first page of the output document is based on a nine-month enrollment period and should always be used for awarding a Pell Grant, even if the student is attending for a longer or shorter period. The second section of the “FAA Information” area contains a table of alternate primary and secondary EFCs for periods of 1–12 months. These are alternate EFCs that you must use to award aid (other than Pell grants) if the student is attending for other than nine months.

### THE EFC WORKSHEETS

The end of the chapter contains the EFC worksheets, which can be used to manually calculate an EFC or to see how the EFC is determined for each of the formulas explained hereafter. For items that are taken from the FAFSA, the worksheets indicate the corresponding FAFSA/SAR line numbers. On the worksheets for the simplified formula, the parts of the calculation that aren’t used are grayed out.

### FORMULA A—DEPENDENT STUDENTS

The EFC for a dependent student is calculated using the FAFSA data for the student and his parents. The CPS calculates the parents’ contribution (which includes their assets), the student’s contribution from income, and the student’s contribution from assets; the EFC is the sum of these three.

Under the simplified formula, the parent’s contribution doesn’t include assets, nor is the student’s contribution from assets counted.

#### **Parents’ contribution**

The parents’ available income and contribution from assets are first determined, and then these are used with the number in college to calculate the parents’ contribution.

▼ *Parents’ available income.* The parents’ available income is calculated by subtracting certain allowances from the parents’ total income. These allowances account for certain nondiscretionary expenses, such as taxes and basic living expenses. Once a minimum level of support has been offset for those expenses, the formula assumes that the remaining income is available for discretionary purposes, including paying for a postsecondary education. The available income can be a negative number.

The total income is the sum of the taxable and untaxed income, minus amounts reported in the income but excluded from the formula. If the parents are tax filers, the parents’ AGI as reported on the FAFSA is the amount of the parents’ taxable income used in the calculation. If the parents are not tax filers, the calculation uses the parents’ reported income earned from work. Total income can be a negative number.

### High incomes and EFCs

Beginning with the 2014–2015 year, the FAFSA income and asset fields have seven digits and the EFC field has six, eliminating the rare need of hand calculations of the EFC when it was very high.

### Negative AGI or zero?

The FAFSA instruction for parents’ AGI is to use the number that appears on a specific line of the tax return; this can be a negative number. The first line of the worksheet for EFC Formula A cites the FAFSA line number and instructs you to substitute a zero if the AGI is negative. This does not mean that a negative AGI should be reported as a zero on the FAFSA. The CPS will change the value to zero, and it makes assumptions that you will not when completing an EFC worksheet by hand. When filling out the FAFSA, the applicant should follow the instruction given and use the AGI as it appears on the tax return.

The sum of the following allowances reduces the parents' total income:

- **U.S. income tax paid.** Use the amount reported on the FAFSA. Non-tax filers don't receive this allowance. If this is a negative amount, it is set to zero.
- **State and other tax allowance.** Use Table A1. This allowance is a percentage of parents' total income and approximates the average amount paid in state and other taxes. The percentage varies according to the state and according to whether the parents' total income is below \$15,000 or is \$15,000 or more. The state used is the parents' state of legal residence reported on the FAFSA. If this item is blank or invalid, the student's reported state of legal residence is used. If both are blank or invalid, the state in the student's mailing address is used. If all three are blank or invalid, the rate shown in Table A1 for a blank or invalid state is used (2% for total income below \$15,000; 1% for total income of \$15,000 or more). If the allowance is a negative amount, it's set to zero.
- **Parents' Social Security tax allowance.** The parents' Social Security taxes are calculated separately by applying the rates shown in Table A2 to both parents' income earned from work in 2013 (as reported on the FAFSA). The total allowance for Social Security taxes is never less than zero.
- **Income protection allowance.** Use Table A3. This allowance is for the basic living expenses of a family. It varies according to the number in the parents' household and the number in college in 2014–2015, as reported on the FAFSA. In general, a school can assume that 30% of the income protection allowance amount is for food, 22% for housing, 9% for transportation expenses, 16% for clothing and personal care, 11% for medical care, and 12% for other family consumption. The income protection allowance used for a particular student is provided as one of the intermediate values in the FAA Information Section of the output document (labeled as "IPA").
- **Employment expense allowance.** Families with two working parents and one-parent families have extra expenses that must be considered, such as housekeeping services, transportation, clothing and upkeep, and meals away from home. This allowance recognizes those extra expenses. For two working parents, the allowance is 35% of the lesser of the first or second parent's income earned from work (questions 88 and 89), but may not exceed \$3,900. For one-parent families, the allowance is 35% of the parent's income earned from work, also not to exceed \$3,900. If a student's parents are married and only one parent reports an income earned from work, the allowance is zero. The employment expense allowance is never less than zero.

▼ *Parents' contribution from assets.* The full formula uses the assets of parents of a dependent student and determines a "contribution from assets." This amount is combined with available income to give an accurate picture of the family's financial strength. In the simplified formula assets aren't counted.



First, the parents' **net worth** is calculated by adding assets reported on the FAFSA. The net worth of a business or a farm is adjusted to protect a portion of these assets. Use Table A4 to calculate the amount to be used.

Second, the parents' **discretionary net worth** is calculated by subtracting the education savings and asset protection allowance (Table A5) from the parents' net worth. As with income, this is done to protect a portion of assets. The allowances for ages 40 through 65 approximate the present cost of an annuity which, when combined with Social Security benefits, would provide a moderate level of living for a retired couple or single person at age 65. As shown in Table A5, the allowance increases with the age of the older parent (as reported on the FAFSA) to indicate the cost of purchasing such an annuity at a given age. Discretionary net worth may be less than zero.

Finally, the discretionary net worth is multiplied by the conversion rate of 12% to get the **parents' contribution from assets**, which represents the portion of parental assets considered available to help pay for the student's college education. If the contribution from assets is negative, it is set to zero.

▼ *Calculation of parents' contribution.* This is the final step in determining the parents' contribution. The parents' available income and contribution from assets are added together to determine the parents' adjusted available income, which can be a negative number. The total parents' contribution from adjusted available income is calculated from the amounts and rates in Table A6 and is the total amount parents are expected to contribute toward all of their family's postsecondary educational costs. The rates in Table A6 increase from 22% to 47% as the adjusted available income increases. This is based on the principle that as income increases beyond the amount needed to maintain a basic standard of living, the portion used for family maintenance decreases and the portion available for discretionary purposes increases. Therefore, a progressively larger amount of income may be contributed toward postsecondary educational costs.

The parents' contribution for the individual student is calculated by dividing the total parents' contribution from adjusted available income by the number in college in 2014–2015, as reported on the FAFSA. Parents are not included in the number attending college.

### ***Student's contribution from income***

To determine the student's contribution from income, the student's available income (AI) is first calculated by subtracting total allowances from the student's total income. The AI is then assessed at a rate of 50% to obtain the student contribution from available income. If the student contribution from available income is less than zero, it's set to zero.

As with the parents' income information, the student's total income is calculated using information from the student's FAFSA. The student's total income is the sum of the student's taxable and untaxed income, minus amounts reported in the income but excluded from the formula (see *Chapter 2* for more on these exclusions). If the student is a tax filer, the student's AGI as reported on the FAFSA is the amount of taxable income used in the calculation. If the student is not a tax filer, the calculation uses the student's reported income earned from work. Total income may be a negative number.

The allowances are calculated by adding the following:

- **U.S. income tax paid.** Use the amount reported on the FAFSA. Non-tax filers don't receive this allowance. If this is a negative amount, it's set to zero.
- **State and other tax allowance.** Use Table A7. This allowance is a percentage of the student's total income. The percentage varies according to the state. The state to be used is the student's state of legal residence reported on the FAFSA. If that item is blank or invalid, the state in the student's mailing address is used. If both items are blank or invalid, the parents' state of legal residence is used. If all three items are blank or invalid, the rate for a blank or invalid state in Table A7 is used (2%). If the allowance is a negative amount, it's set to zero.
- **Social Security tax allowance.** The student's Social Security taxes are calculated by applying the rates shown in Table A2 to the student's income earned from work in 2013 (as reported on the FAFSA). The total allowance for Social Security taxes is never less than zero.
- **Income protection allowance.** The income protection allowance for a dependent student is \$6,260.
- **Parent's negative AAI.** To recognize that a student's income may be needed to help support the family, the EFC calculation allows a parent's negative adjusted available income (AAI) to reduce a dependent student's contribution from income. Because the student's contribution from income cannot be negative, this will not affect the student's contribution from assets.

### ***Student's contribution from assets***

The student's assets are treated the same way as the parents' assets with three differences: there is no adjustment to the net worth of a business or farm, there is no education savings and asset protection allowance, and net worth is assessed at the rate of 20%. Remember that under the simplified formula there is no student contribution from assets.

The student's net worth is calculated by adding assets reported on the FAFSA (negative amounts are converted to zero for this calculation). The net worth is multiplied by 20% to obtain the student's contribution from assets, which is the portion of assets considered available to help pay for his postsecondary education.

### ***Alternate EFCs for other than nine-month enrollment***

The standard parents' contribution is for a nine-month enrollment period. For a shorter period, the parents' contribution is prorated according to the number of months of enrollment. The student's contribution from available income is also prorated and then added to the student asset contribution, which is not prorated. For an enrollment of more than nine months, the parents' contribution is calculated by adjusting the standard nine-month formula on page 3 of Worksheet A of the EFC worksheets, and the student's contribution remains at the nine-month amount.

## FORMULA B—INDEPENDENT STUDENT WITHOUT DEPENDENTS OTHER THAN A SPOUSE

The EFC for an independent student without dependents other than a spouse is calculated using FAFSA data for the student and spouse. The CPS calculates a contribution from available income and a contribution from assets. The sum of these two is divided by the number in college in 2014–2015, as reported on the FAFSA. The result is the EFC for the 2014–2015 award year. Under the simplified formula, the contribution from assets isn't used.

### ***Contribution from available income***

The student's available income, which can be a negative number, is calculated by subtracting the total allowances from the total income. These allowances account for certain nondiscretionary expenses, such as taxes and basic living expenses. Once a minimum level of support has been provided to meet those expenses, the formula assumes that the remaining income is available for discretionary purposes, including paying for a postsecondary education. The available income is then assessed at a rate of 50% to obtain the student's contribution from available income.

▼ **Total income.** The total income is the sum of the student's and her spouse's (if the student is married) taxable and untaxed income, minus amounts reported in the income on the FAFSA but excluded from the formula (see *Chapter 2* for more on these exclusions). If the student and spouse are tax filers, their AGI as reported on the FAFSA is the amount of taxable income used in the calculation. If the student and spouse are not tax filers, the calculation uses reported income earned from work. Untaxed income is included in the formula because it may have a considerable effect on the family's financial strength and, in some cases, may be the family's main source of income. Total income can be a negative number.

▼ **Allowances against income.** Total allowances are calculated by adding the following:

- **U.S. income tax paid.** Use the amount reported on the FAFSA. Non-tax filers don't receive this allowance. If this is a negative amount, it's set to zero.
- **State and other tax allowance.** Use Table B1. This allowance is a percentage of the student and spouse's total income. The percentage varies according to the state. The state to be used is the student's state of legal residence reported on the FAFSA. If that item is blank or invalid, the state in the student's mailing address is used. If both items are blank or invalid, the rate for a blank or invalid state is used (2%). If the allowance is a negative amount, it's set to zero.
- **Social Security tax allowance.** The student and spouse's Social Security taxes are calculated separately by applying the tax rates shown in Table B2 to the student's income earned from work in 2013 and the spouse's income earned from work in 2013 (as reported on the FAFSA). The total allowance for Social Security taxes is never less than zero.
- **Income protection allowance.** The income protection allowance for an unmarried student is \$9,730. For a married student, the income protection allowance is \$9,730 if the student's spouse is enrolled at

least half time, and \$15,600 if the student's spouse isn't enrolled at least half time.

- **Employment expense allowance.** Families with two working spouses have extra expenses that must be considered, such as house-keeping services, transportation, clothing and upkeep, and meals away from home. This allowance recognizes those extra expenses. If the student isn't married, the employment expense allowance is zero. If the student is married but only one person is working (either the student or the student's spouse), the allowance is zero. If both the student and his spouse are working, the allowance is 35% of the lesser of the student's income earned from work (Question 39) or the spouse's income earned from work (Question 40), but it may not exceed \$4,000.

### ***Contribution from assets***

For students who qualify for the simplified formula, there is no contribution from assets. In the full formula, the assets of an independent student with no dependents other than a spouse are considered in order to fully measure the family's ability to contribute toward postsecondary educational costs.

First, the **net worth** of the student and spouse's assets is calculated by adding assets reported on the FAFSA. The net worth of a business or a farm is adjusted to protect a portion of the net worth of these assets. Use Table B3 to calculate the amount to be used.

Second, the student and spouse's **discretionary net worth** is calculated by subtracting the asset protection allowance (Table B4) from the net worth. The allowance increases with the age of the student as of December 31, 2014, which may be determined from the student's date of birth as reported on the FAFSA. This is done to protect a portion of assets that may be needed for purposes other than education, such as emergencies or retirement. Discretionary net worth can be less than zero.

Finally, the discretionary net worth is multiplied by the conversion rate of 20% to obtain the student and spouse's contribution from assets, which represents the portion of the value of the assets that is considered available to help pay for the student's college education. If the contribution from assets is less than zero, it's set to zero.

### ***Alternate EFCs for other than nine-month enrollment***

The standard EFC is for a nine-month enrollment period. If the student will be enrolled for less than nine months, the EFC is simply prorated by dividing it by nine and then multiplying the result by the number of months the student will be enrolled. For an enrollment of more than nine months, however, the EFC remains at the nine-month amount.

## FORMULA C — INDEPENDENT STUDENT WITH DEPENDENTS OTHER THAN A SPOUSE

The EFC for an independent student with dependents other than a spouse is calculated using the information for the student and spouse provided on the FAFSA. The formula is almost the same as the formula for the parents of a dependent student. There are three basic steps. First, the student's available income is determined. Then, the student's contribution from assets is calculated. Finally, the EFC is calculated using the available income, the contribution from assets, and the number in college.

### **Available income**

Available income is calculated by subtracting allowances from the student's total income. These allowances account for certain nondiscretionary costs, such as taxes and basic living expenses, and represent a minimum level of support. The formula assumes that the remaining income is available for discretionary purposes, including paying for a postsecondary education. The available income can be a negative number.

▼ *Student's total income.* The student's total income is the sum of the student's and his or her spouse's (if the student is married) taxable and untaxed income, minus amounts reported in the income on the FAFSA but excluded from the formula (see *Chapter 2* for more information on these exclusions). If the student and spouse are tax filers, AGI as reported on the FAFSA is the amount of taxable income used in the calculation. If the student and spouse are not tax filers, the calculation uses reported income earned from work. Total income can be a negative number.

▼ *Allowances against income.* Total allowances are calculated by adding the following:

- **U.S. income tax paid.** Use the amount reported on the FAFSA. Non-tax filers don't receive this allowance. If this is a negative amount, it is set to zero.
- **State and other tax allowance.** Use Table C1. This allowance is a percentage of the total income and approximates the average amount paid in state and other taxes. The percentage varies according to the state and according to whether the total income is below \$15,000 or is \$15,000 or more. The state to be used is the student's state of legal residence reported on the FAFSA. If this item is blank or invalid, the state in the student's mailing address is used. If both items are blank or invalid, the rate for a blank or invalid state is used (2% for total income below \$15,000; 1% for total income of \$15,000 or more). If the allowance is a negative amount, it's set to zero.
- **Social Security tax allowance.** The student's and spouse's Social Security taxes are calculated separately by applying the tax rates shown in Table C2 to the student's income earned from work and the spouse's income earned from work in 2013 (as reported on the FAFSA). The total allowance for Social Security taxes is never less than zero.



- **Income protection allowance.** Use Table C3. This allowance provides for the basic living expenses of a family. It varies according to the number in the student’s household and the number in college in 2014–2015, as reported on the FAFSA. In general, a school can assume that 30% of the income protection allowance is for food, 22% for housing, 9% for transportation expenses, 16% for clothing and personal care, 11% for medical care, and 12% for other family consumption. The income protection allowance used for a particular student is provided as one of the intermediate values in the FAA Information Section of the output document (labeled as “IPA”).
- **Employment expense allowance.** Families with two working parents and one-parent families have extra expenses that must be considered, such as housekeeping services, transportation, clothing and upkeep, and meals away from home. This allowance recognizes those extra expenses. When both the student and spouse work, the allowance is 35% of the lesser of the student’s income earned from work (Question 39) or the spouse’s income earned from work (Question 40), but may not exceed \$4,000. If the student isn’t married, the allowance is 35% of the student’s income earned from work, or \$4,000, whichever is less. If a student is married and only the student *or* the spouse (but not both) reports an income earned from work, the allowance is zero. The employment expense allowance is never less than zero.

### ***Contribution from assets***

In the full formula, the assets of an independent student with dependents other than a spouse are considered in order to fully measure the family’s ability to contribute toward postsecondary educational costs. The formula determines a “contribution from assets,” an amount that is combined with available income to give an accurate picture of the family’s financial strength. In the simplified formula, the assets aren’t counted at all.

First, the **net worth** of a student and spouse’s assets is calculated by adding assets reported on the FAFSA. The net worth of a business or farm is adjusted to protect a portion of these assets. Use Table C4 to calculate the amount to be used.

Second, the student and spouse’s **discretionary net worth** is calculated by subtracting the asset protection allowance (Table C5) from the net worth. The allowance increases with the age of the student as of December 31, 2014, which may be determined from the student’s date of birth as reported on the FAFSA. This is done to protect a portion of assets that may be needed for purposes other than education, such as emergencies or retirement. Discretionary net worth can be less than zero.

Finally, the discretionary net worth is multiplied by 7% to obtain the **contribution from assets**, which is the portion of the value of the student’s and spouse’s assets considered to be available to help pay for the student’s postsecondary education. If the contribution from assets is less than zero, it is set to zero.

***Calculation of student's EFC***

This is the final step in determining the EFC for the independent student with dependents other than a spouse. The available income and the contribution from assets are added together to obtain the adjusted available income. The adjusted available income can be a negative number. The total contribution from adjusted available income is calculated from using Table C6. This is the total amount the student's family is expected to contribute toward family postsecondary educational costs. The rates in Table C6 increase from 22% to 47% as the adjusted available income increases. The rate is based on the principle that as income increases beyond the amount needed to maintain a basic standard of living, the portion used for family maintenance decreases, while the portion available for discretionary purposes increases. The larger the income, the easier it is for a family to contribute toward postsecondary educational costs with less effect on the maintenance of the family.

The EFC is calculated by dividing the total student's contribution from adjusted available income by the number in college in 2014–2015 as reported on the FAFSA. The result is the EFC for the 2014–2015 award period.

***Alternate EFCs for other than nine-month enrollment***

The standard EFC is for a nine-month enrollment period. If the student will be enrolled for less than nine months, the EFC is simply prorated by dividing it by nine and then multiplying the result by the number of months the student will be enrolled. For an enrollment of more than nine months, however, the EFC remains at the nine-month amount.



# 2014–2015 EFC FORMULA A : DEPENDENT STUDENT

REGULAR  
WORKSHEET  
Page 1

# A

PARENTS' INCOME IN 2013	
1. Parents' Adjusted Gross Income (FAFSA/SAR #85) If negative, enter zero.	
2. a. Parent 1 (father/mother/stepparent) income earned from work (FAFSA/SAR #88)	
2. b. Parent 2 (father/mother/stepparent) income earned from work (FAFSA/SAR #89) +	
Total parents' income earned from work =	
3. Parents' Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)*	
4. Total untaxed income and benefits: (Total of FAFSA/SAR #94a. through 94i.) +	
5. Taxable and untaxed income (sum of line 3 and line 4) =	
6. Total additional financial information (Total of FAFSA/SAR #93a. through 93f.) -	
7. <b>TOTAL INCOME</b> (line 5 minus line 6) May be a negative number. =	

ALLOWANCES AGAINST PARENTS' INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #86) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table A1) If negative, enter zero. +	
10. Parent 1 (father/mother/stepparent) Social Security tax allowance (Table A2) +	
11. Parent 2 (father/mother/stepparent) Social Security tax allowance (Table A2) +	
12. Income protection allowance (Table A3) +	
13. Employment expense allowance:  <ul style="list-style-type: none"> <li>Two working parents (Parents' Marital Status is "married" or "unmarried and both parents living together"): 35% of the lesser of the earned incomes, or \$4,000, whichever is less</li> <li>One-parent families: 35% of earned income, or \$4,000, whichever is less</li> <li>Two-parent families, one working parent: enter zero</li> </ul>	
14. <b>TOTAL ALLOWANCES</b> =	

\*STOP HERE if the following are true:

Line 3 is \$24,000 or less **and**

- The parents are eligible to file a 2013 IRS Form 1040A or 1040EZ (they are not required to file a 2013 Form 1040) or they are not required to file any income tax return **or**
- Anyone included in the parents' household size (as defined on the FAFSA) received benefits during 2012 or 2013 from any of the designated means-tested federal benefit programs **or**
- Either of the parents is a dislocated worker.

If these circumstances are true, the Expected Family Contribution is automatically zero.

AVAILABLE INCOME	
Total income (from line 7)	
Total allowances (from line 14) -	
15. <b>AVAILABLE INCOME (AI)</b> May be a negative number. =	

PARENTS' CONTRIBUTION FROM ASSETS	
16. Cash, savings & checking (FAFSA/SAR #90)	
17. Net worth of investments** (FAFSA/SAR #91) If negative, enter zero.	
18. Net worth of business and/or investment farm (FAFSA/SAR #92) If negative, enter zero.	
19. Adjusted net worth of business/farm (Calculate using Table A4.) +	
20. <b>Net worth</b> (sum of lines 16, 17, and 19) =	
21. Education savings and asset protection allowance (Table A5) -	
22. Discretionary net worth (line 20 minus line 21) =	
23. Asset conversion rate ×	.12
24. <b>CONTRIBUTION FROM ASSETS</b> If negative, enter zero. =	

PARENTS' CONTRIBUTION	
<b>AVAILABLE INCOME (AI)</b> (from line 15)	
<b>CONTRIBUTION FROM ASSETS</b> (from line 24) +	
25. <b>Adjusted Available Income (AAI)</b> May be a negative number. =	
26. <b>Total parents' contribution from AAI</b> (Calculate using Table A6.) If negative, enter zero.	
27. <b>Number in college in 2014–2015</b> (Exclude parents) (FAFSA/SAR #74) ÷	
28. <b>PARENTS' CONTRIBUTION</b> (standard contribution for nine-month enrollment)*** If negative, enter zero. =	

\*\*Do not include the family's home.

\*\*\*To calculate the parents' contribution for other than nine-month enrollment, see page 11.

*continued on the next page*

**STUDENT'S INCOME IN 2013**

29. Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.		
30. Income earned from work (FAFSA/SAR #39)		
31. Taxable Income (If tax filer, enter the amount from line 29 above. If non-tax filer, enter the amount from line 30.)		
32. Total untaxed income and benefits (Total of FAFSA/SAR #45a. through 45j.)	+	
33. Taxable and untaxed income (sum of line 31 and line 32)	=	
34. Total additional financial information (Total of FAFSA/SAR #44a. through 44f.)	-	
35. <b>TOTAL INCOME</b> (line 33 minus line 34) May be a negative number.	=	

**ALLOWANCES AGAINST STUDENT INCOME**

36. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.		
37. State and other tax allowance (Table A7) If negative, enter zero.	+	
38. Social Security tax allowance (Table A2)	+	
39. Income protection allowance	+	<b>6,260</b>
40. Allowance for parents' negative Adjusted Available Income (If line 25 is negative, enter line 25 as a positive number in line 40. If line 25 is zero or positive, enter zero in line 40.)	+	
41. <b>TOTAL ALLOWANCES</b>	=	

**STUDENT'S CONTRIBUTION FROM INCOME**

Total income (from line 35)		
Total allowances (from line 41)	-	
42. Available income (AI)	=	
43. Assessment of AI	×	<b>.50</b>
44. <b>STUDENT'S CONTRIBUTION FROM AI</b> If negative, enter zero.	=	

**STUDENT'S CONTRIBUTION FROM ASSETS**

45. Cash, savings & checking (FAFSA/SAR #41)		
46. Net worth of investments* (FAFSA/SAR #42) If negative, enter zero.		
47. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	+	
48. <b>Net worth</b> (sum of lines 45 through 47)	=	
49. Assessment rate	×	<b>.20</b>
50. <b>STUDENT'S CONTRIBUTION FROM ASSETS</b>	=	

**EXPECTED FAMILY CONTRIBUTION**

PARENTS' CONTRIBUTION (from line 28)		
STUDENT'S CONTRIBUTION FROM AI (from line 44)	+	
STUDENT'S CONTRIBUTION FROM ASSETS (from line 50)	+	
51. <b>EXPECTED FAMILY CONTRIBUTION</b> (standard contribution for nine-month enrollment)** If negative, enter zero.	=	

\*Do not include the student's home.

\*\*To calculate the EFC for other than nine-month enrollment,  
see the next page.



**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

Calculation of Parents' Contribution for a Student Enrolled LESS than Nine Months		
A1. Parents' contribution (standard contribution for nine-month enrollment, from line 28)		
A2. Divide by 9	÷	9
A3. Parents' contribution per month	=	
A4. Multiply by number of months of enrollment	×	
<b>A5. Parents' contribution for LESS than nine-month enrollment</b>	=	

Calculation of Parents' Contribution for a Student Enrolled MORE than Nine Months		
B1. Parents' Adjusted Available Income (AAI) (from line 25—may be a negative number)		
B2. Difference between the income protection allowance for a family of four and a family of five, with one in college	+	4,820
B3. Alternate parents' AAI for more than nine-month enrollment (line B1 + line B2)	=	
B4. Total parents' contribution from alternate AAI (calculate using Table A6)		
B5. Number in college (FAFSA/SAR #74)	÷	
B6. Alternate parents' contribution for student (line B4 divided by line B5)	=	
B7. Standard parents' contribution for the student for nine-month enrollment (from line 28)	-	
B8. Difference (line B6 minus line B7)	=	
B9. Divide line B8 by 12 months	÷	12
B10. Parents' contribution per month	=	
B11. Number of months student will be enrolled that exceed 9	×	
B12. Adjustment to parents' contribution for months that exceed nine (multiply line B10 by line B11)	=	
B13. Standard parents' contribution for nine-month enrollment (from line 28)	+	
<b>B14. Parents' contribution for MORE than nine-month enrollment</b>	=	

Calculation of Student's Contribution from Available Income (AI) for a Student Enrolled LESS than Nine Months*		
C1. Student's contribution from AI (standard contribution for nine-month enrollment, from line 44)		
C2. Divide by 9	÷	9
C3. Student's contribution from AI per month	=	
C4. Multiply by number of months of enrollment	×	
<b>C5. Student's contribution from AI for LESS than nine-month enrollment</b>	=	

\*For students enrolled more than nine months, the standard contribution from AI is used (the amount from line 44).

**Use next page to calculate total EFC for enrollment periods other than nine months**

**Calculation of Total Expected Family Contribution for Periods of Enrollment Other than Nine Months**

<p><b>Parents' Contribution—use ONE appropriate amount from previous page:</b>          • Enter amount from line A5 for enrollment periods less than nine months <b>OR</b>          • Enter amount from line B14 for enrollment periods greater than nine months</p>	
<p><b>Student's Contribution from Available Income—use ONE appropriate amount from previous page:</b>          • Enter amount from line C5 for enrollment periods less than nine months <b>OR</b>          • Enter amount from line 44 for enrollment periods greater than nine months</p>	+
<p><b>Student's Contribution from Assets</b>          • Enter amount from line 50</p>	+
<p><b>Expected Family Contribution for periods of enrollment other than nine months</b></p>	=

# 2014–2015 EFC FORMULA **A** : DEPENDENT STUDENT

SIMPLIFIED  
WORKSHEET  
Page 1

# A

PARENTS' INCOME IN 2013	
1. Parents' Adjusted Gross Income (FAFSA/SAR #85) If negative, enter zero.	
2. a. Parent 1 (father/mother/stepparent) income earned from work (FAFSA/SAR #88)	
2. b. Parent 2 (father/mother/stepparent) income earned from work (FAFSA/SAR #89) +	
Total parents' income earned from work	=
3. Parents' Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)*	
4. Total untaxed income and benefits (sum total of FAFSA/SAR #94a. through 94i.)	+
5. Taxable and untaxed income (sum of line 3 and line 4)	=
6. Total additional financial information (sum total of FAFSA/SAR #93a. through 93f.)	-
7. <b>TOTAL INCOME</b> (line 5 minus line 6) May be a negative number.	=

ALLOWANCES AGAINST PARENTS' INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #86) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table A1) If negative, enter zero.	+
10. Parent 1 (father/mother/stepparent) Social Security tax allowance (Table A2)	+
11. Parent 2 (father/mother/stepparent) Social Security tax allowance (Table A2)	+
12. Income protection allowance (Table A3)	+
13. Employment expense allowance: <ul style="list-style-type: none"> <li>Two working parents (Parents' Marital Status is "married" or "unmarried and both parents living together"): 35% of the lesser of the earned incomes, or \$4,000, whichever is less</li> <li>One-parent families: 35% of earned income, or \$4,000, whichever is less</li> <li>Two-parent families, one working parent: enter zero</li> </ul>	+
14. <b>TOTAL ALLOWANCES</b>	=

\*STOP HERE if the following are true:

Line 3 is \$24,000 or less **and**

- The parents are eligible to file a 2013 IRS Form 1040A or 1040EZ (they are not required to file a 2013 Form 1040) or they are not required to file any income tax return **or**
- Anyone included in the parents' household size (as defined on the FAFSA) received benefits during 2012 or 2013 from any of the designated means-tested federal benefit programs **or**
- Either of the parents is a dislocated worker.

If these circumstances are true, the Expected Family Contribution is automatically zero.

AVAILABLE INCOME	
<b>TOTAL INCOME</b> (from line 7)	
<b>TOTAL ALLOWANCES</b> (from line 14)	-
15. <b>AVAILABLE INCOME (AI)</b> May be a negative number.	=

PARENTS' CONTRIBUTION FROM ASSETS	
16. Cash, savings & checking (FAFSA/SAR #90)	
17. Net worth of investments** (FAFSA/SAR #91) If negative, enter zero.	
18. Net worth of business and/or investment farm (FAFSA/SAR #92) If negative, enter zero.	
19. Adjusted net worth of business/farm (Calculate using Table A4.)	+
20. <b>Net worth</b> (sum of lines 16, 17, and 19)	=
21. Education savings and asset protection allowance (Table A5)	-
22. Discretionary net worth (line 20 minus line 21)	=
23. Asset conversion rate	×
24. <b>CONTRIBUTION FROM ASSETS</b> If negative, enter zero.	=

PARENTS' CONTRIBUTION	
<b>AVAILABLE INCOME (AI)</b> (from line 15)	
<b>CONTRIBUTION FROM ASSETS</b> (from line 24)	+
25. <b>Adjusted Available Income (AAI)</b> May be a negative number.	=
26. <b>Total parents' contribution from AAI</b> (Calculate using Table A6.) If negative, enter zero.	
27. <b>Number in college in 2014–2015</b> (Exclude parents) (FAFSA/SAR #74)	÷
28. <b>PARENTS' CONTRIBUTION</b> (standard contribution for nine-month enrollment)*** If negative, enter zero.	=

\*\*Do *not* include the family's home.

\*\*\*To calculate the parents' contribution for other than nine-month enrollment, see page 15.

**Note: Do *not* complete the shaded areas; asset information is not required in the simplified formula.**

*continued on the next page*

**STUDENT'S INCOME IN 2013**

29. Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.		
30. Income earned from work (FAFSA/SAR #39)		
31. Taxable Income (If tax filer, enter the amount from line 29 above. If non-tax filer, enter the amount from line 30.)		
32. Total untaxed income and benefits (Total of FAFSA/SAR #45a. through 45j.)	+	
33. Taxable and untaxed income (sum of line 31 and line 32)	=	
34. Total additional financial information (Total of FAFSA/SAR #44a. through 44f.)	-	
35. <b>TOTAL INCOME</b> (line 33 minus line 34) May be a negative number.	=	

**ALLOWANCES AGAINST STUDENT INCOME**

36. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.		
37. State and other tax allowance (Table A7) If negative, enter zero.	+	
38. Social Security tax allowance (Table A2)	+	
39. Income protection allowance	+	6,260
40. Allowance for parents' negative Adjusted Available Income (If line 25 is negative, enter line 25 as a positive number in line 40. If line 25 is zero or positive, enter zero in line 40.)	+	
41. <b>TOTAL ALLOWANCES</b>	=	

**STUDENT'S CONTRIBUTION FROM INCOME**

Total income (from line 35)		
Total allowances (from line 41)	-	
42. Available income (AI)	=	
43. Assessment of AI	×	.50
44. <b>STUDENT'S CONTRIBUTION FROM AI</b> If negative, enter zero.	=	

**STUDENT'S CONTRIBUTION FROM ASSETS**

45. Cash, savings & checking (FAFSA/SAR #41)	+	
46. Net worth of investments* (FAFSA/SAR #42) If negative, enter zero.		
47. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	+	
48. <b>Net worth</b> (sum of lines 45 through 47)	=	
49. Assessment rate	×	
50. <b>STUDENT'S CONTRIBUTION FROM ASSETS</b>	=	

**EXPECTED FAMILY CONTRIBUTION**

<b>PARENTS' CONTRIBUTION</b> (from line 28)		
<b>STUDENT'S CONTRIBUTION FROM AI</b> (from line 44)	+	
<b>STUDENT'S CONTRIBUTION FROM ASSETS</b> (from line 50)	+	
51. <b>EXPECTED FAMILY CONTRIBUTION</b> standard contribution for nine month enrollment. If negative, enter zero.**	=	

\*Do *not* include the student's home.

\*\*To calculate the EFC for other than nine-month enrollment, see the next page.

**Note: Do not complete the shaded areas; asset information is not required in the simplified formula.**

**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

Calculation of Parents' Contribution for a Student Enrolled LESS than Nine Months		
A1. Parents' contribution (standard contribution for nine-month enrollment, from line 28)		
A2. Divide by 9	÷	<b>9</b>
A3. Parents' contribution per month	=	
A4. Multiply by number of months of enrollment	×	
<b>A5. Parents' contribution for LESS than nine-month enrollment</b>	=	

Calculation of Parents' Contribution for a Student Enrolled MORE than Nine Months		
B1. Parents' Adjusted Available Income (AAI) (from line 25—may be a negative number)		
B2. Difference between the income protection allowance for a family of four and a family of five, with one in college	+	<b>4,820</b>
B3. Alternate parents' AAI for more than nine-month enrollment (line B1 + line B2)	=	
B4. Total parents' contribution from alternate AAI (calculate using Table A6)		
B5. Number in college (FAFSA/SAR #74)	÷	
B6. Alternate parents' contribution for student (line B4 divided by line B5)	=	
B7. Standard parents' contribution for the student for nine-month enrollment (from line 28)	-	
B8. Difference (line B6 minus line B7)	=	
B9. Divide line B8 by 12 months	÷	<b>12</b>
B10. Parents' contribution per month	=	
B11. Number of months student will be enrolled that exceed 9	×	
B12. Adjustment to parents' contribution for months that exceed nine (multiply line B10 by line B11)	=	
B13. Standard parents' contribution for nine-month enrollment (from line 28)	+	
<b>B14. Parents' contribution for MORE than nine-month enrollment</b>	=	

Calculation of Student's Contribution from Available Income (AI) for a Student Enrolled LESS than Nine Months*		
C1. Student's contribution from AI (standard contribution for nine-month enrollment, from line 44)		
C2. Divide by 9	÷	<b>9</b>
C3. Student's contribution from AI per month	=	
C4. Multiply by number of months of enrollment	×	
<b>C5. Student's contribution from AI for LESS than nine-month enrollment</b>	=	

\*For students enrolled more than nine months, the standard contribution from AI is used (the amount from line 44).

**Use next page to calculate total EFC for enrollment periods other than nine months**



**Calculation of Total Expected Family Contribution for Periods of Enrollment Other than Nine Months**

<p><b>Parents' Contribution—use ONE appropriate amount from previous page:</b></p> <ul style="list-style-type: none"> <li>• Enter amount from line A5 for enrollment periods less than nine months <b>OR</b></li> <li>• Enter amount from line B14 for enrollment periods greater than nine months</li> </ul>	
<p><b>Student's Contribution from Available Income—use ONE appropriate amount from previous page:</b></p> <ul style="list-style-type: none"> <li>• Enter amount from line C5 for enrollment periods less than nine months <b>OR</b></li> <li>• Enter amount from line 44 for enrollment periods greater than nine months</li> </ul>	+
<p><b>Expected Family Contribution for periods of enrollment other than nine months</b></p>	=

**Table A1: State and Other Tax Allowance**  
for EFC Formula A Worksheet (parents only)

STATE	PERCENT OF TOTAL INCOME		STATE	PERCENT OF TOTAL INCOME	
	\$0-\$14,999	\$15,000 or more		\$0-\$14,999	\$15,000 or more
Alabama.....	3%	2%	Montana.....	5%	4%
Alaska.....	2%	1%	Nebraska.....	5%	4%
American Samoa.....	2%	1%	Nevada.....	3%	2%
Arizona.....	4%	3%	New Hampshire.....	5%	4%
Arkansas.....	4%	3%	New Jersey.....	9%	8%
California.....	8%	7%	New Mexico.....	3%	2%
Canada and Canadian			New York.....	9%	8%
Provinces.....	2%	1%	North Carolina.....	6%	5%
Colorado.....	4%	3%	North Dakota.....	2%	1%
Connecticut.....	8%	7%	Northern Mariana		
Delaware.....	5%	4%	Islands.....	2%	1%
District of Columbia.....	7%	6%	Ohio.....	5%	4%
Federated States			Oklahoma.....	3%	2%
of Micronesia.....	2%	1%	Oregon.....	7%	6%
Florida.....	3%	2%	Palau.....	2%	1%
Georgia.....	5%	4%	Pennsylvania.....	5%	4%
Guam.....	2%	1%	Puerto Rico.....	2%	1%
Hawaii.....	4%	3%	Rhode Island.....	7%	6%
Idaho.....	5%	4%	South Carolina.....	5%	4%
Illinois.....	5%	4%	South Dakota.....	2%	1%
Indiana.....	4%	3%	Tennessee.....	2%	1%
Iowa.....	5%	4%	Texas.....	3%	2%
Kansas.....	5%	4%	Utah.....	5%	4%
Kentucky.....	5%	4%	Vermont.....	6%	5%
Louisiana.....	3%	2%	Virgin Islands.....	2%	1%
Maine.....	6%	5%	Virginia.....	6%	5%
Marshall Islands.....	2%	1%	Washington.....	4%	3%
Maryland.....	8%	7%	West Virginia.....	3%	2%
Massachusetts.....	7%	6%	Wisconsin.....	7%	6%
Mexico.....	2%	1%	Wyoming.....	2%	1%
Michigan.....	5%	4%	Blank or Invalid		
Minnesota.....	6%	5%	State.....	2%	1%
Mississippi.....	3%	2%	OTHER.....	2%	1%
Missouri.....	5%	4%			

Multiply Parents' Total Income (EFC Formula A Worksheet, line 7) by the appropriate rate from the table above to get the "State and Other Tax Allowance" (EFC Formula A Worksheet, line 9). Use the parents' State of Legal Residence (FAFSA/SAR #70). If this item is blank or invalid, use the student's State of Legal Residence (FAFSA/SAR #18). If both items are blank or invalid, use the State in the Student's Mailing Address (FAFSA/SAR #6). If all three items are blank or invalid, use the rate for a blank or invalid state above.

## Table A2: Social Security Tax

Calculate separately the Social Security tax of father, mother, and student.

Income Earned from Work*	Social Security Tax
\$0 to \$113,700	7.65% of income
\$113,701 or greater	\$8,698.05 + 1.45% of amount over \$113,700

\*Parent 1 (father/mother/stepparent) 2013 income earned from work is FAFSA/SAR #88.  
 Parent 2 (father/mother/stepparent) 2013 income earned from work is FAFSA/SAR #89.  
 Student's 2013 income earned from work is FAFSA/SAR #39.  
 Social Security tax will never be less than zero.

## Table A3: Income Protection Allowance

Number in parents' household, including student (FAFSA/SAR #73)	Number of college students in household (FAFSA/SAR #74)				
	1	2	3	4	5
2 . . . . .	\$17,440	\$14,460	—	—	—
3 . . . . .	21,720	18,750	\$15,770	—	—
4 . . . . .	26,830	23,840	20,870	\$17,890	—
5 . . . . .	31,650	28,670	25,700	22,710	\$19,750
6 . . . . .	37,020	34,040	31,070	28,090	25,120

Note: For each additional family member, add \$4,180.  
 For each additional college student (except parents), subtract \$2,970.

## Table A4: Business/Farm Net Worth Adjustment for EFC Formula A Worksheet (parents only)

If the net worth of a business or farm is—	Then the adjusted net worth is—
Less than \$1	\$0
\$1 to \$125,000	40% of net worth of business/farm
\$125,001 to \$375,000	\$ 50,000 + 50% of net worth over \$125,000
\$375,001 to \$620,000	\$175,000 + 60% of net worth over \$375,000
\$620,001 or more	\$322,000 + 100% of net worth over \$620,000

### Table A5: Parents' Education Savings and Asset Protection Allowance

for EFC Formula A Worksheet (parents only)

<i>Age of older parent as of 12/31/2014*</i>	Allowance if there are two parents**	Allowance if there is only one parent	<i>Age of older parent as of 12/31/2014*</i>	Allowance if there are two parents**	Allowance if there is only one parent
25 or less	\$0	\$0	46.....	\$31,500	\$7,200
26.....	1,800	400	47.....	32,200	7,400
27.....	3,600	800	48.....	33,000	7,600
28.....	5,500	1,300	49.....	33,800	7,800
29.....	7,300	1,700	50.....	34,600	8,000
30.....	9,100	2,100	51.....	35,700	8,100
31.....	10,900	2,500	52.....	36,500	8,300
32.....	12,700	2,900	53.....	37,600	8,500
33.....	14,600	3,400	54.....	38,500	8,700
34.....	16,400	3,800	55.....	39,700	9,000
35.....	18,200	4,200	56.....	40,600	9,200
36.....	20,000	4,600	57.....	41,800	9,400
37.....	21,800	5,000	58.....	43,000	9,700
38.....	23,700	5,500	59.....	44,200	9,900
39.....	25,500	5,900	60.....	45,500	10,200
40.....	27,300	6,300	61.....	46,800	10,400
41.....	27,900	6,500	62.....	48,100	10,700
42.....	28,500	6,600	63.....	49,500	11,000
43.....	29,200	6,800	64.....	50,900	11,300
44.....	30,000	6,900	65 or over..	52,600	11,600
45.....	30,700	7,100			

\*Determine the age of the older parent listed in FAFSA/SAR #64 and #68 as of 12/31/2014. If no parent date of birth is provided, use age 45.

\*\*Use the two parent allowance when the Parents' Marital Status listed in FAFSA/SAR #59 is "married or remarried" or "unmarried and both parents living together."

### Table A6: Parents' Contribution from AAI

If parents' AAI is—	The parents' contribution from AAI is—
Less than -\$3,409	-\$750
-\$3,409 to \$15,600	22% of AAI
\$15,601 to \$19,600	\$3,432 + 25% of AAI over \$15,600
\$19,601 to \$23,500	\$4,432 + 29% of AAI over \$19,600
\$23,501 to \$27,500	\$5,563 + 34% of AAI over \$23,500
\$27,501 to \$31,500	\$6,923 + 40% of AAI over \$27,500
\$31,501 or more	\$8,523 + 47% of AAI over \$31,500

## Table A7: State and Other Tax Allowance

for EFC Formula A Worksheet (student only)

Alabama.....	2%	Missouri.....	3%
Alaska.....	0%	Montana.....	3%
American Samoa.....	2%	Nebraska.....	3%
Arizona.....	2%	Nevada.....	1%
Arkansas.....	3%	New Hampshire.....	1%
California.....	5%	New Jersey.....	4%
Canada and Canadian Provinces.....	2%	New Mexico.....	2%
Colorado.....	3%	New York.....	6%
Connecticut.....	5%	North Carolina.....	4%
Delaware.....	3%	North Dakota.....	1%
District of Columbia.....	5%	Northern Mariana Islands.....	2%
Federated States of Micronesia.....	2%	Ohio.....	3%
Florida.....	1%	Oklahoma.....	2%
Georgia.....	3%	Oregon.....	5%
Guam.....	2%	Palau.....	2%
Hawaii.....	3%	Pennsylvania.....	3%
Idaho.....	3%	Puerto Rico.....	2%
Illinois.....	2%	Rhode Island.....	4%
Indiana.....	3%	South Carolina.....	3%
Iowa.....	3%	South Dakota.....	1%
Kansas.....	3%	Tennessee.....	1%
Kentucky.....	4%	Texas.....	1%
Louisiana.....	2%	Utah.....	3%
Maine.....	4%	Vermont.....	3%
Marshall Islands.....	2%	Virgin Islands.....	2%
Maryland.....	5%	Virginia.....	4%
Massachusetts.....	4%	Washington.....	1%
Mexico.....	2%	West Virginia.....	3%
Michigan.....	3%	Wisconsin.....	4%
Minnesota.....	4%	Wyoming.....	1%
Mississippi.....	2%	Blank or Invalid State.....	2%
		OTHER.....	2%

Multiply the student's total income (EFC Formula A Worksheet, line 35) by the appropriate rate from the table above to get the "state and other tax allowance" (EFC Formula A Worksheet, line 37). Use the student's state of legal residence (FAFSA/SAR #18). If this item is blank or invalid, use the state in the student's mailing address (FAFSA/SAR #6). If both items are blank or invalid, use the parents' state of legal residence (FAFSA/SAR #70). If all three items are blank or invalid, use the rate for a blank or invalid state above.



# 2014–2015 EFC FORMULA **B**: INDEPENDENT STUDENT Without Dependent(s) Other than a Spouse

REGULAR  
WORKSHEET  
Page 1

# B

STUDENT/SPOUSE INCOME IN 2013	
1. Student's and spouse's Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.	
2. a. Student's income earned from work (FAFSA/SAR #39)	
2. b. Spouse's income earned from work (FAFSA/SAR #40)	+
Total student/spouse income earned from work	=
3. Student/spouse Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)	
4. Total untaxed income and benefits (sum total of FAFSA/SAR #45a. through 45j.)	+
5. Taxable and untaxed income (sum of line 3 and line 4)	
6. Total additional financial information (sum total of FAFSA/SAR #44a. through 44f.)	-
<b>7. TOTAL INCOME</b> (line 5 minus line 6) May be a negative number.	=

ALLOWANCES AGAINST STUDENT/SPOUSE INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table B1) If negative, enter zero.	+
10. Student's Social Security tax (Table B2)	+
11. Spouse's Social Security tax (Table B2)	+
12. Income protection allowance: <ul style="list-style-type: none"> <li>• \$9,730 for single, separated or divorced/widowed student;</li> <li>• \$9,730 for married student if spouse is enrolled at least 1/2 time;</li> <li>• \$15,600 for married student if spouse is not enrolled at least 1/2 time.</li> </ul>	+
13. Employment expense allowance: <ul style="list-style-type: none"> <li>• If student is not married or is separated, the allowance is zero.</li> <li>• If student is married but only one person is working (the student or spouse), the allowance is zero.</li> <li>• If student is married and both student and spouse are working, the allowance is 35% of the lesser of the earned incomes, or \$4,000, whichever is less.</li> </ul>	+
<b>14. TOTAL ALLOWANCES</b>	=

CONTRIBUTION FROM AVAILABLE INCOME	
TOTAL INCOME (from line 7)	
TOTAL ALLOWANCES (from line 14)	-
<b>15. AVAILABLE INCOME (AI)</b>	=
16. Assessment rate	× <b>.50</b>
<b>17. CONTRIBUTION FROM AI</b> May be a negative number.	=

STUDENT'S/SPOUSE'S CONTRIBUTION FROM ASSETS	
18. Cash, savings & checking (FAFSA/SAR #41)	
19. Net worth of investments* (FAFSA/SAR #42) If negative, enter zero.	
20. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	
21. Adjusted net worth of business/farm (Calculate using Table B3.)	+
<b>22. Net worth</b> (sum of lines 18, 19, and 21)	=
23. Asset protection allowance (Table B4)	-
24. Discretionary net worth (line 22 minus line 23)	=
25. Asset conversion rate	× <b>.20</b>
<b>26. CONTRIBUTION FROM ASSETS</b> If negative, enter zero.	=

EXPECTED FAMILY CONTRIBUTION	
CONTRIBUTION FROM AI (from line 17) May be a negative number.	
CONTRIBUTION FROM ASSETS (from line 26)	+
<b>27. Contribution from AI and assets</b>	=
28. Number in college in 2014–2015 (FAFSA/SAR #96)	÷
<b>29. EXPECTED FAMILY CONTRIBUTION</b> for nine month enrollment. If negative, enter zero.**	=

\*Do *not* include the student's home.

\*\*To calculate the EFC for less than nine-month enrollment, see the next page. If the student is enrolled for more than nine months, use the nine-month EFC (line 29 above).

**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

Calculation of Expected Family Contribution for a Student Enrolled for Less than Nine Months		
Expected Family Contribution (standard contribution for nine-month enrollment, from line 29)		
Divide by 9	÷	9
Expected Family Contribution per month	=	
Multiply by number of months of enrollment	×	
<b>Expected Family Contribution for less than nine-month enrollment*</b>	=	

\*Substitute the student's EFC for less than nine-month enrollment in place of the EFC for the standard nine-month enrollment (EFC Formula B Worksheet, line 29).

# 2014–2015 EFC FORMULA **B** : INDEPENDENT STUDENT Without Dependent(s) Other than a Spouse

SIMPLIFIED  
WORKSHEET  
Page 1

# B

STUDENT/SPOUSE INCOME IN 2013	
1. Student's and spouse's Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.	
2. a. Student's income earned from work (FAFSA/SAR #39)	
2. b. Spouse's income earned from work (FAFSA/SAR #40)	+
Total student/spouse income earned from work	=
3. Student/spouse Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)	
4. Total untaxed income and benefits (sum total of FAFSA/SAR #45a. through 45j.)	+
5. Taxable and untaxed income (sum of line 3 and line 4)	
6. Total additional financial information (sum total of FAFSA/SAR #44a. through 44f.)	-
7. <b>TOTAL INCOME</b> (line 5 minus line 6) May be a negative number.	=

CONTRIBUTION FROM AVAILABLE INCOME	
TOTAL INCOME (from line 7)	
TOTAL ALLOWANCES (from line 14)	-
15. AVAILABLE INCOME (AI)	=
16. Assessment rate	× <b>.50</b>
17. <b>CONTRIBUTION FROM AI</b> May be a negative number.	=

ALLOWANCES AGAINST STUDENT/SPOUSE INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table B1) If negative, enter zero.	+
10. Student's Social Security tax (Table B2)	+
11. Spouse's Social Security tax (Table B2)	+
12. Income protection allowance: <ul style="list-style-type: none"> <li>• \$9,730 for single, separated or divorced/widowed student;</li> <li>• \$9,730 for married student if spouse is enrolled at least 1/2 time;</li> <li>• \$15,600 for married student if only the student is enrolled at least 1/2 time.</li> </ul>	+
13. Employment expense allowance: <ul style="list-style-type: none"> <li>• If student is not married or is separated, the allowance is zero.</li> <li>• If student is married but only one person is working (the student or spouse), the allowance is zero.</li> <li>• If student is married and both student and spouse are working, the allowance is 35% of the lesser of the earned incomes, or \$4,000, whichever is less.</li> </ul>	+
14. <b>TOTAL ALLOWANCES</b>	=

STUDENT'S/SPOUSE'S CONTRIBUTION FROM ASSETS	
18. Cash, savings & checking (FAFSA/SAR #41)	
19. Net worth of investments* (FAFSA/SAR #42) If negative, enter zero.	
20. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	
21. Adjusted net worth of business/farm (Calculate using Table B3.)	+
22. <b>Net worth</b> (sum of lines 18, 19, and 21)	=
23. Asset protection allowance (Table B4)	-
24. Discretionary net worth (line 22 minus line 23)	=
25. Asset conversion rate	×
26. <b>CONTRIBUTION FROM ASSETS</b> If negative, enter zero.	

EXPECTED FAMILY CONTRIBUTION	
CONTRIBUTION FROM AI (from line 17) May be a negative number.	
CONTRIBUTION FROM ASSETS (from line 26)	+
27. <b>Contribution from AI and assets</b>	=
28. <b>Number in college in 2014–2015</b> (FAFSA/SAR #96)	÷
29. <b>EXPECTED FAMILY CONTRIBUTION</b> for nine-month enrollment. If negative, enter zero.**	=

\*Do *not* include the student's home.

\*\*To calculate the EFC for less than nine-month enrollment, see the next page. If the student is enrolled for more than nine months, use the nine-month EFC (line 29 above).

**Note: Do not complete the shaded areas; asset information is not required in the simplified formula.**

**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

**Calculation of Expected Family Contribution for a Student Enrolled for Less than Nine Months**

Expected Family Contribution (standard contribution for nine-month enrollment, from line 29)		
Divide by 9	÷	<b>9</b>
Expected Family Contribution per month	=	
Multiply by number of months of enrollment	×	
<b>Expected Family Contribution for less than nine-month enrollment*</b>	=	

\*Substitute the student's EFC for less than nine-month enrollment in place of the EFC for the standard nine-month enrollment (EFC Formula B Worksheet, line 29.)

**Table B1: State and Other Tax Allowance**

Alabama .....	2%	Missouri .....	3%
Alaska .....	0%	Montana .....	3%
American Samoa.....	2%	Nebraska .....	3%
Arizona .....	2%	Nevada .....	1%
Arkansas .....	3%	New Hampshire .....	1%
California .....	5%	New Jersey.....	4%
Canada and Canadian Provinces.....	2%	New Mexico.....	2%
Colorado .....	3%	New York .....	6%
Connecticut.....	5%	North Carolina .....	4%
Delaware .....	3%	North Dakota .....	1%
District of Columbia .....	5%	Northern Mariana Islands .....	2%
Federated States of Micronesia.....	2%	Ohio .....	3%
Florida.....	1%	Oklahoma.....	2%
Georgia.....	3%	Oregon .....	5%
Guam.....	2%	Palau .....	2%
Hawaii.....	3%	Pennsylvania.....	3%
Idaho .....	3%	Puerto Rico .....	2%
Illinois .....	2%	Rhode Island .....	4%
Indiana .....	3%	South Carolina .....	3%
Iowa .....	3%	South Dakota .....	1%
Kansas.....	3%	Tennessee.....	1%
Kentucky.....	4%	Texas .....	1%
Louisiana.....	2%	Utah.....	3%
Maine .....	4%	Vermont.....	3%
Marshall Islands.....	2%	Virgin Islands.....	2%
Maryland.....	5%	Virginia .....	4%
Massachusetts .....	4%	Washington .....	1%
Mexico .....	2%	West Virginia .....	3%
Michigan.....	3%	Wisconsin.....	4%
Minnesota .....	4%	Wyoming.....	1%
Mississippi .....	2%	Blank or Invalid State .....	2%
		OTHER.....	2%

Multiply the total income of student and spouse (EFC Formula B Worksheet, line 7) by the appropriate rate from the table above to get the “state and other tax allowance” (EFC Formula B Worksheet, line 9). Use the student’s State of Legal Residence (FAFSA/SAR #18) reported on the FAFSA. If this item is blank or invalid, use the State in the Student’s Mailing Address (FAFSA/SAR #6). If both items are blank or invalid, use rate for blank or invalid state above.



## Table B2: Social Security Tax

Calculate separately the Social Security tax of student and spouse.

Income Earned from Work*	Social Security Tax
\$0 to \$113,700	7.65% of income
\$113,701 or greater	\$8,698.05 + 1.45% of amount over \$113,700

\*Student's 2013 income earned from work is FAFSA/SAR #39.  
 Spouse's 2013 income earned from work is FAFSA/SAR #40.  
 Social Security tax will never be less than zero.

## Table B3: Business/Farm Net Worth Adjustment

If the net worth of a business or farm is—	Then the adjusted net worth is—
Less than \$1	\$0
\$1 to \$125,000	40% of net worth of business/farm
\$125,001 to \$375,000	\$ 50,000 + 50% of net worth over \$125,000
\$375,001 to \$620,000	\$175,000 + 60% of net worth over \$375,000
\$620,001 or more	\$322,000 + 100% of net worth over \$620,000

**Table B4: Asset Protection Allowance**

<i>Age of student as of 12/31/2014*</i>	Allowance for—		<i>Age of student as of 12/31/2014*</i>	Allowance for—	
	Married Student	Unmarried Student		Married Student	Unmarried Student
25 or less	\$0	\$0	46.....	\$31,500	\$7,200
26.....	1,800	400	47.....	32,200	7,400
27.....	3,600	800	48.....	33,000	7,600
28.....	5,500	1,300	49.....	33,800	7,800
29.....	7,300	1,700	50.....	34,600	8,000
30.....	9,100	2,100	51.....	35,700	8,100
31.....	10,900	2,500	52.....	36,500	8,300
32.....	12,700	2,900	53.....	37,600	8,500
33.....	14,600	3,400	54.....	38,500	8,700
34.....	16,400	3,800	55.....	39,700	9,000
35.....	18,200	4,200	56.....	40,600	9,200
36.....	20,000	4,600	57.....	41,800	9,400
37.....	21,800	5,000	58.....	43,000	9,700
38.....	23,700	5,500	59.....	44,200	9,900
39.....	25,500	5,900	60.....	45,500	10,200
40.....	27,300	6,300	61.....	46,800	10,400
41.....	27,900	6,500	62.....	48,100	10,700
42.....	28,500	6,600	63.....	49,500	11,000
43.....	29,200	6,800	64.....	50,900	11,300
44.....	30,000	6,900	65 or over..	52,600	11,600
45.....	30,700	7,100			

\*Determine student's age as of 12/31/2014 from student's date of birth (FAFSA/SAR #9).



# 2014–2015 EFC FORMULA : INDEPENDENT STUDENT With Dependent(s) Other than a Spouse

REGULAR  
WORKSHEET  
Page 1



STUDENT/SPOUSE INCOME IN 2013	
1. Student's and spouse's Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.	
2. a. Student's income earned from work (FAFSA/SAR #39)	_____
2. b. Spouse's income earned from work (FAFSA/SAR #40)	+ _____
Total student/spouse income earned from work	= _____
3. Student/spouse Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)	
4. Total untaxed income and benefits (sum total of FAFSA/SAR #45a. through 45j.)	+ _____
5. Taxable and untaxed income (sum of line 3 and line 4)	
6. Total additional financial information (sum total of FAFSA/SAR #44a. through 44f.)	- _____
<b>7. TOTAL INCOME</b> (line 5 minus line 6) May be a negative number.	= _____

ALLOWANCES AGAINST STUDENT/SPOUSE INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table C1) If negative, enter zero.	+
10. Student's Social Security tax (Table C2)	+
11. Spouse's Social Security tax (Table C2)	+
12. Income protection allowance (Table C3)	+
13. Employment expense allowance: <ul style="list-style-type: none"> <li>• Student and spouse both working: 35% of the lesser of the earned incomes, or \$4,000, whichever is less</li> <li>• One-parent families: 35% of earned income, or \$4,000, whichever is less</li> <li>• Student or spouse working (not both): zero</li> </ul>	+
<b>14. TOTAL ALLOWANCES</b>	= _____

\*STOP HERE if the following are true:

Line 3 is \$24,000 or less **and**

- The student (and the student's spouse, if any) are eligible to file a 2013 IRS Form 1040A or 1040EZ (they are not required to file a 2013 Form 1040) or they are not required to file any income tax return **or**
- Anyone included in the student's household size (as defined on the FAFSA) received benefits during 2012 or 2013 from any of the designated means-tested federal benefit programs **or**
- The student (or the student's spouse, if any) is a dislocated worker.

If these circumstances are true, the Expected Family Contribution is automatically zero.

AVAILABLE INCOME	
TOTAL INCOME (from line 7)	
TOTAL ALLOWANCES (from line 14)	-
<b>15. AVAILABLE INCOME (AI)</b> May be a negative number.	= _____

STUDENT'S/SPOUSE'S CONTRIBUTION FROM ASSETS	
16. Cash, savings & checking (FAFSA/SAR #41)	
17. Net worth of investments** (FAFSA/SAR #42) If negative, enter zero.	
18. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	_____
19. Adjusted net worth of business/farm (Calculate using Table C4.)	+ _____
<b>20. Net worth</b> (sum of lines 16, 17, and 19)	= _____
21. Asset protection allowance (Table C5)	-
22. Discretionary net worth (line 20 minus line 21)	= _____
23. Asset conversion rate	× <b>.07</b>
<b>24. CONTRIBUTION FROM ASSETS</b> If negative, enter zero.	_____

EXPECTED FAMILY CONTRIBUTION	
AVAILABLE INCOME (AI) (from line 15)	
CONTRIBUTION FROM ASSETS (from line 24)	+
<b>25. Adjusted Available Income (AAI)</b> May be a negative number.	= _____
<b>26. Total contribution from AAI</b> (Calculate using Table C6.) If negative, enter zero.	
<b>27. Number in college in 2014–2015</b> (FAFSA/SAR #96)	÷
<b>28. EXPECTED FAMILY CONTRIBUTION</b> for nine month enrollment. If negative, enter zero.***	_____

\*\*Do *not* include the student's home.

\*\*\*To calculate the EFC for less than nine-month enrollment, see the next page. If the student is enrolled for more than nine months, use the nine-month EFC (line 28 above).

**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

<b>Calculation of Expected Family Contribution for a Student Enrolled for Less than Nine Months</b>		
Expected Family Contribution (standard contribution for nine-month enrollment, from line 28)		
Divide by 9	÷	<b>9</b>
Expected Family Contribution per month	=	
Multiply by number of months of enrollment	×	
<b>Expected Family Contribution for less than nine-month enrollment*</b>	=	

\*Substitute the student's EFC for less than nine-month enrollment in place of the EFC for the standard nine-month enrollment (EFC Formula C Worksheet, line 28).



# 2014–2015 EFC FORMULA **C**: INDEPENDENT STUDENT With Dependent(s) Other than a Spouse

SIMPLIFIED  
WORKSHEET  
Page 1



STUDENT/SPOUSE INCOME IN 2013	
1. Student's and spouse's Adjusted Gross Income (FAFSA/SAR #36) If negative, enter zero.	
2. a. Student's income earned from work (FAFSA/SAR #39)	
2. b. Spouse's income earned from work (FAFSA/SAR #40)	+
Total student/spouse income earned from work	=
3. Student/spouse Taxable Income (If tax filers, enter the amount from line 1 above. If non-tax filers, enter the amount from line 2.)	
4. Total untaxed income and benefits (sum total of FAFSA/SAR #45a. through 45j.)	+
5. Taxable and untaxed income (sum of line 3 and line 4)	
6. Total additional financial information (sum total of FAFSA/SAR #44a. through 44f.)	-
<b>7. TOTAL INCOME</b> (line 5 minus line 6) May be a negative number.	=

ALLOWANCES AGAINST STUDENT/SPOUSE INCOME	
8. 2013 U.S. income tax paid (FAFSA/SAR #37) (tax filers only) If negative, enter zero.	
9. State and other tax allowance (Table C1) If negative, enter zero.	+
10. Student's Social Security tax (Table C2)	+
11. Spouse's Social Security tax (Table C2)	+
12. Income protection allowance (Table C3)	+
13. Employment expense allowance: <ul style="list-style-type: none"> <li>• Student and spouse both working: 35% of the lesser of the earned incomes, or \$4,000, whichever is less</li> <li>• One-parent families: 35% of earned income, or \$4,000, whichever is less</li> <li>• Student or spouse working (not both): zero</li> </ul>	+
<b>14. TOTAL ALLOWANCES</b>	=

\*STOP HERE if the following are true:

Line 3 is \$24,000 or less **and**

- The student (and the student's spouse, if any) are eligible to file a 2013 IRS Form 1040A or 1040EZ (they are not required to file a 2013 Form 1040) or they are not required to file any income tax return **or**
- Anyone included in the student's household size (as defined on the FAFSA) received benefits during 2012 or 2013 from any of the designated means-tested federal benefit programs **or**
- The student (or the student's spouse, if any) is a dislocated worker.

If these circumstances are true, the Expected Family Contribution is automatically zero.

AVAILABLE INCOME	
TOTAL INCOME (from line 7)	
TOTAL ALLOWANCES (from line 14)	-
<b>15. AVAILABLE INCOME (AI)</b> May be a negative number.	=

STUDENT'S/SPOUSE'S CONTRIBUTION FROM ASSETS	
16. Cash, savings & checking (FAFSA/SAR #41)	
17. Net worth of investments** (FAFSA/SAR #42) If negative, enter zero.	
18. Net worth of business and/or investment farm (FAFSA/SAR #43) If negative, enter zero.	
19. Adjusted net worth of business/farm (Calculate using Table C4.)	+
<b>20. Net worth</b> (sum of lines 16, 17, and 19)	=
21. Asset protection allowance (Table C5)	-
22. Discretionary net worth (line 20 minus line 21)	=
23. Asset conversion rate × .07	
<b>24. CONTRIBUTION FROM ASSETS</b> If negative, enter zero.	

EXPECTED FAMILY CONTRIBUTION	
AVAILABLE INCOME (AI) (from line 15)	
CONTRIBUTIONS FROM ASSETS (from line 24)	+
<b>25. Adjusted available income (AAI)</b> May be a negative number.	=
<b>26. Total contribution from AAI</b> (Calculate using Table C6.) If negative, enter zero.	
<b>27. Number in college in 2014–2015</b> (FAFSA/SAR #96)	÷
<b>28. EXPECTED FAMILY CONTRIBUTION</b> for nine month enrollment. If negative, enter zero.***	

\*\*Do not include the student's home.

\*\*\*To calculate the EFC for less than nine-month enrollment, see the next page. If the student is enrolled for more than nine months, use the nine-month EFC (line 28 above).

**Note: Do not complete the shaded areas; asset information is not required in the simplified formula.**

**Note:** Use this additional page to prorate the EFC only if the student will be enrolled for other than nine months and only to determine the student's need for Campus-Based aid, or a Federal Direct Subsidized Loan. Do not use this page to prorate the EFC for a Federal Pell Grant or TEACH Grant. The EFC for the Federal Pell Grant Program is the nine-month EFC used in conjunction with the cost of attendance to determine a Federal Pell Grant award from the Payment or Disbursement Schedule.

**Calculation of Expected Family Contribution for a Student Enrolled for Less than Nine Months**

Expected Family Contribution (standard contribution for nine-month enrollment, from line 28)		
Divide by 9	÷	<b>9</b>
Expected Family Contribution per month	=	
Multiply by number of months enrollment	×	
<b>Expected Family Contribution for less than nine-month enrollment*</b>	=	

\*Substitute the student's EFC for less than nine-month enrollment in place of the EFC for the standard nine-month enrollment (EFC Formula C Worksheet, line 28).

**Table C1: State and Other Tax Allowance**

STATE	PERCENT OF TOTAL INCOME		STATE	PERCENT OF TOTAL INCOME	
	\$0–\$14,999	\$15,000 or more		\$0–\$14,999	\$15,000 or more
Alabama.....	3%	2%	Montana.....	5%	4%
Alaska.....	2%	1%	Nebraska.....	5%	4%
American Samoa.....	2%	1%	Nevada.....	3%	2%
Arizona.....	4%	3%	New Hampshire.....	5%	4%
Arkansas.....	4%	3%	New Jersey.....	9%	8%
California.....	8%	7%	New Mexico.....	3%	2%
Canada and Canadian Provinces.....	2%	1%	New York.....	9%	8%
Colorado.....	4%	3%	North Carolina.....	6%	5%
Connecticut.....	8%	7%	North Dakota.....	2%	1%
Delaware.....	5%	4%	Northern Mariana Islands.....	2%	1%
District of Columbia.....	7%	6%	Ohio.....	5%	4%
Federated States of Micronesia.....	2%	1%	Oklahoma.....	3%	2%
Florida.....	3%	2%	Oregon.....	7%	6%
Georgia.....	5%	4%	Palau.....	2%	1%
Guam.....	2%	1%	Pennsylvania.....	5%	4%
Hawaii.....	4%	3%	Puerto Rico.....	2%	1%
Idaho.....	5%	4%	Rhode Island.....	7%	6%
Illinois.....	5%	4%	South Carolina.....	5%	4%
Indiana.....	4%	3%	South Dakota.....	2%	1%
Iowa.....	5%	4%	Tennessee.....	2%	1%
Kansas.....	5%	4%	Texas.....	3%	2%
Kentucky.....	5%	4%	Utah.....	5%	4%
Louisiana.....	3%	2%	Vermont.....	6%	5%
Maine.....	6%	5%	Virgin Islands.....	2%	1%
Marshall Islands.....	2%	1%	Virginia.....	6%	5%
Maryland.....	8%	7%	Washington.....	4%	3%
Massachusetts.....	7%	6%	West Virginia.....	3%	2%
Mexico.....	2%	1%	Wisconsin.....	7%	6%
Michigan.....	5%	4%	Wyoming.....	2%	1%
Minnesota.....	6%	5%	Blank or Invalid State.....	2%	1%
Mississippi.....	3%	2%	OTHER.....	2%	1%
Missouri.....	5%	4%			

Multiply the total income of student and spouse (EFC Formula C Worksheet, line 7) by the appropriate rate from the table above to get the “state and other tax allowance” (EFC Formula C Worksheet, line 9). Use the student’s State of Legal Residence (FAFSA/SAR #18) reported on the FAFSA. If this item is blank or invalid, use the State in the Student’s Mailing Address (FAFSA/SAR #6). If both items are blank or invalid, use the rate for blank or invalid state above.

## Table C2: Social Security Tax

Calculate separately the Social Security tax of student and spouse.

Income Earned from Work*	Social Security Tax
\$0 to \$113,700	7.65% of income
\$113,701 or greater	\$8,698.05 + 1.45% of amount over \$113,700

\*Student's 2013 income earned from work is FAFSA/SAR #39.  
 Spouse's 2013 income earned from work is FAFSA/SAR #40.  
 Social Security tax will never be less than zero.

## Table C3: Income Protection Allowance

Number in student's household, including student (FAFSA/SAR #95)	Number of college students in household (FAFSA/SAR #96)				
	1	2	3	4	5
2 . . . . .	\$24,650	\$20,430	—	—	—
3 . . . . .	30,690	26,490	\$22,280	—	—
4 . . . . .	37,890	33,690	29,500	\$25,270	—
5 . . . . .	44,710	40,490	36,300	32,090	\$27,900
6 . . . . .	52,290	48,080	43,900	39,670	35,480

Note: For each additional family member, add \$5,900.  
 For each additional college student, subtract \$4,190.

## Table C4: Business/Farm Net Worth Adjustment

If the net worth of a business or farm is—	Then the adjusted net worth is—
Less than \$1	\$0
\$1 to \$125,000	40% of net worth of business/farm
\$125,001 to \$375,000	\$ 50,000 + 50% of net worth over \$125,000
\$375,001 to \$620,000	\$175,000 + 60% of net worth over \$375,000
\$620,001 or more	\$322,000 + 100% of net worth over \$620,000

**Table C5: Asset Protection Allowance**

<i>Age of student as of 12/31/2014*</i>	Allowance for Married Student	Allowance for Unmarried Student	<i>Age of student as of 12/31/2014*</i>	Allowance for Married Student	Allowance for Unmarried Student
25 or less	\$0	\$0	46.....	\$31,500	\$7,200
26.....	1,800	400	47.....	32,200	7,400
27.....	3,600	800	48.....	33,000	7,600
28.....	5,500	1,300	49.....	33,800	7,800
29.....	7,300	1,700	50.....	34,600	8,000
30.....	9,100	2,100	51.....	35,700	8,100
31.....	10,900	2,500	52.....	36,500	8,300
32.....	12,700	2,900	53.....	37,600	8,500
33.....	14,600	3,400	54.....	38,500	8,700
34.....	16,400	3,800	55.....	39,700	9,000
35.....	18,200	4,200	56.....	40,600	9,200
36.....	20,000	4,600	57.....	41,800	9,400
37.....	21,800	5,000	58.....	43,000	9,700
38.....	23,700	5,500	59.....	44,200	9,900
39.....	25,500	5,900	60.....	45,500	10,200
40.....	27,300	6,300	61.....	46,800	10,400
41.....	27,900	6,500	62.....	48,100	10,700
42.....	28,500	6,600	63.....	49,500	11,000
43.....	29,200	6,800	64.....	50,900	11,300
44.....	30,000	6,900	65 or over..	52,600	11,600
45.....	30,700	7,100			

\*Determine the student's age as of 12/31/2014 from the student's date of birth (FAFSA/SAR #9).

**Table C6: Student's Contribution from AAI**

<b>If student's AAI is—</b>	<b>The student's contribution from AAI is—</b>
Less than -\$3,409	-\$750
-\$3,409 to \$15,600	22% of AAI
\$15,601 to \$19,600	\$3,432 + 25% of AAI over \$15,600
\$19,601 to \$23,500	\$4,432 + 29% of AAI over \$19,600
\$23,501 to \$27,500	\$5,563 + 34% of AAI over \$23,500
\$27,501 to \$31,500	\$6,923 + 40% of AAI over \$27,500
\$31,501 or more	\$8,523 + 47% of AAI over \$31,500





# Verification, Updates, and Corrections

## CHAPTER 4

*Because students sometimes make errors on their application, there is a process for verifying applications and making corrections. The Central Processing System (CPS) selects which applications are to be verified, but you also have the authority to verify additional students.*

**Y**ou must verify applications selected by the CPS of students who will receive (or have received) subsidized student financial assistance, as defined in the margin. Verification is not required if the student will only receive unsubsidized student financial assistance (see *Verification exclusions* later in this chapter), though a student can't avoid verification by accepting only unsubsidized aid. If he tries to do this, continue with verification.

### REQUIRED POLICIES AND PROCEDURES

Your school must have written policies about

- the time period in which students must submit verification documentation,
- the consequences for failing to submit those documents in time,
- the method you will use to notify students if their EFC and Title IV aid amounts change,
- the procedures you or students will follow to correct FAFSA data,
- the procedure you will follow to refer a student to the Office of Inspector General (OIG see *Chapter 5*).

Your school must provide, in a timely manner, students selected for verification a clear explanation of their role, including what documents they must submit, the deadlines they must meet, and the consequences of failing to meet them.

You must complete verification for a selected student before you exercise professional judgment to adjust any values that are used to calculate the EFC. But making a PJ adjustment does not require you to verify an application that isn't selected.

### Verification regulations

34 CFR 668.51–61

### Definitions

668.52

**Subsidized student financial assistance programs**—Title IV programs for which eligibility is determined by the EFC. These include the Pell Grant, Federal Supplemental Educational Opportunity Grant (FSEOG), Federal Work-Study (FWS), Perkins Loan, and Direct Subsidized Loan programs.

**Unsubsidized student financial assistance programs**—Title IV programs for which eligibility is not based on the EFC. These include the Teacher Education Assistance for College and Higher Education (TEACH) Grant, Direct Unsubsidized Loan, and Direct PLUS Loan programs.

The Iraq and Afghanistan Service Grant is a non-need-based grant and is not subject to verification.

### Policies and procedures

668.53

**Verification items for 2014–2015**

668.56

See the June 13, 2013, *Federal Register*

- Adjusted gross income (AGI)
- U.S. income tax paid
- Education credits
- Untaxed IRA distributions
- Untaxed pensions
- IRA deductions and payments
- Tax-exempt interest
- Other untaxed income
- Income earned from work
- Household size
- Number in college
- Supplemental Nutrition Assistance Program (SNAP, formerly food stamps)
- Child support paid
- High school completion status
- Identity/statement of educational purpose

**APPLICATIONS AND INFORMATION TO BE VERIFIED**

The Department's long-term goal is for a customized approach to verification. A menu of potential verification items for each award year will be published in the *Federal Register*, and the items to verify for a given application will be selected from that menu and indicated on the student's output documents. Output documents will continue to include only one verification flag to show students who were selected, and they will need to verify all the FAFSA items shown in the margin that apply to them.

The verification flag will have a value of "Y," and next to the EFC will be an asterisk referring to a comment in the student section of the SAR that tells applicants they will be asked by their schools to provide documentation. For 2014–2015, verification tracking flags will place the student in one of five verification tracking groups, which are explained later.

In some cases you, not the CPS, will select a student for verification. You must verify any information you have reason to believe is incorrect on any application. At your discretion, you may require a student to verify any FAFSA information and to provide any reasonable documentation in accordance with consistently applied school policies. In either situation you may, but are not required to, include any of the 2014–2015 CPS verification items not already included. Even if you don't do that, students with these applications are considered selected for verification and, as with CPS-selected applications, all other verification requirements, such as deadlines, allowable tolerances, and interim disbursement rules, apply.

If you want to learn more about verification results, you can use the ISIR Analysis Tool, which provides a variety of reports and analyses that can help you identify potentially faulty applications that discretionary verification or the CPS edits might be missing. They can also help you develop discretionary verification edits that focus on student changes that affect the EFC and Pell eligibility. The 2014–2015 edition should be available in July 2014.

**Verification questions/answers**

The Department has a list of questions and answers about verification online.

See <http://www2.ed.gov/policy/highered/reg/heard/2009/verification.html>. There is also a matrix showing the line numbers for verifiable items as they appear on the FAFSA, ISIR, tax transcript, and the tax returns; see the electronic announcement dated 4/17/14 on the IFAP website.

**Verification tracking groups**

Students who are selected for verification will be placed in one of the five following groups. The group determines which FAFSA information must be verified for the student.

**Standard Verification Group.** Tracking flag V1. Students in this group must verify the following if they are tax filers:

- adjusted gross income
- U.S. income tax paid
- untaxed portions of IRA distributions
- untaxed portions of pensions
- IRA deductions and payments
- tax-exempt interest income
- education credits
- household size

- number in college
- Supplemental Nutrition Assistance Program (SNAP) benefits
- child support paid

Students who are not tax filers must verify the following:

- income earned from work
- household size
- number in college
- SNAP benefits
- child support paid

**Reserved for future use by the Department.** Tracking flag V2.

**Child Support Paid Verification Group.** Tracking flag V3. Students must verify child support paid by them or their spouse, their parents, or both.

**Custom Verification Group.** Tracking flag V4. Students must verify high school completion status and identity/statement of educational purpose in addition to receipt of SNAP benefits and payment of child support.

**Aggregate Verification Group.** Tracking flag V5. Students must verify high school completion status and identity/statement of educational purpose in addition to the items in the Standard Verification Group.

**Household Resources Group.** Tracking flag V6. Students must verify the items in the Standard Verification Group as well as certain other untaxed income on the 2014–2015 FAFSA:

- payments to tax-deferred pension and retirement savings plans (Questions 45a and 94a)
- child support received (Questions 45c and 94c)
- housing, food, and other living allowances paid to members of the military, clergy, and others (Questions 45g and 94g)
- veterans' noneducation benefits (Questions 45h and 94h)
- other untaxed income (Questions 45i and 94i)
- money received or paid on the applicant's behalf (Question 45j)
- resources or benefits not appearing on the FAFSA, such as in-kind support from a relative or a government agency.

### **Reporting results for verification tracking flags V4 and V5**

Beginning with 2014–2015, you must report your results for any student for whom you receive an ISIR with tracking flag V4 or V5—as selected by the CPS, not your school—and request verification documentation. You report this information on the FAA Access to CPS Online website: select the Identity Verification Results option from the main menu, enter your school identifiers, the year, and the student identifiers. You will then enter one of the following numeric codes that most applies to the student:

### **Online verification assessment module**

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

### **Verification following disasters**

Dear Colleague Letter GEN-10-16 gives general guidance for when federally-declared disasters affect the awarding of aid. The DCL states that the Secretary will not enforce the verification requirements during the award year for applicants whose records were lost or destroyed because of a disaster. The school must document when it does not perform verification for this reason and use status code "S" when reporting the disbursement of Pell Grants to affected students.

### **HEROES Act modifications**

The Higher Education Relief Opportunities for Students (HEROES) Act provides for the modification and waiving of some statutory and regulatory provisions related to students who receive financial aid and who are on active duty during a war or other military operation or who reside or are employed in a declared disaster area. These adjustments apply to return of funds and signature requirements for verification and application, among other things. The most recent update to the HEROES Act authorized its provisions through September 30, 2017. See pages 59311–59318 of the *Federal Register* dated September 27, 2012, for the details on the act and a list of the eligible students.

**Verification exclusions**

668.54(b)

- 1—verification completed in person, no issues found
- 2—verification completed using notary, no issues found
- 3—verification attempted, issues found with identity
- 4—verification attempted, issues found with HS completion
- 5—no response from applicant or unable to locate

If issues were found with both identity and high school completion status, use code 3. See the 11/13/13 electronic announcement for more information.

Because the FAA Access website does not store a list of these verification results for you to retrieve, we recommend you print and keep the confirmation page for your records. If there is a change in a result you have already submitted, you can submit the new code using the above process. Instead of using this individual method, you can submit verification results by uploading a flat file with the data for up to 2,000 students. This option became available in April, 2014; see the electronic announcement from 4/4/14.

**Spouse unavailable example**

Ursula is attending Lem Community College, and her application is selected for verification. She provided her husband's information on the application but now explains that her husband has recently moved out, and she can't locate him. Ursula also gives Lem some documents to show that she's tried to locate her husband. Lem determines that Ursula doesn't need to provide verification of her husband's tax and income information, but she still needs to verify her own information.

**Verification exclusions**

There are times when you don't need to verify a student's application. **Except in the case of the student's death, however, none of the exemptions excuse you from the requirement to resolve conflicting information.** You should document the basis for an exclusion. Other information not excluded must still be verified according to all other requirements. You don't have to verify FAFSA information of a student in the following situations:

- **Death of the student.** You don't have to continue verification if you made an interim disbursement and the student died before verification was completed. You cannot make any additional disbursements, except for FWS funds already earned, to any of the student's beneficiaries. You cannot originate or disburse his Direct Subsidized Loan or consider any interim disbursement you made of Pell, Perkins, or FSEOG funds or provisional FWS employment to be an overpayment. See *Chapter 2 of Volume 5*.
- **Not an aid recipient.** The student won't receive Title IV aid for reasons other than a failure to complete verification. This includes being ineligible for that aid and withdrawing without receiving it.
- **The applicant is eligible to receive only unsubsidized student financial assistance.**
- **Applicant verified by another school.** The student completed verification for the current award year at another school before transferring. Her FAFSA data must be the same as it was at the previous school, and you must get a letter from that school stating that it verified her application and providing the transaction number of the pertinent valid ISIR.
- **Post enrollment.** The student was selected for verification **after** ceasing to be enrolled at your school and all (including late) disbursements were made.

**Acceptable documentation**

The documentation required for verification of 2014–2015 application data is in the *Federal Register* published on June 13, 2013. See DCL GEN-13-16 and the electronic announcement on November 8, 2013, for guidance about verifiable information for 2014–2015.

Unless you have reason to believe it is inaccurate, you don't have to verify the reported FAFSA information of the parents of a dependent student if any of the following apply:

- **Both of the parents are mentally incapacitated.**
- **They are residing in a country other than the United States and can't be contacted by normal means.**
- **They can't be located because the student does not have and cannot get their contact information.**

Unless you have reason to believe it is inaccurate, you don't have to verify the reported FAFSA information of the spouse of an independent student if any of the following apply:

- **The spouse has died.**
- **He is mentally incapacitated.**
- **He is residing in a country other than the United States and can't be contacted by normal means.**
- **He can't be located because the student does not have and cannot get his contact information.**

## DOCUMENTATION

The documentation you will need for verification varies according to the item verified, as explained in this section. The Department encourages students and parents to use the IRS Data Retrieval Tool (DRT) to import data from their tax return and not change it. It is the fastest, easiest, and most secure method of meeting verification requirements. Also, this chapter includes suggested text developed by the Department, which you can use to create an institutional verification document if you choose and to verify non-tax items, such as household size and number in college. An example of such a document is at the end of the chapter. The text and sample document are also available on the IFAP website at [www.ifap.ed.gov](http://www.ifap.ed.gov).

**AGI and income tax documentation**  
668.57(a)

## DRT items

The following items are imported from IRS forms 1040, 1040A, and 1040EZ to a student's FAFSA via the DRT:

- type of tax return filed
- filing status
- adjusted gross income
- taxes paid
- income earned from work
- exemptions

In addition, the following are also imported from the 1040 and 1040A forms but not the 1040EZ:

- education credits
- IRA deductions
- tax-exempt interest income
- untaxed IRA distributions
- untaxed pensions

Line items from the 2013 tax return			
	1040	1040A	1040EZ
<b>AGI</b>	37	21	4
<b>Income Tax Paid</b>	55	35	10
<b>Deductible IRA/SEP</b>	28 plus 32	17	
<b>Tax-exempt Interest Income</b>	8b	8b	
<b>Untaxed Portions of IRAs and Pensions (excluding rollovers)</b>	15a minus 15b and 16a minus 16b	11a minus 11b and 12a minus 12b	



### Requesting a tax transcript

There are a few ways to request a tax return transcript: online at [www.irs.gov](http://www.irs.gov), by calling 1-800-908-9946, by using the IRS2Go mobile app, or by mailing or faxing the paper Form 4506T-EZ, which can be printed out from the IRS website. See the attachment to DCL GEN-13-16 on [www.ifap.ed.gov](http://www.ifap.ed.gov) for specific instructions. To order a fiscal year tax transcript for verification, Form 4506-T must be used rather than Form 4506T-EZ.

There are some notable changes beginning with the 2013 tax year. Phone requests will be via an automated process instead of an IRS representative. With online requests tax filers can now get the transcript in real time as a Portable Document Format (PDF) file, which they can submit electronically to the school or print and submit as a hard copy. There is still the online option of having the IRS mail a paper transcript, which is how non-online requests will be handled. Only filers who submit a paper 4506-T or 4506T-EZ can choose to have the transcript mailed to a third party. See GEN-14-05.

### Using third parties to get transcripts

The IRS has developed a special Income Verification Express Service (IVES) that allows a third party to receive a tax filer's transcript. The IVES participant submits a 4506-T or 4506T-EZ form, signed by the tax filer, and receives the transcript from the IRS, which charges a small fee for this service. Schools may use a transcript from an IVES participant (which is not considered a third-party servicer in this instance) for verification as long as they have no reason to question its authenticity. Schools may not, however, pass on the charge for using this service to the student. See GEN-14-05 for more information.

If you use a verification document, be sure that it is signed, that all required sections are completed, and that any relevant tax or alternative documents are attached. Copies are acceptable, and unless specifically noted in this chapter, a signature on a copy is as valid as an original signature (i.e., a handwritten or “wet” signature). In the limited circumstances when a tax return copy is acceptable, if it is unsigned the filer (or at least one of the filers of a joint return) must sign it.

The chart on page 81 shows the tax form line numbers for the most commonly reported items. This chart is a reference only; it is not a list of all the items the school must check on a tax return.

### AGI, taxes paid, and other tax data

As already noted, the importation of IRS tax data via the DRT is the best way to document that information. Students and parents do this either when initially filling out the FAFSA on the Web (FOTW) application or later as a correction. (The DRT was available beginning February 2, 2014, for those who have filed a return.) For the retrieved data to be acceptable documentation of tax data, it is necessary that neither students nor parents change the data after it is transferred from the IRS—if the data was changed or if you have reason to believe the data transferred is incorrect, the student will need to provide a return transcript as explained below. The IRS request field(s) on the ISIR will have a value of “02” when the data is unchanged.

If students cannot or will not use IRS Data Retrieval, either at initial FAFSA filing or through the FOTW correction process, they must document AGI, taxes paid, and untaxed income by providing an IRS tax return transcript for the student and spouse or parents, as applicable. Under the following conditions, the IRS Data Retrieval is **not** available in FOTW (all apply to both students and parents unless otherwise noted):

- The person did not indicate on the FAFSA that the tax return has been completed.
- The marriage date is January 2014 or later.
- The first three digits of the SSN are 666.
- The tax return was amended.
- The person filed a Puerto Rican or foreign tax return.
- The person is married and filed the tax return either as head of household or married but filing a separate return.
- Neither married parent entered a valid SSN.
- A non-married parent or both married parents entered all zeroes for the SSN.

While encouraged, tax transcripts submitted to your school for verification do not need to be signed by the tax filer unless you have reason to doubt their authenticity.



### Special tax situations

- **Filing extensions.** For students and parents granted a tax filing extension, you must accept a copy of IRS Form 4868, *Application for Automatic Extension of Time to File U.S. Individual Income Tax Return*. They must also provide a copy of all their W-2 forms or, if they are self-employed, a signed statement with the amount of their AGI and their U.S. income taxes paid. You may require those with a filing extension to use the DRT or submit to your school a tax transcript after the return has been filed. If you do that, you must reverify the income information.
- **Filers of joint returns who are no longer married.** When dependent students' parents filed a joint return and have separated, divorced, married someone else, or been widowed, the students must submit a copy of each W-2 form for the parent whose tax information is on the FAFSA. Similarly, an independent student must submit a copy of each of her W-2 forms if she filed a joint return and is separated, divorced, or a widow.
- **For non-tax filers** you must receive a W-2 form for each source of employment income. You must also get a signed statement giving the sources and amounts of the person's income earned from work not on W-2s and certifying that the person has not filed and is not required to file a tax return. For residents of the Freely Associated States (the Republic of the Marshall Islands, the Republic of Palau, or the Federated States of Micronesia), a copy of the wage and tax statement from each employer and a signed statement identifying all of the person's income and taxes for the year is acceptable. Persons from a foreign country who are not required to file a tax return can provide the signed statement certifying their income and taxes paid.

Financial aid professionals are not expected to have special knowledge or expertise regarding the U.S. tax code. If someone whose data are required on the FAFSA submits a signed statement claiming non-filer status and you have reason to believe that person would have been required to file a U.S. tax return, you must require her to submit a "Verification of Nonfiling" from the IRS that she did not file a 2013 IRS income tax return. She can obtain this by using IRS Form 4506-T and checking box 7. Note that verification of nonfiling is not an indication that the person is not required to file a return, just that she did not file one. Also, do not accept a request for verification of nonfiling for the 2013 tax year that is dated prior to June 15, 2014.

- **For filers of non-U.S. tax returns**, obtaining an IRS tax return transcript is not possible. In those cases you may accept instead of the transcript a copy of the tax return, which must be signed by the filer or one of the filers of a joint return, and you must document the circumstances. Use the income and tax information that most closely corresponds to the information on the IRS tax return, and convert monetary amounts into U.S. dollars as appropriate.

### If a timely W-2 is not available

If an individual who is required to submit an IRS Form W-2 is unable to obtain one in a timely manner, you may permit her to provide a signed statement that includes the amount of income earned from work, the source of that income, and the reason why the W-2 is not available in a timely manner.

### Rollovers and verification

Qualified rollovers from one retirement account to another are not taxable, and they should not be counted as untaxed income (as indicated in *Chapter 2*). Since neither the DRT nor a tax transcript identifies rollovers, you must obtain documentation from the tax filer indicating any qualified rollover amounts that are excluded from the FAFSA. This could be a signed statement or a notation by the filer on the tax transcript that includes the word "rollover" beside any applicable item, similar to the instruction the IRS gives for Forms 1040 and 1040A. The annotation must be signed and dated by the filer. For more information, see Question VI-Q4 on the webpage given in the page 78 margin.

### "Per computer" amounts

We have noted in a Q and A on the website cited in the margin of page 78 that the tax return transcript may show a per computer amount for some tax data that is different from what the filer reported to the IRS. The per computer amount should be used because it corrects mathematic errors and is more accurate than what appears on the return or was transferred via the DRT. This guidance still holds, but changes will reduce discrepancies between DRT data and the transcript: beginning with 2014–2015, the DRT will report per computer values for AGI, income tax paid, and education tax credits.

## Immigrants and tax filing

Immigrants are not exempt from tax filing. The IRS is more concerned whether a person is a resident or nonresident—rather than legal or illegal—alien. An alien is anyone who is not a U.S. citizen or national. A resident alien is one who either is a permanent resident or has resided in the U.S. for a specific minimum amount of time (has met the substantial presence test). All others are nonresident aliens. Resident aliens' income is generally subject to tax in the same manner as U.S. citizens', and they file Forms 1040, 1040A, or 1040EZ. Nonresident aliens who are required to file a return submit Form 1040NR or 1040NR-EZ; both forms are acceptable documentation for verification.

Immigrants who do not have an SSN and are unable to get one can apply with the IRS for an individual taxpayer identification number (ITIN). The ITIN is only for tax purposes. It does not authorize a person to work, endorse his legal status, or entitle him to the earned income credit or Social Security benefits. It is not to be used as an identifier in place of the SSN on the FAFSA.

See the IRS's *Publication 519, U.S. Tax Guide for Aliens* at [www.irs.gov](http://www.irs.gov) for more information.

- **Filers of amended returns.** Students or parents who file an amended return cannot use the IRS DRT, and if they amend the return after using the DRT to fill out the FAFSA, you cannot rely on that data. Instead, you will need to use information from these documents to complete verification:
  1. a signed copy of the IRS Form 1040X that was filed and
  2. a signed copy of the original tax return that was filed, a tax return transcript (which does not have to be signed), or any IRS transcript (such as a return transcript for taxpayer or RTFTP) that includes all the income and tax information required to be verified: AGI, income tax paid, education credits, etc.
- **Victims of identity theft** who cannot get a return transcript or use the DRT must call the IRS's Identity Protection Specialized Unit (IPSU) toll-free number at 800-908-4490. After the IPSU authenticates the tax filer's identity, she can ask the IRS to mail her an alternate paper tax return transcript known as the TRDBV (Transcript DataBase View) that will look different than a regular transcript but that is official and can be used for verification. Unless you doubt the TRDBV's authenticity, you don't need to get an IRS signature or stamp or any other validation. See DCL GEN-14-05 for a sample TRDBV.
- **Using a tax return to complete verification.** When the DRT and return transcript are not available and you must use a tax return for verification, it will likely have been filed electronically with one of a variety of methods. These include do-it-yourself methods as well as completion by a tax preparer. Each method should permit printing of a paper copy of the return, though the e-file format might not contain every line item, showing instead only the data the tax filer provided. For example, if Item 8a, "Taxable interest income," does not appear on such a return, that means no taxable interest income was reported.

You can also accept an electronic copy of the return that has been electronically signed, provided your school's process for accepting such signatures complies with the Electronic Signatures in Global and National Commerce (ESIGN) Act. But a signature on Form 8879, the IRS e-file Signature Authorization, is not an acceptable substitute for a signature on the tax return.

## Verification selection after PJ

When professional judgment (PJ) is used (and coded correctly) to adjust an application that is not selected for verification, the CPS prevents the subsequent transaction from being selected for verification.

For persons who have a tax professional prepare their return, instead of a copy of the return with the filer's signature, you may accept one that has the name and Preparer Tax Identification Number (PTIN) of the preparer or has his SSN or EIN and has been signed, stamped, typed, or printed with his name and address. Note that the IRS requires paid preparers to have a PTIN.

If a person did not retain a copy of her 2013 tax information and it cannot be located by the IRS or the relevant government agency, you must accept for an IRS filer either a copy of Form W-2 for each source of employment income received for 2013 or, if she is self-employed, a signed statement certifying the amount of AGI and taxes paid. For those who filed an income tax return with a government of a U.S.

## Using a joint return to figure individual AGI and taxes paid

If the filer of a joint return has become widowed, divorced, or separated since filing the return, it may be necessary to determine the individual's income and taxes paid using the joint return and W-2 forms. If a filer is self-employed or if a W-2 is not available, the school may accept a signed statement from the filer that certifies the base year AGI and U.S. taxes paid. If the filer has divorced and married someone new (see the margin note on page 89 if this occurred after completion of the application), then the new spouse's income and assets would also need to be included.

Add the income amounts from the individual's W-2 forms to any other income that can be extracted from the joint return. Any interest or business income earned on joint accounts or investments should be assessed at 50%. The same procedure should be used to divide business or farm losses. Also, if the AGI listed on the joint return was adjusted, you should reduce the individual's AGI by the portion of the adjustment that applies solely to him or her. For example, if an adjustment was made for moving expenses, which applies to the couple jointly, only 50% of the adjustment amount can be applied against the individual's income. An AGI figure can be calculated for the individual filer. A signed statement from the filer certifying that the data from the joint return were accurately assessed is sufficient documentation for this method.

Use one of the following methods to figure the individual's taxes paid:

- **Tax table (preferred method).** Using the IRS Tax Table or Tax Rate Schedule for the appropriate year, calculate the amount of tax that would have been paid if a separate return had been filed. Use the deduction and number of exemptions the individual could have claimed if he or she had filed a separate return. (If itemized deductions were taken, count only the portion of those deductions that could have been claimed on a separate tax return.)
- **Proportional distribution.** Determine what percentage of the joint AGI was attributable to the individual, and then assess the joint taxes paid by that same percentage.

### Example 1: Calculating individual AGI from joint return example

Eddy's application is selected for verification. He and his wife filed a joint return for 2013 and have since separated. The AGI on Eddy's FAFSA matches the AGI of \$48,000 on the 2013 tax return, which means it's wrong because it includes his wife's income.

Eddy's W-2 shows that his income for 2013 was \$19,800, and the tax return shows \$400 in interest. Because it was interest on a joint savings account, the aid administrator adds \$200 of it to Eddy's income and submits \$20,000 as the corrected income via FAA Access.

### Example 2: Calculating individual taxes paid from a joint return

The aid administrator determines that Eddy's part of the \$48,000 AGI he and his wife reported is \$20,000. Eddy and his wife claimed four exemptions on their tax return (themselves, one child, and Eddy's nephew). Eddy's wife has custody of the child and will claim him as her dependent when she files her tax return for 2013. Eddy's nephew still lives with him. Therefore, Eddy would have had two exemptions (himself and his nephew), totaling \$7,800. In the new situation, Eddy's filing status is "head of household" instead of "married." Therefore, his standard deduction is \$8,950 (instead of the \$12,200 for married filers). Eddy's income of \$20,000 minus the \$7,800 for exemptions and the \$8,950 standard deduction results in \$3,250 in taxable income.

The aid administrator uses the tax table to determine how much tax Eddy would have paid on this amount, taking into account any applicable credits reported on the original return. With a taxable income of \$3,250, the amount of tax paid from the tax schedule would be \$328.

To use the proportional distribution method instead, the aid administrator figures out what percentage of the joint AGI Eddy's income represents. The percentage is 42% (20,000 divided by 48,000 is .4167). The aid administrator then multiplies the income tax paid as reported on the tax return (\$1,141 for this example) by this percentage. Therefore, Eddy's income tax paid would be \$479 (.42 x \$1,141).

**Household size documentation**

668.57(b)

territory or commonwealth or a foreign central government, accept a copy of a wage and tax statement or a signed statement certifying the amount of AGI and taxes paid for 2013.

**Other untaxed income**

As already mentioned, other untaxed income will be verified for students selected for the Household Resources Group (tracking flag V6). In most cases you can verify these items by obtaining a statement giving the sources and amounts of income and signed by the student and, if appropriate, one parent. The suggested verification text at the end of the chapter meets this requirement. Also get a copy of any W-2 form for these sources.\* If you determine that the total of the other untaxed income and all other sources of income does not appear to be sufficient to support the number of household members reported, the student and, if appropriate, his parents or spouse must explain how the family was financially supported during the 2013 calendar year. Your financial aid office decides what is sufficient financial support and what is evidence of that, and your office must document its decision in each case.

\* You must get a copy of the W-2(s) for all persons in the Household Resources Group (V6), including tax filers who used the IRS DRT or acquired a tax transcript. Tax filers could have other untaxed income that was not transferred via the DRT or that did not appear on a tax transcript, and W-2s are used to verify whether there was such income that should have been reported on the FAFSA and if it was reported correctly.

**Household size**

To document the household size, the student needs to provide a statement signed by him and, if dependent, at least one parent that gives the name, age, and relationship to the student of each person in the household.

You don't have to verify household size in the following situations:

- For a dependent student, the household size reported is two with a single, divorced, separated, or widowed parent or is three with parents who are married or are unmarried and living together.
- For an independent student, the household size reported is two if he is married or one if he is single, divorced, separated, or widowed.

**Number in college documentation**

668.57(c)

**Number in college**

You can document this item with a statement signed by the student (and, if she is dependent, at least one parent) that gives the name and age of each person in the household (excluding the parents of a dependent student) who is enrolled at least half time in a degree or certificate program at an eligible college. The statement must also give the name of each college, and it can be written to document household size as well. Completion of the Department's verification suggested text can satisfy both items.

If you have reason to doubt the enrollment information reported, you must obtain from each school a statement that the named person will attend there on at least a half-time basis. You don't have to get such a statement if the person has not yet registered, is attending less than half time, or will be attending your school.

If you have reason to doubt whether a reported school is Title IV-eligible, you must insure it is, such as by checking to see if it has a federal school code.

You don't have to verify the number in college if the reported number enrolled is one (the student only).



**SNAP benefits (food stamps)**

If the ISIR shows that someone in the parents' or student's household received SNAP benefits in 2012 or 2013, the student must provide a signed statement indicating receipt of the benefit. If you have reason to doubt the receipt of SNAP benefits, you may require the student to show documentation from the agency that supplied the benefit, such as an account summary, statement, or website printout obtained by the student that clearly verifies the SNAP benefits received and that the document was obtained through official means from the agency.

In some instances an ISIR will not show receipt of SNAP benefits—even though someone in the household did receive those benefits—because the question was not presented to the student in FAFSA on the Web. This occurs when the question is not pertinent for the student; either she is not eligible for an automatic zero EFC or the simplified needs test (the reason for the question about SNAP), or she is eligible for one of those alternative EFC calculations by meeting another criterion. In such cases you don't need to correct the SNAP field. However, if correcting the response to the SNAP question to "Yes" makes the student eligible for one of the alternate EFC calculations, you must make the change. See the example in the margin.

**Child support paid**

If the ISIR shows that the student or parent paid child support in 2013, the student must provide a statement signed by her or, if she is dependent, either parent and giving the annual amount of the support, the names of those who paid it and whom it was paid to, and the name(s) of the child(ren) for whom it was paid.

If you believe the information in that signed statement is inaccurate, the student must provide documentation, such as a copy of the separation agreement or divorce decree that shows the amount of child support to be provided; a statement from the person receiving the child support showing the amount provided; or other documentation that the payments were made, such as copies of the child support checks, money order receipts, or records of electronic child support payments that were made.

If the student reports on verification documents that he, his spouse, or his parent paid child support but did not report that on his FAFSA, you must resolve the conflict. However, if he was eligible for an automatic zero EFC, the child support paid question would not have been presented on FAFSA on the Web; as long as he is still eligible for an auto zero EFC, there is no need to correct the child support field on the application.

**High school completion**

Students must provide one of the following documents that indicate their high school completion status at the beginning of the 2014–2015 year:

- A copy of a high school diploma.
- A copy of a final, official high school transcript that shows the date when the diploma was awarded.
- A copy of a General Educational Development (GED) certificate or GED transcript that indicates the student passed the exam.

**Unreported SNAP benefits**

Charlie is married and has one child. He and his wife report an AGI of \$52,000 on FAFSA on the Web, and because this exceeds the income thresholds to qualify for either of the alternate EFC calculations, none of the relevant questions were presented to him when he filled out his FAFSA online. He is selected for the Standard Verification Group, and verification reveals that he made a mistake in reporting his AGI, which should have been \$22,000. He also indicates that he received SNAP benefits. Therefore, because he would be eligible for an auto zero EFC, his school must indicate the receipt of SNAP on his application as well as correct his AGI.

### Timing of signature

Any required signatures, such as signatures on worksheets or on copies of tax returns, must be collected at the time of verification—they can't be collected after the verification deadline for that award year.

### Electronic signatures

For verification documentation, a school may collect an electronic signature for an applicant, parent, or spouse if the process includes an assurance of the identity of the person signing. This is often accomplished with a PIN or password that is assigned only after the identity of the person receiving the PIN or password has been authenticated.

### V4 and V5 reporting

As explained on pages 79 and 80, schools are required to report through FAA Access Online the outcomes of verifying high school completion status and identity/statement of educational purpose for applications with tracking flags V4 and V5.

### REAL ID Act of 2005

The REAL ID Act affects people entering certain restricted areas where identification is required: federal facilities, nuclear power plants, and federally regulated commercial airplanes. Because there are currently no restrictions under the act on agencies accepting an ID that is not compliant with the act (typically one marked "not for federal identification") for other purposes, such an ID is acceptable for verification of a student's identity. It must be a government-issued ID that has not expired and includes the student's photo and name.

- Certification of a passing score on a test that the student's state authorizes and recognizes as the equivalent of a high school diploma. This includes tests similar to the GED, such as the High School Equivalency Test or the Test Assessing Secondary Completion.
- A copy of the "secondary school leaving certificate" or similar document, obtained from the appropriate government agency, for students who completed secondary school in a foreign country. If your college does not have the expertise to evaluate foreign secondary school credentials or chooses not to do so, there are evaluation services available.
- An academic transcript that indicates the student successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree.
- A copy of a secondary school completion credential for homeschool (other than a high school diploma or its recognized equivalent) if state law requires homeschooled students to obtain that credential.
- A transcript or the equivalent, signed by the parent or guardian of a homeschooled student, that lists the secondary school courses the student completed and documents the successful completion of a secondary school education in a homeschool setting.
- For a student who has not completed high school and is seeking enrollment in a program that leads to at least an associate degree or its equivalent, documentation from the high school that he excelled academically and from your school that he meets your written policy for admitting such students. This should be a rare occurrence.

If your school has already received one of these documents as part of the admission process, you do not need to ask for another. In cases where documentation of high school completion is unavailable—e.g., the school is closed and no information is available from another source such as the school district or state department of education, or the parent or guardian who homeschooled the student is deceased—you may accept alternative documentation to verify her high school completion status.

### *Identity and statement of educational purpose*

Students should appear in person at your school and present a valid, unexpired, government-issued photo identification (ID) such as a passport or a driver's license or other state-issued ID. You must maintain an annotated copy of that ID that includes the date it was received and the name of the person your school authorized to receive it.

Students must also sign a statement of educational purpose that certifies who they are and that the federal student aid they may receive will only be used for educational purposes and for the cost of attending the school for the 2014–2015 year. Unlike the other text at the end of the chapter, the text for this statement is not suggested—you **must use the exact language given** (the student's identification number is optional though if collected elsewhere on the same page as the statement). After examining the statement, you may convert it into an electronic record. You must keep that or the original for at least the required Title IV record retention period.



A student who is unable to appear at your school must go to a notary public and sign the statement of educational purpose. He must then submit to your office that statement, a certification from the notary that he appeared before her and presented an ID confirming his identity, and a copy of the same ID.

## UPDATING INFORMATION

Generally, a student cannot update information that was correct as of the date the application was signed because the FAFSA is considered to be a “snapshot” of the family’s financial situation as of that date. For example, if the student’s family sold some stock after she signed the FAFSA and spent the money on a non-reported asset such as a car, she can’t update her information to show a change in assets. After the FAFSA is signed, only certain items can be updated under the following conditions:

1. **All applicants whose dependency status changes** must update that status and the associated FAFSA information throughout the award year except when the update is caused by a change in the student’s marital status.
2. **All applicants selected by the Department or a school for verification of household size or number in college** must update those numbers to be correct as of the date of verification unless the update is due to a change in the student’s marital status.

At your discretion you may update under either 1 or 2 even when the update is due to a change in the student’s marital status if you deem it necessary to address an inequity or to reflect more accurately the applicant’s ability to pay. Such a decision must be on a case-by-case basis, and you must document your reasons for it. You must also update all other pertinent information, such as spousal income and taxes paid. Your school may have a policy of not considering such updates after a specific census date. Note, however, that you cannot update the marital status of an already independent student whose dependency status has not changed because of her marriage or divorce and who was not selected for verification. In such a case you must select the student for verification if you want to exercise your discretion to update her marital status and all other associated information.

Documenting household size or number in college is not required in a subsequent verification in the same year if the information has not changed.

## CORRECTING ERRORS

As explained in the last section, you only make updates in specified situations, but for students who are not selected for verification, you or they must correct and submit for processing any errors reported on the original FAFSA that would change the EFC or that determine the students’ eligibility for aid.

For students who are selected for verification and receiving subsidized student aid, changes that result to any non-dollar item and to any dollar item of \$25 or more must be submitted for processing. See the section on changes to an applicant’s FAFSA.

### Online notary services

Currently the Department does not authorize the use of online notary services as an alternative to traditional, in-person notary services.

### Updating information

668.55

### Parent remarriage after applying

While the applicant does not typically update household size or number in college because of a change in his marital status, if he is a dependent student and his parent remarries between application and verification, he must update household size to include the new stepparent. However, the student would not count the new stepparent’s income and assets. A school can use professional judgment to include the stepparent’s income or to otherwise account for the change.

HEA Sec. 475(f)(3)

34 CFR 668.55(b)

**Interim disbursements**

668.58

**INTERIM DISBURSEMENTS**

Interim disbursements are allowed either prior to verification or after verification but before receiving the corrected SAR or ISIR. If you have no reason to question the accuracy of the information on the FAFSA, prior to completing verification you may at your discretion

1. make one disbursement of Pell, Perkins, and FSEOG funds for the applicant's first payment period,
2. permit FWS employment for the first 60 consecutive days after the student enrolls for the award year, or
3. originate but not disburse a Direct Subsidized Loan.

**Recovery of funds from interim disbursements**

668.61

If verification results in changes to the FAFSA information that you determine will not alter award amounts, you may at your discretion take actions 1–3 as well as disburse a Direct Subsidized Loan prior to receiving the corrected valid SAR or ISIR.

***Overpayments from interim disbursements***

If prior to verification you make an interim disbursement of Pell, Perkins, or FSEOG funds, your school is liable for any overpayment that results. If you can't eliminate it by reducing subsequent disbursements or having the student return the money, your school must use its own funds to reimburse the appropriate program by the earlier of 60 days after the student's last day of attendance or the last day of the award year.

**Disbursing unsubsidized aid**

A school may disburse Direct Unsubsidized and PLUS Loans prior to completing verification for an applicant who is eligible for both subsidized and unsubsidized aid. But to avoid exceeding the student's financial need, the school must consider the subsidized aid the student will receive and adjust the aid amounts after verification if necessary.

If prior to verification your school permits provisional FWS employment of students for up to 60 days, it is liable for any overpayment it can't recover by adjusting other aid, and it must reimburse the FWS account from its own funds. Students must be paid for all work performed out of your school's payroll account—they can't be required to repay FWS wages earned except when they are proven guilty of fraud.

If you make an interim disbursement after completing verification but prior to receiving a correct valid SAR or ISIR, and you fail to receive the SAR or ISIR within the deadlines discussed later in this chapter, your school must use its own funds to reimburse the appropriate program and ensure that the student is paid under its own payroll account for all work performed.

**CHANGES IN A SELECTED APPLICANT'S FAFSA**

To receive subsidized student aid, students or the school must submit for processing any changes resulting from verification to a non-dollar item or a single dollar item of \$25 or more.

***Campus-Based and DL changes***

When students receive subsidized student aid other than Pell Grants and there is a change, adjust the package on the basis of the EFC on the corrected valid SAR or ISIR. If there was an interim disbursement, comply with the relevant rules if the package must be reduced. If there was a regular disbursement and the package must be reduced, comply with Perkins or FSEOG overpayment rules or with the rules for dealing with excess loan proceeds for Direct Subsidized Loans.

**Pell changes**

When the data on the FAFSA change, recalculate the student's Pell Grant on the basis of the EFC on the corrected valid SAR or ISIR. You can only pay an increased Pell grant if you have that output document and it supports an increased Pell award.

If the Pell Grant is reduced and the student received an interim disbursement, adjust following disbursements as necessary. Failing that, the student should reimburse the Pell Grant Program, or, if he does not return the overpayment, your school must reimburse the Pell program with its funds. If the student received Pell Grant money as a regular disbursement, he is responsible for repaying the overpayment. See *Volume 5, Chapter 1* of the Handbook for information on overpayments.

**Selection after disbursement**

A student's application might be selected for verification after corrections are submitted and the student has been paid based on the previous unselected CPS transaction. You must verify his application before making further disbursements. If verification does not justify aid already disbursed, then the student is responsible for repaying all aid for which he is not eligible, though he may keep any Stafford Loan money he received and FWS wages he earned. See page 92 for what happens if he fails to complete verification.

**After documentation is complete**

When you've obtained all necessary verification documents from the student, you should compare them to the SAR or ISIR you are reviewing for payment. If all the student's information is correct and there are no outstanding issues or conflicting information, you may award and disburse aid for which the student is eligible.

**HOW TO SUBMIT CORRECTIONS AND UPDATES**

Corrections and updates can be submitted by the student on the SAR or the Web or by the school using FAA Access to CPS Online or the Electronic Data Exchange (EDE).

**Using FAFSA on the Web (FOTW)**

Any student who has a PIN—regardless of how he originally applied—may correct any of his own data by using FAFSA on the Web at [www.fafsa.gov](http://www.fafsa.gov). If dependent students need to change parental data, a parent must either sign electronically with her own PIN or print out and sign a signature page.

**Submitting changes via FAA Access to CPS Online or EDE**

Your school can submit corrections and updates electronically through FAA Access to CPS Online or EDE even if the original application wasn't submitted with that method. If your school isn't listed on the transaction you want to correct, the student will have to give you the DRN printed on the SAR or SAR Acknowledgement so that you can add your school in the next available institution field and then get electronic access to the resulting corrected transaction. If all the fields are filled, the student will have to tell you which school to replace with yours.

**Changes to FAFSA information**

668.59

When there is an overaward from a regular disbursement, the following individual program regulations apply:

Pell grants: 690.79

Perkins and FSEOG: 673.5(f)

Subsidized DL: 685.303(e)

**Example: selection after disbursement**

Owen is attending Guerrero University. His application isn't selected for verification, and he receives aid in the fall. In December, Owen submits a correction on his SAR that causes the ensuing transaction to be selected for verification. The aid administrator at Guerrero tells Owen he needs to submit verification documents if he wants his aid for the spring and if he wants to keep the Pell funds he received for the fall, but Owen doesn't turn in the documents. Owen doesn't have to repay the Stafford loan he got in the fall, but he does have to return the Pell grant, and Guerrero must cancel his aid package for the spring.

## Making corrections and updates

### FAFSA on the Web [www.fafsa.gov](http://www.fafsa.gov)

**FAA Access to CPS Online**  
<http://faaaccess.ed.gov/>  
**or via EDE**  
by the school aid office

**Student aid report**  
paper corrections sent by mail

**By phone**  
Change schools listed or student address (DRN required)  
Federal Student Aid Information Center (FSAIC)  
1-800-4-FED-AID (1-800-433-3243)

If you send a correction or update for a student, you must first have signed documentation from the student and parent. This can be signatures on Part 2 of the SAR, a signed copy of the correction or update, or a signed verification document. Unlike those for the original application, these do not have to be wet signatures. See *Chapter 2* for more on signature requirements.

The CPS will process the change, send an ISIR to the school, and send the student a one-page SAR acknowledgement or, if the CPS has her e-mail address, an e-mail with a link to her SAR information on the Web.

### *Using the Student Aid Report (SAR) to make corrections*

Students who received a paper SAR may make corrections or updates on it, then sign and return it to the FAFSA processor at the address given at the end of the SAR (of course, students with PINs can instead use FOTW). One parent must also sign if the student is dependent and parent data was changed, unless the only corrections are to the institution or housing codes, the address, or telephone number.

If the student applied electronically through a school or received an e-mail link to SAR information on the Web but would like to make corrections with a paper SAR, she can have one mailed to her by calling the FSAIC at 1-800-433-3243 and providing her name, SSN, and date of birth.

### *Adding schools and changing a student's address*

As with other changes, a student can add schools or change her address, e-mail address, or telephone number on the Web or on a paper SAR. But she can also update these items over the phone by calling 1-800-4-FED-AID and providing her DRN. You can submit those changes for her through FAA Access, although, as noted before, if your school was not listed on the student's application, you will need her DRN to add your school.

The FAFSA has limited space for a student to list schools that will receive the application data: four schools can appear on the paper application, 10 with either FAFSA on the Web, FAA Access, or EDE. If the student wants information sent to more schools, he can use any of the methods listed previously to replace some or all of the original schools, though the replaced schools will not receive an ISIR. For example, if the student originally listed 10 schools on the application and then used FOTW to replace two schools with two new ones, those that were replaced would not receive an ISIR from this correction or any subsequent correction on which they did not appear.

## Corrections by phone limited to processor errors

As we've discussed, a student with a DRN can change his address and school listings by calling the Federal Student Aid Information Center.

Most other corrections can't be made over the phone—they have to be done on the SAR or through FOTW or FAA Access. There is only one exception, and that's when the information the student submitted on a paper FAFSA or SAR was not scanned or input correctly.

If a student contacts the FSAIC and an operator can verify by viewing the image file of the document that an answer to an item was not correctly recorded by the FAFSA processor, the operator can correct that error.

The correction will be transmitted to the CPS, a corrected ISIR will be available to the student's schools within 72 hours, and he will receive a corrected SAR in the mail within 10 days. The student doesn't have to sign for this correction because he has already signed the original paper document that has the correct information.

## DEADLINES AND FAILURE TO SUBMIT DOCUMENTATION

You must require students selected for verification—whether by your school or by the Department—to submit to you the documentation by the date specified by your school (for Campus-Based and DL) or the Department (for Pell).

### *Campus-Based and DL*

If a student doesn't provide verification documentation within a reasonable time period that your school has established, you cannot

- disburse more Perkins or FSEOG funds,
- employ or permit further FWS employment, or
- originate or disburse any additional Direct Subsidized Loans.

Additionally, the student must repay any Perkins or FSEOG funds she received that year.

If she fails to complete verification within the time period established by your school and if you received any Direct Subsidized Loan funds for the student that you did not disburse, you must return some or all of those funds under the excess cash tolerance regulation [see 34 CFR 668.166(b) and *Volume 4, Chapter 2*].

Notwithstanding this, if the student provides the documentation after your school's deadline, you may, at your discretion, still provide aid.

### **Pell Grants**

A student selected for verification may submit a valid SAR or a school can receive a valid ISIR after the Pell deadline but before the verification deadline published in the *Federal Register*. If a student does not provide the verification documentation or you do not receive the valid SAR or ISIR (if necessary) within this additional time, he forfeits his Pell Grant for the award year and must return any Pell money already received for that year.

### **Other considerations**

The Department may determine not to process the FAFSA of an applicant who has been requested to provide documentation until he does so or the Department decides there is no longer a need for it.

A Pell applicant selected for verification must complete the process by the deadline published in the *Federal Register*. As of this writing the notice for 2014–2015 has not been published, but the deadline is expected to be September 28, 2015, or 120 days after the last day of the student's enrollment, whichever is earlier. Campus-Based and Stafford Loan applicants must complete verification by the same deadline or by an earlier one established by your aid office.

Verification is complete when you have all the requested documentation and a valid ISIR or SAR (one on which all the information is accurate and complete). This includes any necessary corrections, which must be made by the deadlines published in the *Federal Register* for the submission of paper or electronic corrections.

### **Late disbursements**

Generally a student ceases to be eligible for aid once he has finished the term and is no longer enrolled. However, he may submit verification documentation and receive a late disbursement after that time if the Department processed a SAR or ISIR with an official EFC while he was still enrolled. For information on *post-withdrawal* disbursements, see *Volume 5*.

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### **Failure to submit documentation**

Pell Grants 668.60(c)  
C-B/DL 668.60(b)

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### **Verification completed within additional time period for Pell**

34 CFR 668.60(c)(1)

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### **Late disbursements**

668.164(g)



## Quality Assurance (QA) Program

Schools participating in the QA Program develop a quality improvement approach to their administration of the FSA programs. They design a verification program that fits their population, and they have flexibility regarding the following verification regulations:

**34 CFR 668.53(a)(1)–(4):** QA schools are exempt from these paragraphs in the section on policies and procedures, though they must document the process they will use instead.

**668.54(a)(1), (2), and (4):** QA schools are exempt from having to verify records selected by the CPS. Instead, QA schools use the ISIR Analysis (IA) Tool to analyze applicant data and determine what the verification criteria will be.

**668.56:** QA schools determine which ISIR items to verify.

**668.57:** QA schools determine the acceptable documentation for the ISIR items they choose for verification.

**668.60(a):** QA schools establish the time frame in which students must submit verification documents.

QA schools are not exempt from resolving conflicting information.

To help with the design of verification criteria, QA schools must use the IA Tool to test the criteria's effectiveness. The tool shows which application elements changed when verified and reveals the impact that those changes have on the EFC. This tool is available to all schools on the main menu of FAA Access to CPS Online. For more information, go to <http://ifap.ed.gov/qahome/Default.html>.

You can use the IA Tool Web demo at <http://fafsademo.test.ed.gov>; type in **eddemo** for the user name and **fafsatest** for the password. For the FAA login information for the IA Tool, use destination code **TG99999** and your actual federal school code.

## Verification status codes

When you disburse a Pell Grant, you must report the student's verification status through Common Origination and Disbursement (COD) even if he wasn't selected for verification.

V—You have verified the student. This includes students selected by the CPS and those your school chose to verify based on its own criteria.

W—The student was selected for verification by the CPS or your school, and you chose to pay a first disbursement of Pell without documentation. **This code must be updated once verification is complete, or COD will reduce the Pell Grant to zero.**

S—The CPS selected the student for verification, but you did not verify him because he satisfied one of the exclusions described earlier in the chapter (except the post-enrollment exclusion, see below) or because your school participates in the Quality Assurance Program and the student's application did not meet your school's verification criteria.

Blank—Report a blank if you have not performed verification because neither the CPS nor your school selected the student or because the student was selected by the CPS after ceasing to be enrolled at your school and all (including late) disbursements were made.

## SUGGESTED VERIFICATION TEXT

We are providing suggested text for the 2014–2015 verification items that were identified in the June 13, 2013, *Federal Register* notice and in Dear Colleague Letter GEN-13-16. While this suggested text fulfills verification requirements, schools do not have to use it, except as noted below. Instead, they may develop and use their own (or someone else's) text, forms, documents, statements, and certifications that are specific to the items required to be verified for a particular student or group of students. However, schools must not affix the seal of the Department of Education to any verification documents.

The one exception is that schools must use the exact language provided in the "Statement of Educational Purpose" for students who are placed in Verification Tracking Groups V4 or V5. This does not include the accompanying notary's certificate of acknowledgment; for that the school may use some other form, such as the one its state uses.

After the suggested text, we have appended an example of how schools may use the text to develop their own verification document. The example is for a dependent student selected for Verification Tracking Group V4 whose ISIR indicates child support paid but not the receipt of SNAP benefits.

For more information, including copies of the suggested text and sample institutional verification document in Microsoft Word, see the electronic announcement dated November 8, 2013, on the IFAP website.



## 2014–2015 Suggested Verification Text

### Verification of 2013 Income Information for Student Tax Filers

**Important Note:** The instructions below apply to the student and spouse, if the student is married. Notify the financial aid office if the student or spouse filed separate IRS income tax returns for 2013 or had a change in marital status after the end of the 2013 tax year on December 31, 2013.

**Instructions:** Complete this section if the student and spouse filed or will file a 2013 IRS income tax return(s). *The best way to verify income is by using the IRS Data Retrieval Tool (IRS DRT) that is part of FAFSA on the Web at [FAFSA.gov](http://FAFSA.gov).* In most cases, no further documentation is needed to verify 2013 income information that was transferred into the student's FAFSA using the IRS DRT if that information was not changed.

In most cases, for electronic tax return filers, 2013 IRS income tax return information for the IRS DRT is available within 2–3 weeks after the 2013 electronic IRS income tax return has been accepted by the IRS. Generally, for filers of 2013 paper IRS income tax returns, the 2013 IRS income tax return information is available for the IRS DRT within 8–11 weeks after the 2013 paper IRS income tax return has been received by the IRS. Contact the financial aid office if more information is needed about using the IRS DRT.

#### Check the box that applies:

- The student has used the IRS DRT in *FAFSA on the Web* to transfer 2013 IRS income tax return information into the student's FAFSA.
- The student has not yet used the IRS DRT in *FAFSA on the Web*, but will use the tool to transfer 2013 IRS income tax return information into the student's FAFSA once the 2013 IRS income tax return has been filed.
- The student is unable or chooses not to use the IRS DRT in *FAFSA on the Web*, and instead will provide the school a **2013 IRS Tax Return Transcript(s)**.

To obtain a **2013 IRS Tax Return Transcript**, go to [www.irs.gov](http://www.irs.gov) and click on the "Order a Return or Account Transcript" link. Make sure to request the "IRS Tax Return Transcript" and not the "IRS Tax Account Transcript." Use the Social Security Number (or the IRS individual taxpayer identification number) and the date of birth of the first person listed on the 2013 IRS income tax return, and the address on file with the IRS (normally this will be the address used on the 2013 IRS income tax return). In most cases, for electronic filers, a **2013 IRS Tax Return Transcript** may be requested from the IRS within 2–3 weeks after the 2013 IRS income tax return has been accepted by the IRS. Generally, for filers of 2013 paper IRS income tax returns, the **2013 IRS Tax Return Transcript** may be requested within 8–11 weeks after the 2013 paper IRS income tax return has been received by the IRS.

If the student and spouse filed separate 2013 IRS income tax returns, **2013 IRS Tax Return Transcripts** must be provided for both.

\_\_\_\_ Check here if a **2013 IRS Tax Return Transcript(s)** is provided.

\_\_\_\_ Check here if a **2013 IRS Tax Return Transcript(s)** will be provided later.

## 2014–2015 Suggested Verification Text

### Verification of 2013 Income Information for Parent Tax Filers

**Important Note:** The instructions below apply to each parent included in the household. Notify the financial aid office if the parents filed separate IRS income tax returns for 2013 or had a change in marital status after the end of the 2013 tax year on December 31, 2013.

**Instructions:** Complete this section if the parents filed or will file a 2013 IRS income tax return(s). *The best way to verify income is by using the IRS Data Retrieval Tool (IRS DRT) that is part of FAFSA on the Web at [FAFSA.gov](http://FAFSA.gov).* In most cases, no further documentation is needed to verify 2013 income information that was transferred into the student's FAFSA using the IRS DRT if that information was not changed.

In most cases, for electronic tax return filers, 2013 IRS income tax return information for the IRS DRT is available within 2–3 weeks after the 2013 electronic IRS income tax return has been accepted by the IRS. Generally, for filers of 2013 paper IRS income tax returns, the 2013 IRS income tax return information is available for the IRS DRT within 8–11 weeks after the 2013 paper IRS income tax return has been received by the IRS. Contact the financial aid office if more information is needed about using the IRS DRT.

#### Check the box that applies:

- The parents have used the IRS DRT in *FAFSA on the Web* to transfer 2013 IRS income tax return information into the student's FAFSA.
- The parents have not yet used the IRS DRT in *FAFSA on the Web*, but will use the tool to transfer 2013 IRS income tax return information into the student's FAFSA once the 2013 IRS income tax return has been filed.
- The parents are unable or choose not to use the IRS DRT in *FAFSA on the Web*, and instead will provide the school a **2013 IRS Tax Return Transcript(s)**.

To obtain a **2013 IRS Tax Return Transcript**, go to [www.IRS.gov](http://www.IRS.gov) and click on the "Order a Return or Account Transcript" link. Make sure to request the "IRS Tax Return Transcript" and not the "IRS Tax Account Transcript." Use the Social Security Number (or the IRS individual taxpayer number) and the date of birth of the first person listed on the 2013 IRS income tax return, and the address on file with the IRS (normally this will be the address used on the 2013 IRS income tax return). In most cases, for electronic filers, a **2013 IRS Tax Return Transcript** may be requested from the IRS within 2–3 weeks after the 2013 IRS income tax return has been accepted by the IRS. Generally, for filers of 2013 paper IRS income tax returns, the **2013 IRS Tax Return Transcript** may be requested within 8–11 weeks after the 2013 paper IRS income tax return has been received by the IRS.

If the parents filed separate 2013 IRS income tax returns, **2013 IRS Tax Return Transcripts** must be provided for both.

\_\_\_\_ Check here if a **2013 IRS Tax Return Transcript(s)** is provided.

\_\_\_\_ Check here if a **2013 IRS Tax Return Transcript(s)** will be provided later.

## 2014–2015 Suggested Verification Text

### Verification of 2013 Income Information for Individuals with Unusual Circumstances

#### Individuals Granted a Filing Extension by the IRS

If an individual is required to file a 2013 IRS income tax return and has been granted a filing extension by the IRS, provide the following documents:

- A copy of IRS Form 4868, “Application for Automatic Extension of Time to File U.S. Individual Income Tax Return,” that was filed with the IRS for tax year 2013;
- A copy of the IRS's approval of an extension beyond the automatic six-month extension if the individual requested an additional extension of the filing time for tax year 2013; and
- A copy of IRS Form W-2 for each source of employment income received for tax year 2013 and, if self-employed, a signed statement certifying the amount of the individual's Adjusted Gross Income (AGI) and the U.S. income tax paid for tax year 2013.

#### Individuals Who Filed an Amended IRS Income Tax Return

If an individual filed an amended IRS income tax return for tax year 2013, provide both of the following:

- A signed copy of the original 2013 IRS income tax return that was filed with the IRS or a **2013 IRS Tax Return Transcript** or the 2013 tax year; and
- A signed copy of the 2013 IRS Form 1040X, “Amended U.S. Individual Income Tax Return,” that was filed with the IRS.

#### Individuals Who Were Victims of IRS Identity Theft

- A victim of IRS identity theft who is not able to obtain a **2013 IRS Tax Return Transcript** or use the IRS DRT must contact the IRS at 1-800-908-4490. Upon authentication of the tax filer's identity, the IRS will provide, by U.S. Postal Service, a printout of the tax filer's 2013 IRS income tax return information.

#### Individuals Who Filed Non-IRS Income Tax Returns

- An individual filed or will file a 2013 income tax return with Puerto Rico, another U.S. territory (e.g., Guam, American Samoa, the U.S. Virgin Islands, the Northern Marianas Islands), or with a foreign country, must provide a signed copy of that 2013 income tax return(s).

## 2014–2015 Suggested Verification Text

### Verification of 2013 Income Information for Student Nontax Filers

The instructions and certifications below apply to the student and spouse, if the student is married. Complete this section if the student and spouse will not file and are not required to file a 2013 income tax return with the IRS.

**Check the box that applies:**

- The student and spouse were not employed and had no income earned from work in 2013.
- The student and/or spouse were employed in 2013 and have listed below the names of all employers, the amount earned from each employer in 2013, and whether an IRS W-2 form is provided. [Provide copies of all 2013 IRS W-2 forms issued to the student and spouse by their employers]. List every employer even if the employer did not issue an IRS W-2 form.

If more space is needed, provide a separate page with the student's name and ID number at the top.

Employer's Name	2013 Amount Earned	IRS W-2 Provided?
<i>Suzy's Auto Body Shop (example)</i>	<i>\$2,000.00</i>	<i>Yes</i>

Note: We may require you to provide documentation from the IRS that indicates a 2013 IRS income tax return was not filed with the IRS.

## 2014–2015 Suggested Verification Text

### Verification of 2013 Income Information for Parent Nontax Filers

The instructions and certifications below apply to each parent included in the household. Complete this section if the parents will not file and are not required to file a 2013 income tax return with the IRS.

**Check the box that applies:**

- Neither parent was employed and had no income earned from work in 2013.
- One or both parents were employed in 2013 and have listed below the names of all employers, the amount earned from each employer in 2013, and whether an IRS W-2 form is provided. [Provide copies of all 2013 IRS W-2 forms issued to the parents by their employers]. List every employer even if the employer did not issue an IRS W-2 form.

If more space is needed, provide a separate page with the student's name and ID number at the top.

Employer's Name	2013 Amount Earned	IRS W-2 Provided?
<i>Suzy's Auto Body Shop (example)</i>	<i>\$2,000.00</i>	<i>Yes</i>

Note: We may require you to provide documentation from the IRS that indicates a 2013 IRS income tax return was not filed with the IRS.

## 2014–2015 Suggested Verification Text

### Verification of Other Untaxed Income for 2013

If any item does not apply, enter “N/A” for Not Applicable where a response is requested, or enter 0 in an area where an amount is requested.

If the student was required to provide parental information on the FAFSA answer each question below as it applies to the student and the student’s parent(s) whose information is on the FAFSA.

If the student was not required to provide parental information on the FAFSA, answer each question below as it applies to the student (and the student’s spouse, if married) whose information is on the FAFSA.

**To determine the correct annual amount for each item:** If you paid or received the same dollar amount every month in 2013, multiply that amount by the number of months in 2013 you paid or received it. If you did not pay or receive the same amount each month in 2013, add together the amounts you paid or received each month.

If more space is needed, provide a separate page with the student’s name and ID number at the top.

#### A. Payments to tax-deferred pension and retirement savings

List any payments (direct or withheld from earnings) to tax-deferred pension and retirement savings plans (e.g., 401(k) or 403(b) plans), including, but not limited to, amounts reported on W-2 forms in Boxes 12a through 12d with codes D, E, F, G, H, and S.

Name of Person Who Made the Payment	Total Amount Paid in 2013

#### B. Child support received

List the actual amount of any child support received in 2013 for the children in your household.

**Do not include** foster care payments, adoption payments, or any amount that was court-ordered but not actually paid.

Name of Adult Who Received the Support	Name of Child For Whom Support Was Received	Amount of Child Support Received in 2013



## 2014–2015 Suggested Verification Text

### Verification of Other Untaxed Income for 2013

**C. Housing, food, and other living allowances paid to members of the military, clergy, and others**

Include cash payments and/or the cash value of benefits received.

**Do not include** the value of on-base military housing or the value of a basic military allowance for housing.

Name of Recipient	Type of Benefit Received	Amount of Benefit Received in 2013

**D. Veterans non-education benefits**

List the total amount of veterans non-education benefits received in 2013. Include Disability, Death Pension, Dependency and Indemnity Compensation (DIC), and/or VA Educational Work-Study allowances.

**Do not include** federal veterans educational benefits such as: Montgomery GI Bill, Dependents Education Assistance Program, VEAP Benefits, Post-9/11 GI Bill

Name of Recipient	Type of Veterans Non-education Benefit	Amount of Benefit Received in 2013

**E. Other untaxed income**

List the amount of other untaxed income not reported and not excluded elsewhere on this form. Include untaxed income such as workers' compensation, disability, Black Lung Benefits, untaxed portions of health savings accounts from IRS Form 1040 Line 25, Railroad Retirement Benefits, etc.

**Do not include** any items reported or excluded in A–D above. In addition, do not include student aid, Earned Income Credit, Additional Child Tax Credit, Temporary Assistance to Needy Families (TANF), untaxed Social Security benefits, Supplemental Security Income (SSI), Workforce Investment Act (WIA) educational benefits, combat pay, benefits from flexible spending arrangements (e.g., cafeteria plans), foreign income exclusion, or credit for federal tax on special fuels.

Name of Recipient	Type of Other Untaxed Income	Amount of Other Untaxed Income Received in 2013





## 2014–2015 Suggested Verification Text

### Number of Household Members and Number in College (Independent Student)

Number of Household Members: List below the people in the student's household. Include:

- The student.
- The student's spouse, if the student is married.
- The student's or spouse's children if the student or spouse will provide more than half of the children's support from July 1, 2014, through June 30, 2015, even if the children do not live with the student.
- Other people if they now live with the student and the student or spouse provides more than half of the other people's support and will continue to provide more than half of their support through June 30, 2015.

Number in College: Include below information about, any household member who will be enrolled at least half time in a degree, diploma, or certificate program at an eligible postsecondary educational institution any time between July 1, 2014, and June 30, 2015, include the name of the college.

If more space is needed, provide a separate page with the student's name and ID number at the top.

Full Name	Age	Relationship	College	Will be Enrolled at Least Half Time (Yes or No)
		<i>Self</i>		

Note: We may require additional documentation if we have reason to believe that the information regarding the household members enrolled in eligible postsecondary educational institutions is inaccurate.

## 2014–2015 Suggested Verification Text

### Number of Household Members and Number in College (Dependent Student)

Number of Household Members: List below the people in the parents' household. Include:

- The student.
- The parents (including a stepparent) even if the student doesn't live with the parents.
- The parents' other children if the parents will provide more than half of the children's support from July 1, 2014, through June 30, 2015, or if the other children would be required to provide parental information if they were completing a FAFSA for 2014–2015. Include children who meet either of these standards even if the children do not live with the parents.
- Other people if they now live with the parents and the parents provide more than half of the other people's support and will continue to provide more than half of their support through June 30, 2015.

Number in College: Include below information about any household member, excluding the parents, who will be enrolled at least half time in a degree, diploma, or certificate program at an eligible postsecondary educational institution any time between July 1, 2014, and June 30, 2015, include the name of the college.

If more space is needed, provide a separate page with the student's name and ID number at the top.

Full Name	Age	Relationship	College	Will be Enrolled at Least Half Time (Yes or No)
		<i>Self</i>		

Note: We may require additional documentation if we have reason to believe that the information regarding the household members enrolled in eligible postsecondary educational institutions is inaccurate.

## 2014–2015 Suggested Verification Text

### Receipt of SNAP Benefits (Independent Student)

The student certifies that \_\_\_\_\_, a member of the student's household, received benefits from the Supplemental Nutrition Assistance Program or SNAP (formerly known as the Food Stamp Program) sometime during 2012 or 2013. SNAP may be known by another name in some states. For assistance in determining the name used in a state, please call 1-800-4FED-AID (1-800-433-3243).

The student's household includes:

- The student.
- The student's spouse, if the student is married.
- The student's or spouse's children if the student or spouse will provide more than half of the children's support from July 1, 2014, through June 30, 2015, even if the children do not live with the student.
- Other people if they now live with the student and the student or spouse provides more than half of the other people's support and will continue to provide more than half of their support through June 30, 2015.

Note: If we have reason to believe that the information regarding the receipt of SNAP benefits is inaccurate, we may require documentation from the agency that issued the SNAP benefits in 2012 or 2013.



## 2014–2015 Suggested Verification Text

### Receipt of SNAP Benefits (Dependent Student)

The parents certify that \_\_\_\_\_, a member of the parents' household, received benefits from the Supplemental Nutrition Assistance Program or SNAP (formerly known as the Food Stamp Program) sometime during 2012 or 2013. SNAP may be known by another name in some states. For assistance in determining the name used in a state, please call 1-800-4FED-AID (1-800-433-3243).

The parents' household includes:

- The student.
- The parents (including a stepparent) even if the student doesn't live with the parents.
- The parents' other children if the parents will provide more than half of the children's support from July 1, 2014, through June 30, 2015, or if the other children would be required to provide parental information if they were completing a FAFSA for 2014–2015. Include children who meet either of these standards even if the children do not live with the parents.
- Other people if they now live with the parents and the parents provide more than half of the other people's support and will continue to provide more than half of their support through June 30, 2015.

Note: If we have reason to believe that the information regarding the receipt of SNAP benefits is inaccurate, we may require documentation from the agency that issued the SNAP benefits in 2012 or 2013.

## 2014–2015 Suggested Verification Text

### Child Support Paid (Independent Student)

The student or spouse, who is a member of the student's household, paid child support in 2013. List below the names of the persons who paid the child support, the names of the persons to whom the child support was paid, the names of the children for whom the child support was paid, and the total annual amount of child support that was paid in 2013 for each child.

If more space is needed, provide a separate page that includes the student's name and ID number at the top.

Name of Person Who Paid Child Support	Name of Person to Whom Child Support was Paid	Name of Child for Whom Support Was Paid	Amount of Child Support Paid in 2013

Note: If we have reason to believe that the information regarding child support paid is not accurate, we may require additional documentation, such as:

- A copy of the separation agreement or divorce decree that shows the amount of child support to be provided;
- A signed statement from the individual receiving the child support certifying the amount of child support received; or
- Copies of the child support payment checks, money order receipts, or similar records of electronic payments having been made.

## 2014–2015 Suggested Verification Text

### Child Support Paid (Dependent Student)

One of the parents included in the household or the student paid child support in 2013. List below the names of the persons who paid the child support, the names of the persons to whom the child support was paid, the names of the children for whom the child support was paid, and the total annual amount of child support that was paid in 2013 for each child.

If more space is needed, provide a separate page that includes the student's name and ID number at the top.

Name of Person Who Paid Child Support	Name of Person to Whom Child Support was Paid	Name of Child for Whom Support Was Paid	Amount of Child Support Paid in 2013

Note: If we have reason to believe that the information regarding child support paid is not accurate, we may require additional documentation, such as:

- A copy of the separation agreement or divorce decree that shows the amount of child support to be provided;
- A signed statement from the individual receiving the child support certifying the amount of child support received; or
- Copies of the child support payment checks, money order receipts, or similar records of electronic payments having been made.

## 2014–2015 Suggested Verification Text

### High School Completion Status

Provide one of the following documents that indicate the student's high school completion status when the student will begin college in 2014–2015:

- A copy of the student's high school diploma.
- A copy of the student's final official high school transcript that shows the date when the diploma was awarded.
- A copy of the student's General Educational Development (GED) certificate, an official GED transcript that indicates the student passed the exam, or a state-authorized high school equivalent certificate.
- For students who completed secondary education in a foreign country, a copy of the "secondary school leaving certificate" or other similar document.
- An academic transcript that indicates the student successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree.
- For a homeschooled student from a state where state law requires the student to obtain a secondary school completion credential for homeschool (other than a high school diploma or its recognized equivalent), a copy of that credential.
- For a homeschooled student from a state where state law does not require the student to obtain a secondary school completion credential for homeschool (other than a high school diploma or its recognized equivalent), a transcript or the equivalent, signed by the student's parent or guardian, that lists the secondary school courses the student completed and includes a statement that the student successfully completed a secondary school education in a homeschool setting.

A student who is unable to obtain the documentation listed above must contact the financial aid office.

**2014–2015 Required Verification Text**  
**(Note: Institutions must use the exact language in the Statement of Educational Purpose as provided below)**

**Identity and Statement of Educational Purpose**  
**(To Be Signed at the Institution)**

The student must appear in person at \_\_\_\_\_ to  
(Name of Postsecondary Educational Institution)  
verify his or her identity by presenting a valid, government-issued photo identification (ID), such as, but not limited to, a driver's license, other state-issued ID, or passport. The institution will maintain a copy of the student's photo ID that is annotated by the institution with the date it was received and reviewed and the name of the official at the institution authorized to collect the student's ID.

In addition, the student must sign, in the presence of the institutional official, the following English or Spanish Statement:

**Statement of Educational Purpose**

I certify that I \_\_\_\_\_ am the individual signing this  
(Print Student's Name)  
*Statement of Educational Purpose* and that the Federal student financial assistance  
I may receive will only be used for educational purposes and to pay the cost of attending  
\_\_\_\_\_ for 2014–2015.  
(Name of Postsecondary Educational Institution)

\_\_\_\_\_  
(Student's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Student's ID Number)

Declaración de Propósito Educativo

Certifico que yo, \_\_\_\_\_, soy el individuo que firma esta  
[Imprimir Nombre del Estudiante]

Declaración de Finalidad Educativa y que la ayuda financiera federal estudiantil  
que yo pueda recibir, sólo será utilizada para fines educativos y para pagar el  
costo de asistir a \_\_\_\_\_ para 2014–2015.  
[Imprimir Nombre de Institución Educativa Postsecundaria]

\_\_\_\_\_  
[Firma del Estudiante]

\_\_\_\_\_  
[la Fecha]

\_\_\_\_\_  
[Número de Identificación del Estudiante]

**2014–2015 Required Verification Text**  
**(Note: Institutions must use the exact language in the Statement of Educational Purpose as provided below)**

**Identity and Statement of Educational Purpose**  
**(To Be Signed With Notary)**

If the student is unable to appear in person at \_\_\_\_\_  
(Name of Postsecondary Educational Institution)  
to verify his or her identity, the student must provide:

- (a) A copy of the valid government-issued photo identification (ID) that is acknowledged in the notary statement below, such as, but not limited to a driver's license, other state-issued ID, or passport; and
- (b) The original notarized Statement of Educational Purpose (in English or Spanish) provided below.

**Statement of Educational Purpose**

I certify that I \_\_\_\_\_ am the individual signing this  
(Print Student's Name)  
Statement of Educational Purpose and that the Federal student financial assistance I may receive will only be used for educational purposes and to pay the cost of attending \_\_\_\_\_ for 2014–2015.  
(Name of Postsecondary Educational Institution)

\_\_\_\_\_  
(Student's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Student's ID Number)

Declaración de Propósito Educativo

Certifico que yo, \_\_\_\_\_, soy el individuo que firma esta  
[Imprimir Nombre del Estudiante]

Declaración de Finalidad Educativa y que la ayuda financiera federal estudiantil que yo pueda recibir, sólo será utilizada para fines educativos y para pagar el costo de asistir a \_\_\_\_\_ para 2014–2015.  
[Imprimir Nombre de Institución Educativa Postsecundaria]

\_\_\_\_\_  
[Firma del Estudiante]

\_\_\_\_\_  
[la Fecha]

\_\_\_\_\_  
[Número de Identificación del Estudiante]



**2014–2015 Suggested Verification Text**

**Sample of a Notary's Certificate of Acknowledgement**

*Notary's certification may vary by State*

State of \_\_\_\_\_

City/County of \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_,

(Date)

(Notary's name)

personally appeared, \_\_\_\_\_, and proved to me

(Printed name of signer)

on basis of satisfactory evidence of identification \_\_\_\_\_

(Type of government-issued photo ID provided)

to be the above-named person who signed the foregoing instrument.

**WITNESS my hand and official seal**

(seal)

\_\_\_\_\_

(Notary signature)

My commission expires on \_\_\_\_\_

(Date)

## 2014–2015 Suggested Verification Text

### Certification and Signature (Independent Student)

#### Certification and Signature

Each person signing below certifies that all of the information reported is complete and correct.

**WARNING: If you purposely give false or misleading information you may be fined, be sentenced to jail, or both.**

\_\_\_\_\_  
Print Student's Name

\_\_\_\_\_  
Student's ID Number

\_\_\_\_\_  
Student's Signature (Required)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Spouse's Signature (Optional)

\_\_\_\_\_  
Date

## 2014–2015 Suggested Verification Text

### Certifications and Signatures (Dependent Student)

#### Certifications and Signatures

Each person signing below certifies that all of the information reported is complete and correct. The student and one parent whose information was reported on the FAFSA must sign and date.

**WARNING: If you purposely give false or misleading information you may be fined, be sentenced to jail, or both.**

\_\_\_\_\_  
Print Student's Name

\_\_\_\_\_  
Student's ID Number

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

## 2014–2015 Suggested Verification Text

This example is for a dependent student selected for Verification Tracking Group V4 whose ISIR indicates child support paid but not the receipt of SNAP benefits.

## 2014–2015 Institutional Verification Document

Your 2014–2015 Free Application for Federal Student Aid (FAFSA) was selected for review in a process called verification. The law says that before awarding Federal Student Aid, we may ask you to confirm the information you reported on your FAFSA. To verify that you provided correct information, we will compare your FAFSA with the information on this institutional verification document and with any other required documents. If there are differences, your FAFSA information may need to be corrected. You and a parent whose information was reported on the FAFSA must complete and sign this institutional verification document, attach any required documents, and submit the form and other required documents to us. We may ask for additional information. If you have questions about verification, contact us as soon as possible so that your financial aid will not be delayed.

### A. Student's Information

Student's Last Name	First Name	M.I.	Student's Identification (ID) Number
Student's Street Address (include apt. no.)			Student's Date of Birth
City State Zip Code		Student's Email Address	
Student's Home Phone Number (include area code)		Student's Alternate or Cell Phone Number	

### B. High School Completion Status

Provide one of the following documents that indicate the student's high school completion status when the student will begin college in 2014–2015:

- A copy of the student's high school diploma.
- A copy of the student's final official high school transcript that shows the date when the diploma was awarded.
- A copy of the student's General Educational Development (GED) certificate, an official GED transcript that indicates the student passed the exam, or a state-authorized high school equivalent certificate.
- For students who completed secondary education in a foreign country, a copy of the "secondary school leaving certificate" or other similar document.
- An academic transcript that indicates the student successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree.
- For a homeschooled student from a state where state law requires the student to obtain a secondary school completion credential for homeschool (other than a high school diploma or its recognized equivalent), a copy of that credential.
- For a homeschooled student from a state where state law does not require the student to obtain a secondary school completion credential for homeschool (other than a high school diploma or its recognized equivalent), a transcript or the equivalent, signed by the student's parent or guardian, that lists the secondary school courses the student completed and includes a statement that the student successfully completed a secondary school education in a homeschool setting.

A student who is unable to obtain the documentation listed above must contact the financial aid office.

Student's Name \_\_\_\_\_ Student's ID Number \_\_\_\_\_

**C. Identity and Statement of Educational Purpose (To Be Signed at the Institution)**

The student must appear in person at \_\_\_\_\_ to  
(Name of Postsecondary Educational Institution)

verify his or her identity by presenting a valid government-issued photo identification (ID), such as, but not limited to, a driver's license, other state-issued ID, or passport. The institution will maintain a copy of the student's photo ID that is annotated by the institution with the date it was received and reviewed and the name of the official at the institution authorized to collect the student's ID.

In addition, the student must sign, in the presence of the institutional official, the following:

**Statement of Educational Purpose**

I certify that I \_\_\_\_\_ am the individual signing this  
(Print Student's Name)

Statement of Educational Purpose and that the Federal student financial assistance I may receive will only be used for educational purposes and to pay the cost of attending \_\_\_\_\_ for 2014–2015.

(Name of Postsecondary Educational Institution)

\_\_\_\_\_  
(Student's Signature)

\_\_\_\_\_  
(Date)

\_\_\_\_\_  
(Student's ID Number)



Student's Name \_\_\_\_\_ Student's ID Number \_\_\_\_\_

### D. Child Support Paid

One of the parents included in the household or the student paid child support in 2013. List below the names of the persons who paid the child support, the names of the persons to whom the child support was paid, the names of the children for whom the child support was paid, and the total annual amount of child support that was paid in 2013 for each child.

If more space is needed, provide a separate page that includes the student's name and ID number at the top.

Name of Person Who Paid Child Support	Name of Person to Whom Child Support was Paid	Name of Child for Whom Support Was Paid	Amount of Child Support Paid in 2013

Note: If we have reason to believe that the information regarding child support paid is not accurate, we may require additional documentation, such as:

- A copy of the separation agreement or divorce decree that shows the amount of child support to be provided;
- A signed statement from the individual receiving the child support certifying the amount of child support received; or
- Copies of the child support payment checks, money order receipts, or similar records of electronic payments having been made.

### E. Certifications and Signatures

#### Certifications and Signatures

Each person signing below certifies that all of the information reported is complete and correct. The student and one parent whose information was reported on the FAFSA must sign and date.

**WARNING: If you purposely give false or misleading information you may be fined, be sentenced to jail, or both.**

\_\_\_\_\_  
Print Student's Name

\_\_\_\_\_  
Student's ID Number

\_\_\_\_\_  
Student's Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Parent's Signature

\_\_\_\_\_  
Date

EXAMPLE

# Special Cases

## CHAPTER 5

*There are unusual situations where you will need to exercise your discretion as a financial aid administrator: when modifying the student's data that calculate the EFC, performing dependency overrides, resolving conflicting information, reporting cases of fraud, and determining a student to be an unaccompanied homeless youth.*

While many questions you get as a financial aid administrator will have routine answers, some situations will require extra discretion on your part. To account for special circumstances of a student, you may choose to exercise professional judgment (PJ) to adjust her cost of attendance or the data that determine her expected family contribution (EFC). You might decide that unusual circumstances warrant making a dependent student independent. If you receive conflicting information for a student, you will need to resolve that. In some cases you may discover that a student has been guilty of fraud and should be reported. And you may need to determine if a student should be classified as an unaccompanied homeless youth.

### PROFESSIONAL JUDGMENT

An aid administrator may use PJ on a case-by-case basis only to adjust the student's cost of attendance or the data used to calculate her EFC. This adjustment is valid only at the school making it. You submit a PJ change electronically, via FAA Access to CPS Online or third-party software, and you may do it without a signature from the student or parent. In FAA Access or EDE, you must select "EFC adjustment requested" for the professional judgment field. The next ISIR will indicate "Professional judgment processed."

The reason for the adjustment **must be documented** (by a third party if possible) in the student's file, and it must relate to the special circumstances that differentiate him—not to conditions that exist for a whole class of students. You must resolve any inconsistent or conflicting information shown on the output document **before** making any adjustments. An FAA's decision regarding adjustments is final and cannot be appealed to the Department.

The statute states that nothing within it shall be construed as limiting the authority of aid administrators to make data adjustments for some situations. However, the law gives some examples of special circumstances, such as elementary or secondary school tuition, medical or dental or nursing home expenses not covered by insurance, unusually high child care costs, being homeless or a dislocated worker, recent unemployment of a family member, or other changes in the family's income or assets. Use of professional judgment is neither limited to nor required for the situations mentioned.

### Adjustment example

Kitty's mother had income earned from work of \$25,000 in 2013 but is no longer employed. After receiving documentation confirming this, the FAA at Krieger College decides to adjust the AGI reported for Kitty's parents to take into account their reduced income. The FAA also reduces the income earned from work for Kitty's mother to zero.

**Online review of PJ practices**  
<http://ifap.ed.gov/qadocs/FSAVeriModule/activity2verif.doc>

### PJ and unemployment benefits

In Dear Colleague Letters GEN-09-04 and GEN-09-05, the Department issued special guidance concerning the use of professional judgment for persons who are receiving unemployment benefits in this period of economic hardship. This continues to be in effect; see GEN-11-04 for more information.

## Professional judgment

HEA Sec. 479A(a) IN GENERAL—Nothing in this part shall be interpreted as limiting the authority of the financial aid administrator, on the basis of adequate documentation, to make adjustments on a case-by-case basis to the cost of attendance or the values of the data items required to calculate the expected student or parent contribution (or both) to allow for treatment of an individual eligible applicant with special circumstances. However, this authority shall not be construed to permit aid administrators to deviate from the contributions expected in the absence of special circumstances. Special circumstances may include tuition expenses at an elementary or secondary school, medical, dental, or nursing home expenses not covered by insurance, unusually high child care or dependent care costs, recent unemployment of a family member or an independent student, a student or family member who is a dislocated worker (as defined in section 101 of the Workforce Investment Act of 1998), the number of parents enrolled at least half time in a degree, certificate, or other program leading to a recognized educational credential at an institution with a program participation agreement under section 487, a change in housing status that results in an individual being homeless (as defined in section 103 of the McKinney-Vento Homeless Assistance Act), or other changes in a family's income, a family's assets or a student's status. Special circumstances shall be conditions that differentiate an individual student from a class of students rather than conditions that exist across a class of students. Adequate documentation for such adjustments shall substantiate such special circumstances of individual students. In addition, nothing in this title shall be interpreted as limiting the authority of the student financial aid administrator in such cases (1) to request and use supplementary information about the financial status or personal circumstances of eligible applicants in selecting recipients and determining the amount of awards under this title, or (2) to offer a dependent student financial assistance under section 428H or a Federal Direct Unsubsidized Stafford Loan without requiring the parents of such student to file the financial aid form prescribed under section 483 if the student financial aid administrator verifies that the parent or parents of such student have ended financial support of such student and refuse to file such form. No student or parent shall be charged a fee for collecting, processing, or delivering such supplementary information.

Another situation where you might want to use professional judgment involves Roth IRAs. When someone converts a regular IRA into a Roth IRA by transferring funds, the amount converted has to be reported as taxable income on the tax return. So the income reported on the FAFSA will be higher than without the Roth conversion, even though the family doesn't actually have additional income or assets available. You can use professional judgment to reduce the income and taxes paid to the amount that would have been reported if there was no Roth conversion if you think the adjustment is warranted for a student. As with the specific special circumstances listed in the law, you're not required to make an adjustment in this situation.

The law doesn't allow you to modify either the formula or the tables used in the EFC calculation; you can only change the cost of attendance or the values of specific data elements used in the EFC calculation. In addition, you can't adjust data elements or the cost of attendance solely because you believe the tables and formula are not adequate or appropriate. The data elements that are adjusted must relate to the student's special circumstances. For example, if a family member is ill, you might modify the AGI to allow for lower earnings in the coming year or might adjust assets to indicate that family savings will be spent on medical expenses.

You can't use PJ to waive general student eligibility requirements or to circumvent the intent of the law or regulations. For instance, you cannot use PJ to change FSEOG selection criteria. Nor can you include post-enrollment activity expenses in the student's COA. For example, professional licensing costs to be incurred after the enrollment period would not be includable (though one-time licensing costs incurred during the enrollment period may be—see *Cost of Attendance* in *Volume 3*).

Occasionally aid administrators have made decisions contrary to the professional judgment provision's intent. These "unreasonable" judgments have included, for example, the reduction of EFCs based on recurring costs such as vacation expenses, tithing expenses, and standard living expenses (related to utilities, credit card expenses, children's allowances, and the like). Aid administrators must make "reasonable" decisions that support the intent of the provision. Your school is held accountable for all professional judgment decisions and for fully documenting each decision.

An FAA should keep in mind that an income protection allowance (IPA) is included in the EFC calculation to account for modest living expenses. Before adjusting for an unusual expense, consider whether it is already covered by the IPA. It is reasonable to assume that approximately 30% of the IPA is for food, 22% for housing, 9% for transportation expenses, 16% for clothing and personal care, 11% for medical care, and 12% for other family consumption. The income protection allowance is one of the intermediate values in the FAA Information section of the output document (labeled as "IPA"). See *Chapter 3* for the IPA values.

If you use professional judgment to adjust a data element, you must use the resulting EFC consistently for all FSA funds awarded to that student. For example, if for awarding the student's Pell grant you adjust a data element that affects the EFC, that new EFC must also be used to determine the student's eligibility for aid from the Campus-Based and Stafford Loan programs.

If you make a PJ adjustment, you must set the FAA Adjustment flag in FAA Access or via the Electronic Data Exchange (EDE).

Finally, if you use PJ for a student who was selected for verification (by you or the Department), you must complete verification before exercising professional judgment. However, using PJ does not require you to verify a student's application if he was not selected for verification.

### **Students without parent support**

Students whose parents refuse to support them are not eligible for a dependency override, but they may be able to receive unsubsidized Stafford loans only. For a student to be eligible for this provision (the text of which is in the "Professional judgment" margin note on page 122), you must get documentation (1) that his parents refuse to complete his FAFSA and (2) that they do not and will not provide any financial support to him. Include the date support ended. If the parents refuse to sign and date a statement to this effect, you must get documentation from a third party (the student himself is not sufficient), such as a teacher, counselor, cleric, or court.

As noted in the next section, this situation does not justify a dependency override. But as with overrides, resolving the situation is at your discretion. If you decide that a student falls into this category, you must document your decision and ensure that the student submits a FAFSA and passes all the eligibility matches. The result will be a rejected application with no EFC. You can then award the student unsubsidized Stafford loans up to the maximum the student would normally be eligible for depending on his grade level (but not the amount a student can get when his parent is unable to get a PLUS loan). See DCL GEN-08-12 for more information.

## **DEPENDENCY OVERRIDES**

A financial aid administrator (FAA) may do dependency overrides on a **case-by-case** basis for students with unusual circumstances. If the FAA determines that an override is appropriate, she must write a statement detailing the determination and must include the statement and supporting documentation in the student's file. **However, none of the conditions listed below, singly or in combination, qualify as unusual circumstances meriting a dependency override:**

1. Parents refuse to contribute to the student's education.
2. Parents are unwilling to provide information on the FAFSA or for verification.
3. Parents do not claim the student as a dependent for income tax purposes.
4. Student demonstrates total self-sufficiency.

**Unusual circumstances do include** (and may cause any of the above conditions) abandonment by parents, an abusive family environment that threatens the student's health or safety, or the student being unable to locate his parents. In such cases a dependency override might be warranted.

### **IPA percentage example**

In 2013 Alan had \$3,550 in medical expenses that were out-of-pocket costs. He is married, has two children, and is the only member of his household in college, so his IPA is \$37,890. Because his expenses are less than the amount for medical expenses already provided for in the IPA (11% of \$37,890 is \$4,168), the aid administrator at Sarven Technical Institute does not adjust Alan's FAFSA information.

### **Dependency overrides**

HEA Sec. 480(d)(1)(I) and (d)(2). Also see Dear Colleague Letters GEN-03-07 and GEN-11-15.

### **Overrides and professional judgment**

The phrase "professional judgment" is loosely used for the discretion that FAAs apply to dependency overrides and to data adjustments in the application. The provisions for these two types of changes are in separate places in the HEA. The citation for dependency overrides is in Sec. 480(d)(7); the citation for data adjustments is in Sec. 479A and is copied *in toto* in the margin on page 122.

### **Refusing or reducing a loan**

Remember that the discretion of FAAs extends to refusing or reducing Direct Loan (DL) funds as long as the reason is documented and given in written form to the student and is not due to discrimination against the student on the basis of race, national origin, religion, sex, marital status, age, or disability. HEA Sec. 479A(c)

**Unable to provide parent data**

FAFSA on the Web allows students to indicate that they believe they have special circumstances that prevent them from providing parent information. A student who indicates this is thoroughly informed about what warrants a dependency override and what the results will be for his application. If he persists through those screens and does not include parent data, he will get a rejected ISIR that will have the special circumstances flag set. You will have to review the student's situation and determine if he: is an unaccompanied homeless individual, merits a dependency override, must instead provide parent data, or should be permitted to borrow only unsubsidized Stafford loans because he can document that his parents have refused to support him and to provide their information on his FAFSA. In the last case he does not receive a dependency override.

The presence of these conditions would not disqualify a student from being an unaccompanied youth who is homeless or self-supporting and at risk of being homeless. Such a student who is too old (i.e., is 22 or 23) to be a "youth" would merit a dependency override.

An aid administrator may override only from dependent to independent (though as suggested earlier, if an independent student receives substantial support from others, a school may use PJ to adjust the COA or FAFSA data items such as untaxed income).

Documentation is critical to the dependency override process. The documentation must support, and include the reason for, the decision and should in almost all cases originate from a third party with knowledge of the unusual circumstances of the student.

An FAA may, without gathering documentation, use an override that another school granted in the same award year. However, overrides do not carry over from one year to the next; the FAA must reaffirm each year that the unusual circumstances persist and an override is still justified.

A third party that knows the student's situation—such as a teacher, counselor, medical authority, member of the clergy, prison administrator, government agency, or court—should establish the unusual circumstances. Evidence can be a signed letter or an official document, such as a court order. If third party documentation is truly not available, the school may—though it is not required to—accept a signed and dated statement from the student or a family member detailing the unusual circumstances. Such a statement should be a last resort.

To override the student's dependent status on an initial application through FAA Access, the FAA should use the Dependency Override code of "1" (see the *EDE Technical Reference* for more information).

To authorize a dependency override on a paper FAFSA, the FAA marks the bubble for an override, labeled "D/O," in the "College Use Only" area, fills in the school's federal code, and signs. A separate letter attached to the application in lieu of making the override is **not** acceptable.

### Overrides on the paper FAFSA

<p><b>COLLEGE USE ONLY</b></p> <p>D/O <input type="radio"/> 1      Homeless Youth Determination <input type="radio"/> 4</p>	<p><b>FEDERAL SCHOOL CODE</b></p> <table border="1" style="width: 100%; height: 30px; border-collapse: collapse;"> <tr> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> <td style="width: 15%;"></td> </tr> </table>						
<p>FAA Signature</p> <div style="border: 1px solid black; padding: 5px; min-height: 30px;"> <p style="margin: 0;">1</p> </div>							

If the student has already applied, you can use FAA Access to authorize or cancel an override; overrides cannot be done on the SAR. If she had an override done at another school in the current year, that will be noted with



the school's federal code on FAA Access. Only the school performing the override will receive that transaction. If the student adds your school to the transaction or if she gives you her data release number (DRN), you can access the record.

## CONFLICTING INFORMATION

In addition to reviewing application and data match information from the CPS, a school must have an adequate internal system to identify conflicting information—regardless of the source and regardless of whether the student is selected for verification—that would affect a student's eligibility, such as information from the admissions office as to whether the student has a high school diploma or information from other offices regarding academic progress and enrollment status. The school must resolve all such conflicting information, except when the student dies during the award year.

If your school has conflicting information concerning a student's eligibility or you have any reason to believe a student's application information is incorrect, you must resolve the discrepancies before disbursing FSA funds. If you discover discrepancies *after* disbursing FSA funds, you must still reconcile the conflicting information and take appropriate action under the specific program requirements.

### *Subsequent ISIRs*

You are generally required to review all subsequent transactions for a student for the entire processing year even if you verified an earlier transaction. First determine if the EFC or the "C" flag has changed or if there are new comments or NSLDS information that impacts eligibility for aid. Also, check any updates or corrections. If the EFC has not changed and there are no changes in the "C" flag or NSLDS information, no action is generally required. If the EFC does change but it either doesn't affect the amount and type of aid received or the data elements that changed were already verified, no action is required. But if the EFC changes and the pertinent data elements were not verified, then you must investigate. Of course, any time the "C" flag changes or NSLDS data have been modified, you must resolve any conflicts.

### *Discrepant tax data*

We have already stated that financial aid administrators do not need to be tax experts, yet there are some issues that even a layperson with basic tax law information can evaluate. Because conflicting data often involve such information, FAAs must have a fundamental understanding of relevant tax issues that can considerably affect the need analysis. You are obligated to know: (1) whether a person was required to file a tax return, (2) what the correct filing status for a person should be, and (3) that an individual cannot be claimed as an exemption by more than one person.

Publication 17 of the IRS, *Your Federal Income Tax*, is a useful resource for aid administrators. You can view it on the Web at [www.irs.gov](http://www.irs.gov) or you can call the IRS at 1-800-829-3676 to order a copy. It addresses pertinent tax issues on these pages: the filing requirements—i.e., who is required to file a return—are on pages 4–7; the instructions on which form a person should file are on pages 7–8; and the filing status requirements are on pages 20–25.

### **Requirement to identify and resolve discrepant information**

34 CFR 668.16(f)

### **Requirement to verify questionable data**

34 CFR 668.54(a)(2)

"If an institution has reason to believe that an applicant's FAFSA information is inaccurate, it must verify the accuracy of that information."

### **Online review of conflicting information policies**

<http://ifap.ed.gov/qadocs/FSAVeriModule/activity1verif.doc>

### **IRS Publication 17**

The IRS's Publication 17 is a large document, but so that you won't be daunted by its size, we have included the page numbers you might need to refer to.

**OIG referrals**

34 CFR 668.16(g)

For example, an FAA who notices that a dependent student’s married parents have each filed as “head of household” (which offers a greater tax deduction than filing as single or married) must question whether that is the correct filing status. Publication 17 explains on pages 22–24 the criteria a person must meet to file as head of household. Resolution of the conflict may be a reasonable explanation of why there appears to be a conflict but is none, or the parents may refile and submit a copy of the amended return.

**Resolution of conflicting information**

You may not disburse aid until you have resolved conflicting information, which you must do for any student as long as he is at your school. Even if the conflict concerns a previous award year, you must still investigate it. You have resolved the matter when you have determined which data are correct; this might simply be confirming that an earlier determination was the right one. Of course, you must document your findings in the student’s file and explain why, not simply assert that, your decision is justified.

**Marital and tax filing status**

For 2014–2015 there are new tax return filing status questions on the FAFSA and ISIR/SAR comments (codes 361–368) that indicate a possible error when the filing status and marital status do not match. This is not considered to be conflicting information subject to the resolution requirements of 34 CFR 668.16(f), but we do encourage schools to review the application for mistakes when these comments appear. See the electronic announcement from 5/15/14.

**REFERRAL OF FRAUD CASES**

If you suspect that a student, employee, or other individual has misreported information or altered documentation to fraudulently obtain federal funds, you should report your suspicions and provide any evidence to the Office of Inspector General. See also *Volume 2*.

<b>OIG Address and Phone Numbers</b>		
<b>Regional Offices</b>	<b>Telephone No.</b>	<b>National Hotline</b>
Boston, MA	(617) 289-0174	Inspector General’s Hotline Office of Inspector General U.S. Department of Education 400 Maryland Avenue, SW Washington, DC 20202-1500  1-800-MIS-USED (1-800-647-8733) Hours: M, W 9–11am T, Th 1–3pm  To submit a complaint online at any time, go to <a href="http://www.ed.gov/about/offices/list/oig/hotline.html">http://www.ed.gov/about/offices/list/oig/hotline.html</a> and click on the appropriate link.
New York, NY	(646) 428-3861	
Philadelphia, PA	(215) 656-6900	
Pittsburgh, PA	(215) 656-6900	
Atlanta, GA	(404) 974-9430	
Pembroke Pines, FL	(404) 974-9430	
Chicago, IL	(312) 730-1630	
Ann Arbor, MI	(312) 730-1630	
Dallas, TX	(214) 661-9530	
Denver, CO	(303) 844-0058	
Kansas City, MO	(816) 268-0530	
Long Beach, CA	(562) 980-4141	
Phoenix, AZ	(562) 980-4141	
San Juan, PR	(787) 766-6278	
Washington, DC	(202) 245-6911	

## UNACCOMPANIED HOMELESS YOUTH

A financial aid administrator can also determine if a student is an unaccompanied youth who is either homeless or is self-supporting and at risk of being homeless. It is important to examine students' living situations and claims on a case-by-case basis. If a student does not have, and cannot get, documentation from any of the authorities given on page 28, you must determine if she is an unaccompanied youth who is homeless or is self-supporting and at risk of being homeless.

As defined in the margin note, a student is considered homeless if he lacks fixed, regular, and adequate housing. This is broader than just living "on the street." It includes temporarily living with other people because he had nowhere else to go; living in substandard housing (if it doesn't meet local building codes or the utilities are turned off, it is generally not adequate); living in emergency or transitional shelters, for example, trailers provided by the Federal Emergency Management Agency (FEMA) after disasters; or living in motels, camping grounds, cars, parks, abandoned buildings, bus or train stations, or any public or private place not designed for humans to live in. It also includes living in the school dormitory if the student would otherwise be homeless. A student living in any of these situations and fleeing an abusive parent may be considered homeless even if the parent would provide support and a place to live.

The documentation for an FAA's evaluation of the living arrangements of a student must demonstrate that she meets the definition of this category of independent student. The determination may be based on a documented interview with the student if there is no written documentation available.

When you are making a determination of homelessness:

- Ask for help with determining eligibility from local school district homeless liaisons, state homeless education coordinators, or the National Center for Homeless Education (<http://center.serve.org/nche>).
- School district homeless liaisons and shelter providers can help you develop and implement procedures for verification.
- Relevant information can come from recognized third-parties such as private or publicly funded homeless shelters and service providers, financial aid administrators from another college, college access programs such as TRIO and GEAR UP, college or high school counselors, other mental health professionals, social workers, mentors, doctors, and clergy.
- Use discretion when gathering information, and respect the student's privacy. Some information, such as that protected by doctor-patient privilege, is confidential. Also, documents such as police or Child Protective Services reports are not necessary.
- Determine eligibility based on the legal definitions provided.
- A determination of being homeless is not a dependency override or a case of professional judgment. Students should understand that they are able to contest an eligibility determination by a financial aid office by providing supporting information to be reviewed collabora-

## Homeless youth definitions

**At risk of being homeless**—when a student's housing may cease to be fixed, regular, and adequate, for example, a student who is being evicted and has been unable to find fixed, regular, and adequate housing.

**Homeless**—lacking fixed, regular, and adequate housing.

**Self-supporting**—when a student pays for his own living expenses, including fixed, regular, and adequate housing.

**Unaccompanied**—when a student is not living in the physical custody of a parent or guardian.

**Youth**—a student who is 21 years old or younger or still enrolled in high school as of the date he signs the application.

## Housing

**Fixed**—stationary, permanent, and not subject to change.

**Regular**—used on a predictable, routine, or consistent basis.

**Adequate**—sufficient for meeting both the physical and psychological needs typically met in the home.

**Verification not required**

You are not required to verify the answers to the homeless youth questions unless you have conflicting information. A documented phone call with, or a written statement from, one of the relevant authorities is sufficient verification when needed.

It is not conflicting information if you disagree with an authority's determination that a student is homeless. If you believe the authority is incorrect or abusing the process, accept his determination but contact the following oversight party, as relevant, to evaluate the authority's determinations:

- School district homeless liaison: contact the coordinator of education for homeless children and youth programs of the state's educational agency. A list of state coordinators can be found at [http://center.serve.org/nche/states/state\\_resources.php](http://center.serve.org/nche/states/state_resources.php).
- Director of an emergency shelter or transitional housing program: contact the local Continuum of Care administering the HUD homeless assistance program. A list of local Continuums of Care and state HUD field offices may be found at <http://www.hudhre.info/index.cfm?do=viewCocContacts>.
- Director of a runaway or homeless youth basic center or transitional living program: contact the National Clearinghouse on Families and Youth by phone at (301) 608-8098 or by e-mail at [ncfy@acf.hhs.gov](mailto:ncfy@acf.hhs.gov).

tively by the school's general counsel, the financial aid director, and a recognized McKinney-Vento practitioner (such as a school district homeless liaison, state homeless education coordinator, or the National Center for Homeless Education). Students may also appeal a determination to the Department.

- Unaccompanied homeless youth, like incarcerated students, may use the address of your school as their own on the FAFSA.

For students you determine to be unaccompanied homeless youths or unaccompanied, self-supporting youths at risk of being homeless, select the homeless youth determination option (#4) in the dependency override field in FAA Access to CPS Online or EDE. On the paper FAFSA, fill in the relevant bubble in the "College Use Only" box (see the graphic on page 124), include your school code, and sign. As with a dependency override, you may rely on a determination by another school that on or after July 1, 2013, a student was in this category.

Students who don't meet the definition of youth because they are older than 21 (and not yet 24) and who are unaccompanied and homeless or self-supporting and at risk of being homeless qualify for a dependency override.

To cancel a homeless youth determination, you use the same method as when canceling a dependency override: change the dependency override value to "2—FAA override canceled" in FAA Access or EDE.

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# Introduction



*This volume of the Federal Student Aid (FSA) Handbook discusses the eligibility requirements for students and parent borrowers and your responsibilities to ensure that recipients qualify for their aid awards.*

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## SOURCES OF INFORMATION

There are many factors you must consider when reviewing an application for aid from the FSA programs, such as whether the student is a U.S. citizen or permanent resident, whether he is making satisfactory academic progress, and whether he has a defaulted FSA loan. To answer these questions you receive information about the student from different sources, including the Department of Education's Central Processing System (CPS) for financial aid applications and the National Student Loan Data System (NSLDS).

Throughout the year, the Department provides updates to schools in the form of dear colleague letters (DCLs). These and other releases, such as *Federal Register* notices and announcements containing system updates and technical guidance, are available on the Information for Financial Aid Professionals (IFAP) website ([www.ifap.ed.gov](http://www.ifap.ed.gov)).

The FSA Handbook doesn't cover the operation of software. For schools using software from the Department, there are technical references on the FSA Download website (see the margin) that explain how the software operates. Schools using third-party software should consult the vendor's reference materials for technical guidance.

## RECENT CHANGES HIGHLIGHTS

Here are some of the significant changes to Volume 1 for the 2014-15 award year:

### Chapter 1

- Clarified and expanded guidance on checking domestic and foreign high school diplomas, added Dear Colleague Letter citation for recognized equivalent of a high school diploma sidebar.
- Clarified and expanded guidance on monitoring SAP, especially in the area of required review schedules for Title IV purposes (see the end of the grades and pace of completion subsection on SAP).

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## Program and systems information online

### [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov)

Software:

- Direct Loan Tools
- EDconnect
- EExpress for Windows
- SSCR for Windows

Technical References and User Guides for:

- CPS (ISIR, Summary of Changes, etc.)
- COD
- Electronic Data Exchange
- EExpress Packaging

### [www.ifap.ed.gov](http://www.ifap.ed.gov)

- Federal Registers
- Electronic Announcements
- Dear Partner/Colleague Letters
- FSA Assessment modules: Student Eligibility—

[www.ifap.ed.gov/qahome/qaassessments/studentelig.html](http://www.ifap.ed.gov/qahome/qaassessments/studentelig.html)

Satisfactory Academic Progress—

[www.ifap.ed.gov/qahome/qaassessments/sap.html](http://www.ifap.ed.gov/qahome/qaassessments/sap.html)



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### Questions about FSA policies

E-Announcement Nov. 15, 2013

For questions about Federal Student Aid policies and programs, call the new “Reach FSA,” phone line at 1-855-FSA-4-FAA (1-855-372-4322). *Reach FSA* will help you determine the appropriate call center for your question, and then transfer you to that call center.

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### FSA Coach

ANN-13-21

FSA Coach, a self-paced, comprehensive online guide to the Title IV programs, has been updated for domestic schools. For more information, see:

<http://www.ifap.ed.gov/ifap/fsacoach.jsp>

COACH for foreign schools will be updated in the future; monitor IFAP for forthcoming training announcements.

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### Questions or comments?

If you have any comments regarding the FSA Handbook, please contact Research and Publications via e-mail at [fsaschoolspubs@ed.gov](mailto:fsaschoolspubs@ed.gov).

- Sidebar added on Question 23, Student Aid Eligibility Worksheet. URL for worksheet (completing question 23 on the FAFSA) listed.
- DOMA decision sidebar added, w/reference to GEN-13-25.

### Chapter 2

- Updated telephone number and address for contacting the U.S. State Department re: Reports of Birth Abroad.
- I-94 website sidebar and URL added.
- CBP Guide to Selected U.S. Travel and Identity Documents sidebar added; National Distribution Center’s address and URL provided.
- The Deferred Action for Childhood Arrivals (DACA) status described; such students are not citizens and are not Title IV eligible.
- Students with a “withholding of removal” order status described; these students are not Title IV eligible.
- “U-VISA” holders status described and sidebar w/USCIS website added. U-VISA holders are not initially Title IV eligible, but may eventually convert into LPR’s, which are potentially eligible.
- Added a sidebar on amending a student’s data when they submit new documentation when you have already completed a G-845.
- Clarified guidance for Pacific Islanders & SSNs, sidebar and cross-reference to full discussion in chapter 4 added.

### Chapter 4

- Updated and expanded guidance on pseudo-SSNs for Pacific Islanders. Added sidebar w/citation—E-Announcement Nov 20, 2013.

### Chapter 5

- Added note that transgendered males who were assigned the sex of female at birth are exempted from the Selective Service registration requirement.
- Expanded guidance on gender and registration in sidebar of same name.

### Chapter 6

- Added statutory citation in the Eligible postbaccalaureate program and the FAFSA sidebar.
- 150% subsidized loan limit sidebar guidance expanded, Electronic announcement citation and IFAP links to 150% pages added.



# School-Determined Requirements

## CHAPTER 1

*In this chapter, we discuss student eligibility requirements that don't require information from the Department's systems. The school determines on its own whether the student meets these eligibility requirements. In some cases, the financial aid office will need to get information from other school offices, such as the admissions office or the registrar, or from other organizations, such as high schools or testing agencies.*

### REGULAR STUDENT IN AN ELIGIBLE PROGRAM

A person must be enrolled as a *regular student* in an eligible program to receive FSA funds (exceptions are discussed later in this chapter). A regular student is someone who is enrolled or accepted for enrollment in an eligible institution for the purpose of obtaining a degree or certificate offered by the school. The requirement for an eligible program is discussed in *Volume 2, Chapter 2*.

A school must document a student's enrollment in an eligible program at the time of admission, and it must have a system to notify the financial aid office if the student leaves the program. It must also document that an aid recipient is a regular student.

▼ *Conditional acceptance.* Some schools admit students provisionally, for example, until they provide further documentation, such as academic transcripts or test scores, or demonstrate an ability to succeed in the program by receiving acceptable grades in program coursework. Typically, the school will limit these students' enrollment in terms of number of courses or enrollment status until they meet the necessary conditions.

Students admitted as conditional are regular students only if the school officially accepts them into the eligible degree or certificate program. The Department does not define official acceptance or admission. If the student is merely allowed to take some courses before being officially admitted to the program, she is not considered a regular student and is not eligible until she is officially admitted.

Schools may offer a trial or conditional period during which a student attends a program without incurring program charges or receiving FSA funds. If the student continues beyond the trial period and enrolls as a regular student, the school can pay him FSA grants for the entire payment period and loans for the period of enrollment.

▼ *Continuing education.* Regular students may receive aid for classes they take in a school's continuing education department as long as the classes apply to their degree or certificate program.

### Student eligibility

34 CFR 668.32

See *Volume 2, Chapter 2* for eligible program requirements.

### Regular student example

HEA Sec. 484(a)(1), (b)(3), (4);

34 CFR 668.32(a)(1)

Lem Community College (LCC) allows anyone with a high school diploma or the equivalent to enroll in any course. Many of LCC's students do not intend to receive a degree or certificate; they are not regular students. LCC requires those who want to receive a degree or certificate to complete a form stating which degree or certificate they are studying for and to meet periodically with an academic advisor. LCC considers them to be regular students.

### Trial periods of enrollment

DCL GEN-11-12

You may offer trial periods of enrollment to allow a student to "try out" a program, without incurring charges or receiving Title IV aid, before deciding to continue the program as a regular student and applying for Title IV aid. For full details, see GEN-11-12.\*

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### Conditional acceptance examples

1. Jantz University allows students to take graduate courses before they have taken the GRE, but it limits them to no more than three courses and does not admit them into its graduate programs until they have submitted acceptable GRE scores. They aren't regular students, and since the school hasn't admitted them, they aren't eligible for FSA funds.

2. When Park University accepts students into its graduate programs, it requires that the students receive no grade lower than a "B" in the first three courses. During this time, the school considers students to be admitted into the program, so they are eligible for FSA. If, however, students receive a grade lower than a B in any of the first three classes, their admittance will be withdrawn and they then will be ineligible for FSA funds.

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### Continuing education examples

1. Park University has a continuing education department that offers many on-line (telecommunications) courses that students in other departments of the school may take and that apply to the degree or certificate program in which the students are enrolled. These are regular students who are eligible for FSA funds.

2. Jantz University has a continuing education department that offers many courses. Some students enroll in these courses without being admitted to the university. They are not regular students and are not eligible for FSA funds.

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### Remedial coursework

34 CFR 668.20

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### Teacher certification coursework

34 CFR 668.32(a)(1)(iii)

### *Remedial coursework*

Remedial coursework prepares a student for study at the postsecondary level (as opposed to preparatory coursework, which prepares a student for a given program), and a student enrolled solely in a remedial program is not considered to be in an eligible program. If acceptance into an eligible program is contingent on completing remedial work, a student cannot be considered enrolled in that program until she completes the remedial work.

However, if the student is admitted into an eligible program and takes remedial coursework within that program, he can be considered a regular student, even if he is taking all remedial courses before taking any regular courses. You may count up to one academic year's worth of these courses in his enrollment status for federal aid. For the purpose of this limit, that is 30 semester or trimester hours, 45 quarter hours, or 900 clock hours. If the remedial classes are non-credit or reduced-credit, you must determine how many credit hours they are worth to count toward the student's enrollment status (see "Enrollment status" section in this chapter).

A remedial course cannot be below the educational level needed for a student to successfully pursue her program after one year in that course. Also, remedial courses must be at least at the high school level, as determined by the state legal authority, your school's accrediting agency, or the state agency recognized for approving public postsecondary vocational education. If that agency determines that a remedial class is at the elementary level, the school must abide by that determination, and the class cannot be included for FSA purposes. Nor can FSA funds be used for a remedial course that uses direct assessment of student learning instead of credit or clock hours.

You can't use non-credit remedial hours to determine a student's enrollment status if the course is part of a program that leads to a high school diploma or its recognized equivalent. A student is never permitted to receive funds for training or for coursework prior to the completion of high school, even if the high school equivalency training is offered at postsecondary schools or is required for the postsecondary program.

Similar to other remedial coursework, a student may receive FSA funds for English as a second language (ESL) courses that are part of a larger eligible program. There are differences though: ESL courses don't count against the one-year limitation on remedial coursework, and they need not be at the secondary school level.

If your school permits a student to enroll in ESL or other remedial courses that don't apply to his degree or certificate, be aware that awarding FSA loans or Pell Grants over a series of semesters for such work can exhaust his eligibility for Pell Grants and/or FSA loans before he completes his program.

### *Preparatory coursework*

A student not enrolled in a degree or certificate program is eligible for Direct Subsidized/Unsubsidized Loans (and a parent may receive Direct PLUS Loans on behalf of a dependent student) for up to one year if she is taking coursework necessary for enrollment in an eligible program. See the discussion under Direct Loans in chapter 6 of this volume.

### **Teacher certification coursework**

A student may receive Federal Work-Study (FWS), as well as Direct Subsidized/Unsubsidized Loans, and Perkins Loans (and a parent may receive Direct PLUS Loans on behalf of a dependent student) if he or she is enrolled at least half time in required teacher certification coursework, even if it does not lead to a degree or certificate awarded by the school. To qualify, the coursework must be required for elementary or secondary teacher certification or recertification in the state where the student plans to teach and must be offered in credit or clock hours (courses using direct assessment in lieu of credit or clock hours are not eligible). An otherwise eligible student may also receive a TEACH Grant. Optional courses that the student elects to take for professional recognition or advancement, and courses recommended by your school but not required for certification, do not qualify. You should document that the courses are required by the state for teacher certification.

A student with a bachelor's degree who is enrolled in a postbaccalaureate teacher certification program can receive a Pell Grant in limited situations. See chapter 6 of this volume.

### **Students with intellectual disabilities**

Students with an intellectual disability (see margin note) can receive funds from the Pell Grant, FSEOG, and FWS programs. They must be enrolled or accepted for enrollment in a comprehensive transition and postsecondary program (as defined in 34 CFR 668.231) for students with intellectual disabilities and must maintain satisfactory academic progress as determined by the school for this program. These students:

- do not have to be enrolled for the purpose of obtaining a degree or certificate, and
- are not required to have a high school diploma or its recognized equivalent.

Except for the statutes governing need analysis, the Secretary has the authority to waive any Pell Grant, FSEOG, FWS, or institutional eligibility provisions necessary to ensure that programs enrolling students with intellectual disabilities are eligible for these three types of federal student aid and that eligible students receive those funds.

## **ELEMENTARY OR SECONDARY ENROLLMENT**

A student enrolled in elementary or secondary school is not eligible for aid from the FSA programs, even if she is simultaneously enrolled in an eligible college program. A student is considered to be enrolled in secondary school if she is pursuing a high school diploma or if she has completed the requirements for a diploma, has not yet received it, and either she is taking college coursework for which her high school gives credit or her high school still considers her to be enrolled there.

An adult pursuing a high school equivalency certificate (not a high school diploma) is not considered to be enrolled in secondary school. However, as stated earlier, a student can't get aid for high school equivalency training. An adult can take a course offered by a high school, such as a driver's education course, without being considered enrolled there.

### **Students with intellectual disabilities**

HEA Sec. 484(s)  
34 CFR 668.230–233  
20 U.S.C. 1091, 1140

Students who:

1) have mental retardation or a cognitive impairment characterized by significant limitations in intellectual and cognitive functioning and adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and  
(2) are currently or were formerly eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401), including students who were determined eligible for special education or related services under the IDEA but were homeschooled or attended private school.

See 668.233(c) for documentation requirements.

### **Elementary/secondary enrollment**

HEA Sec. 484(a)(1)  
34 CFR 668.32(b)

### **Secondary school enrollment examples**

Lida is a junior in high school and enrolls in an electronics technician program at Lem Community College (she is above the age of compulsory school attendance for her state and therefore can be admitted as a regular student at LCC). The coursework is offered evenings and weekends, so she can still attend her high school classes. The electronics technician program is an eligible postsecondary program, and Lida will receive a certificate from Lem when she completes the program. However, she is not eligible for aid because she is still enrolled in high school.

Owen, a regular student at Jantz University, decides to take a driver's education course at the local high school during the summer. This does not mean he is enrolled in secondary school.

**Academic qualifications**

HEA Sec. 484(d)  
34 CFR 668.32(e)

**Checking foreign diplomas**

High school diplomas/transcripts from other countries are acceptable toward the student eligibility general requirement, as long as the diploma is equivalent to a U.S. high school diploma.

A school that is qualified to evaluate the credential may do so. A school that is not qualified or chooses not to evaluate the credential can instead require students to have their credential evaluated by a company that offers such a service. The school may pay for the evaluation itself, but if it does so, it can only have students reimburse it for the cost if it requires the evaluation as part of its admission process for all students who have a foreign credential. A school may not require only students who are applying for federal student aid to pay the school to have their credential evaluated because that would amount to the school charging a fee to complete the FAFSA, which is prohibited under HEA 483(a) (6). In such cases, because the cost of evaluating a foreign credential is incurred as a charge of admission prior to enrollment in an eligible program, it cannot be included in students' Cost of Attendance (COA).

**College diploma mill definition**

An entity that:

1. Charges someone a fee and requires him to complete little or no education or coursework to obtain a degree, diploma, or certificate that may be used to represent to the general public that he has completed a program of postsecondary education or training; and
2. Lacks accreditation by an agency or association that is recognized as an accrediting body for institutions of higher education by the Secretary (pursuant to Part H, Subpart 2 of Title IV) or a federal agency, state government, or other organization that recognizes accrediting agencies or associations.

**ACADEMIC QUALIFICATIONS**

To receive FSA funds, a student must be qualified to study at the postsecondary level. A student qualifies if she:

- has a high school diploma (this can be from a foreign school if it is equivalent to a U.S. high school diploma);
- has the recognized equivalent of a high school diploma, such as a general educational development or GED certificate;
- has completed homeschooling at the secondary level as defined by state law; or
- has completed secondary school education in a homeschool setting which qualifies for an exemption from compulsory attendance requirements under state law, if state law does not require a home-schooled student to receive a credential for their education.

A student may self-certify on the FAFSA that he has received a high school diploma or high school equivalency certificate or that he has completed secondary school through homeschooling as defined by state law. If a student indicates that he has a diploma or high school equivalency certificate, your school isn't required to ask for a copy (except as noted below), but if your school requires a diploma for admission, then you must rely on that copy of the diploma or high school equivalency certificate and not on the student's certification alone.

**Checking the validity of a high school diploma**

If your school or the Department has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education, you must evaluate the validity of the student's high school completion. Students who indicate on their FAFSA that they graduated high school must give the name, city, and state of the high school. FAFSA on the Web will not allow students to skip these items, and it will have a drop-down list of both public and private high schools populated by the National Center for Education Statistics (NCES). Inclusion on the list does not mean that a diploma from the school is valid, nor does exclusion from the list mean that the diploma is invalid. Acceptable documentation for checking the validity of a student's high school completion can include the diploma and a final transcript that shows all the courses the student took.

Diplomas from unaccredited high schools can be valid and qualify students to receive FSA funds, as well as to meet college admission standards. One resource that a school may consider to determine if a high school diploma is valid is the department of education in the state in which the high school is located, if that department has jurisdiction over the high school. Colleges are also free to consult with each other as they develop their procedures for checking the validity of high school diplomas. For students who completed their secondary schooling outside the United States, comparable documents can help, as can the services of companies that determine the validity of foreign secondary school credentials.

The ISIR will not provide any more information than what the student submitted on the FAFSA. We do not expect you to check the high school data for every student against other information obtained by your school during admissions, but if you have reason to believe the high school diploma



is dubious—e.g., the college knows the student bought the diploma or transcript and was required to perform little or no work—you must validate the diploma.

A student's self-certification is not sufficient to validate a high school diploma that is in question. It should be remembered that for a college to be an eligible institution, it must admit as regular students only those with a high school diploma or the recognized equivalent or who are beyond the age of compulsory school attendance. As in other areas of FSA administration, schools have final authority in meeting this requirement. The Department does not plan to have an appeal process or to intervene in reasonable judgments of school administrators, such as a decision to move a high school from a college's acceptable to unacceptable list or a case where one school has different lists than another.

### **Recognized equivalents of a high school diploma**

The Department recognizes several equivalents to a high school diploma:

- A GED certificate;
- a certificate or other **official** completion documentation demonstrating that the student has passed a state-authorized examination (such as the Test Assessing Secondary Completion (TASC) the High School Equivalency Test (HiSET), or, in California, the California High School Proficiency Exam) that the state recognizes as the equivalent of a high school diploma (note that certificates of attendance and/or completion are **not** included in this qualifying category);
- an academic transcript of a student who has successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree; or
- for a student who enrolls before completing high school, a transcript indicating the student has excelled in high school. The student must no longer be enrolled in high school, must satisfy your school's written policy for admitting such students, and must be starting a program that leads at least to an associate's degree or its equivalent.

### **Homeschooling**

Though homeschooled students are not considered to have a high school diploma or equivalent, they are eligible to receive FSA funds if their secondary school education was in a homeschool that state law treats as a home or private school. Some states issue a secondary school completion credential to homeschoolers. If this is the case in the state where the student was homeschooled, she must obtain this credential to be eligible for FSA funds. She can include in her homeschooling self-certification that she received this state credential.

An eligible *institution* is defined in part as one that admits as regular students only those who have a high school diploma or equivalent, are beyond the compulsory age of attendance for the school's state, or are dually enrolled at the college and a secondary school.

For students who finish homeschooling at a younger age, the Department considers them to be beyond the age of compulsory attendance if your school's state would not require them to obtain a secondary completion

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### **Recognized equivalent of a high school diploma**

34 CFR 600.2

GEN-14-06

Example: Sal enrolls in the bachelor's degree program at Glesser College. She didn't graduate from high school and doesn't have a GED certificate. Glesser looks at her high school records to see if she excelled academically in high school. Because she had a C average, she doesn't meet Glesser's standard for admitting students who excel academically and therefore doesn't have the equivalent of a high school diploma. If she were enrolled in a two-year program that counted as two years of her bachelor's degree, she'd have the equivalent of a high school diploma when she completed that program and would be eligible for FSA for the last two years of her degree program. However, since Sal never went to college before, she is not eligible for federal student aid.

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### **Homeschooled students**

HEA Sec. 484(d)(3),

34 CFR 668.32(e)(4)

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### **Homeschooled students and institutional eligibility**

HEA Sec. 102(a)(b)(c)

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### **State regulations (for homeschooling & other purposes)**

<http://www2.ed.gov/admins/comm/choice/regprivschl/index.html>

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**ATB options limited**

Consolidated Appropriations Act of  
2012  
GEN-12-09

credential as provided under state law, or if not required by state law, has completed a secondary school education in a home-school setting that qualifies as an exemption from compulsory attendance under state law. See also *Volume 2, Chapter 1*.

**Ability-To-Benefit (ATB) test**

New students who do not have a high school diploma, or an equivalent such as a GED certificate, and who did not complete secondary school in a homeschool setting are not eligible for Title IV funds. Such students can no longer become eligible by passing an approved “ability-to-benefit” test or by satisfactorily completing at least six credit hours or 225 clock hours of college work that is applicable to a degree or certificate offered by the student’s postsecondary institution.

However, students who were enrolled in an eligible educational program of study before July 1, 2012 may continue to be considered Title IV eligible under either the ATB test or credit hour standards, as discussed in Volume 1, Chapter 1 of the 2011–12 FSA Handbook. To utilize the prior standards, the student need not have received Title IV funds for the enrollment prior to July 1, 2012; merely establishing eligibility in an eligible program is sufficient to continue using the ATB and credit/clock-hour alternatives. A basic method for determining a student’s eligibility for ATB grandfathering options is as follows:

- Question 1: Did the student attend an eligible program at any Title IV institution prior to July 1, 2012? If yes, the student may use any of the ATB alternatives to become eligible for Title IV, HEA student assistance. If no, continue to Question 2.
- Question 2: Did the student, prior to July 1, 2012, officially register at a Title IV institution, and is the student scheduled to attend an eligible program? If yes, the student may use any of the ATB alternatives to become eligible for Title IV, HEA student assistance. If no, the student may not use the ATB alternatives to become eligible for Title IV, HEA student assistance.

For a student who qualifies to use one of the alternatives through enrollment in an eligible program prior to July 1, 2012, you must document that the student qualifies to use one of the ATB alternatives. Such documentation could include documentation from NSLDS that shows a student’s prior receipt of Title IV funds, or a transcript or other receipt that demonstrates enrollment in an eligible program. For more examples on grandfathering alternative methods for establishing Title IV eligibility for students without a valid high school diploma, see Dear Colleague Letter GEN-12-09.



## SATISFACTORY ACADEMIC PROGRESS (SAP)

To be eligible for FSA funds, a student must make satisfactory academic progress, and your school must have a reasonable policy for monitoring that progress. The Department considers a satisfactory academic progress policy to be reasonable if it meets both the qualitative and quantitative criteria explained in this section.

Your SAP policy must be at least as strict as your SAP policy for students enrolled in the same program of study who are not receiving FSA funds at your school, and it must apply to all students within categories, e.g., full-time, part-time, undergraduate, and graduate students (different SAP policies may apply to different academic programs. All relevant SAP policy must be applied). The policy must require an academic progress evaluation at the end of each payment period for students in programs lasting one year or less. For all other programs, the policy must require annual reviews and must correspond with the end of a payment period. For programs greater than one year, your policy may also call for progress reviews after each payment period. If you review at each payment period, you must review SAP after a summer term if the student attends the summer term.

### Grades and pace of completion

Your school's policy must specify that both the quantitative (time-based) and qualitative (grade-based) standards are reviewed at each evaluation point. Each may include a payment period-based standard but are required to include a cumulative standard. You may review SAP more frequently, (for example, monthly), but the more frequent reviews would not replace the review that is required to be conducted at the end of the payment period.

Your policy must specify the *qualitative* standard (grade point average or GPA) that a student must have at each evaluation or, if GPA is not an appropriate qualitative measure, a comparable measure against a norm. In addition, the Higher Education Act requires a specific qualitative review at the end of the student's second academic year. Students enrolled in a program of more than two academic years must have a GPA of at least a "C" or its equivalent or must have an academic standing consistent with your school's graduation requirements.

Having a standing consistent with the requirement for graduation means you could use an escalating GPA instead of a fixed one. For example, if your school uses a 4-point scale, it could require students to have a 2.0 average by graduation but allow their average to be lower earlier in their program. If your policy permits such a progression and a student falls below a C average, you must be able to document that her average is consistent with the academic standard required for graduation. Remedial coursework must be included in the qualitative assessment of Satisfactory Academic Progress. The courses need not be included in the student's GPA; however, your school must have some means of assessing a student's academic progress in remedial coursework.

Your policy must also specify the *quantitative* standard (pace) at which students must progress through their program to ensure that they will graduate within the maximum timeframe, and each academic progress check must measure this. You calculate the pace at which a student is progressing by

## Satisfactory Academic Progress

HEA Sec. 484(c),  
34 CFR 668.16(e)  
34 CFR 668.32(f)  
34 CFR 668.34

The SAP regulations were rewritten in 2010 and appear in the October 29, 2010, *Federal Register*.

## Satisfactory progress definitions

**Appeal**—A process by which a student who is not meeting SAP standards petitions the school for reconsideration of his eligibility for FSA funds.

**Financial aid probation**—A status a school assigns to a student who is failing to make satisfactory academic progress and who successfully appeals. Eligibility for aid may be reinstated for one payment period.

### Financial aid warning—

A status a school assigns to a student who is failing to make satisfactory academic progress. The school reinstates eligibility for aid for one payment period and may do so without a student appeal. This status may only be used by schools that check SAP at the end of each payment period and only for students who were making SAP in the prior payment period they were enrolled in or who were in the first payment period of their program.

### Maximum timeframe—

- For an undergraduate program measured in credit hours, a period no longer than 150 percent of the published length of the program.
- For an undergraduate program measured in clock hours, a period no longer than 150 percent of the published length of the program as measured by the cumulative number of clock hours the student is required to complete and expressed in calendar time. (Note that a student in a clock hour program cannot receive aid for hours beyond those in the program; the maximum timeframe applies to the amount of calendar time the student takes to complete those hours.)
- For a graduate program, a period the school defines that is based on the length of the program.

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### **Grades and SAP: Academic amnesty/renewal**

Some schools have academic amnesty/renewal procedures through which a student can apply to have credits attempted and grades earned in previous semesters excluded from the calculation of the student's grade point average. The FSA program regulations make no provision for the concept of academic amnesty or academic renewal. Therefore, a school must always include courses applicable to a student's major (whenever taken) in evaluating a student's satisfactory academic progress (both quantitative and qualitative components). This may, however, be an item that is subject to appeal if the school's policy permits such appeals.

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### **Completed program, no degree**

A student who completes the academic requirements for a program but does not yet have the degree or certificate is not eligible for further additional FSA funds for that program.

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### **Retaking a program**

Your school may permit a student to receive FSA funds for retaking a program that she has completed before. For more details, see "Eligibility and enrollment status for retaking coursework" sidebar later in this chapter.

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### **Grades for test-based credits**

Some schools have developed tests in accord with their academic standards, such as language proficiency tests, which students can take and receive course credit. If such credits count toward the student's program, the grades for those credits count in the student's GPA for all FSA purposes.

dividing the total number of hours the student has successfully completed by the total number he has attempted. You may include, but aren't required to include, remedial courses when making the quantitative assessment.

Checking a student's pace of completion allows for variations of enrollment status since you look at the percentage of classes successfully completed rather than the number. Also, you can use a graduated completion percentage for each year of a program. For instance, your policy can permit students to complete a lower percentage of their classes in the first academic year but require them to complete an increasing percentage in subsequent years so that they finish their program in time. A student is ineligible when it becomes mathematically impossible for him to complete his program within 150% of the length of the program. In this situation, an appeal would be possible if your school accepts appeals.

Your policy must explain how GPA and pace of completion are affected by course incompletes, withdrawals, and repetitions, and by transfer credits from other schools. At a minimum, transfer credits that count toward the student's current program must count as both attempted and completed hours. You may have reasonable rules for students who initially enroll in specific courses but modify that enrollment within a limited time. However, your policy cannot exclude from the progress review courses in which a student remained past the add/drop period and earned a grade of "W" (or its equivalent), nor can it routinely exclude certain hours attempted, such as those taken during a summer session.

Generally, all periods of the student's enrollment count when assessing progress, even periods in which the student did not receive FSA funds. However, your policy may permit that for students who change majors, credits and grades that do not count toward the new major will not be included in the satisfactory progress determination. You may limit how many times a student can in this way "reset" academic progress by changing majors.

A review of SAP is not complete until both the qualitative and quantitative measures have been reviewed. If a satisfactory progress check shows that a student does not have the required GPA or is not maintaining the required pace, she becomes ineligible for FSA funds unless she is placed on financial aid warning (if your school reviews SAP at the end of each payment period) or probation (after a successful appeal), as explained below. Your policy must describe both of these statuses if it allows for them, and it must provide for notification to students of the results of any evaluation that affects their eligibility for FSA funds.

You may monitor SAP at the end of every month, but an official review (i.e., for Title IV/SAP purposes) may only occur at the end of a payment period. The monthly evaluation at the end of the month that contains the end of a payment period (for example, hour 450) cannot count as the official evaluation at the end of a payment period. Even if your school conducts progress evaluations at the end of each month, you cannot conduct the official (for Title IV/SAP purposes) SAP review at the end of each month. The official evaluation must be at the end of a payment period.

After an official evaluation, a student must be placed on warning or probation status (if the appeal is successful) for an entire payment period. You may not put someone on warning/probation for less than a payment period.

### **Financial aid warning**

Only schools that check satisfactory progress at the end of each payment period may place students on financial aid warning as a consequence of not making satisfactory progress. A school may use this status without appeal or any other action by the student. Warning status lasts for one payment period only, during which the student may continue to receive FSA funds. Students who fail to make satisfactory progress after the warning period lose their aid eligibility unless they successfully appeal and are placed on probation. Schools do not need to use the warning status; they can instead require students to immediately appeal to be placed on probation.

### **SAP new/conflicting information requirements**

You must have an established procedure for reviewing and addressing additional information that may have an impact on SAP reviews. For example, if you review SAP at the end of a spring term and receive late notification of a grade change for the previous fall or spring term, you must recheck SAP using that new information.

## Satisfactory Academic Progress Examples: Four-Year Programs

### **Four-year credit-hour program with appeal**

Students in a bachelor's degree program at National College must complete 120 credits and may attempt up to 180 credits (120 x 150%). National reviews a student's academic progress once per year and has a pace of completion of 2/3 or 66.67% of the classes that students attempt; it requires a cumulative GPA of 1.50 after the first year, 1.75 after the second year, and 2.0 after the third year and beyond.

In his first semester, Danny fails one course and withdraws (late in the term) from one of his five courses (15 credits). He takes four courses in his second semester and again fails one and withdraws from one. Though his GPA is 1.71, he isn't making SAP by the end of the first year because he completed only 15 credits out of the 27 he attempted, and two-thirds (2/3) of 27 is 18. Danny applies for an appeal, but because his only reason for not making SAP is that he wasn't able to concentrate on college after being in high school, and because he doesn't offer evidence showing what has changed, the aid administrator at National denies his appeal, and he is ineligible for aid in his second year.

Even if Danny had a more convincing reason for failing at SAP, such as being injured and being rendered unable to participate effectively in his normal activities, the administrator might still have denied his appeal because she saw little improvement or variation in Danny's pace of completion and did not determine that he would likely be making SAP a year later. If Danny's academic performance improves by the end of his second year so that he is meeting the SAP criteria, he can again receive FSA funds.

### **4-yr credit-hr program w/warning and appeal**

Krieger University checks SAP every quarter, which permits it to use financial aid warnings. Students must complete 144 credit hours to receive a BA or BS degree, and they may attempt up to 216 credit hours to complete a program. Students must complete at least half of the credits they attempt in their first year and 75% of their credits in each year after that. They must have no less than a 2.0 GPA at all times.

Gina finishes her first year at Krieger with a 2.25 GPA and completes all of the credits that she attempts, so she is making SAP. After the first quarter in her second year, she again completes all of her classes but poor grades leave her with a 1.94 GPA. The aid administrator places her on financial aid warning for one quarter and informs her that she is not meeting the SAP standards. Gina does poorly in the next quarter as well, and her GPA drops to 1.85. The aid administrator informs her that she can't continue on warning status and needs to submit an appeal explaining why she is failing to make SAP and why she thinks that will change and allow her to again make SAP.

Gina brings the administrator an obituary showing that her mother died recently, which required that she help with family affairs and caused her to lose her focus at school. She asserts that is over now. The administrator places her on probation and suggests that she might take fewer courses. But Gina enrolls full time and again receives poor grades, causing her GPA to drop to 1.80. The administrator informs Gina that she has become ineligible for FSA funds but that she can become eligible again if she raises her GPA to 2.0 or that she can submit another appeal (the latter appeal must be based on a reason different from the first appeal) and this time request to be placed on an academic plan.

## Satisfactory Academic Progress Examples: One-Year Programs

### 1-yr credit-hour program with financial aid warning

Carver University has a program that a full-time student can complete in 24 semester hours. Because this is a one-year program, Carver must check SAP every payment period. Their policy is that students must complete the program by the time they have attempted 36 (150% of 24) hours, and the pace of completion is 2/3 or 66.67%. They require a 2.0 GPA at all times.

Suzie plans to take two classes (eight hours) each semester. In the first term, she fails one class and gets a B in the other. Her GPA is 1.5 and her pace of completion is 50%, so Carver automatically places her on financial aid warning and informs her of this. In her second semester, Suzie gets a C (in the class she failed in the first semester) and an A, raising her GPA to 2.25 (Carver counts all grades for retaken classes), and she has completed 75% of her classes, so she restores her aid eligibility.

### Clock-hour program with appeal

Frisson Community College has a 900-clock-hour program that normally takes eight months to complete. Frisson allows a maximum timeframe of 12 months to complete the program, and students must complete at least 300 clock hours out of the 450 clock hours of each payment period (four months) and maintain a 2.0 GPA. Because the program is so short and financial aid warnings would delay a rigorous review of students'

academic performance until late in (or the end of) the program, Frisson decides not to use warnings. Instead, it requires students to submit an appeal when they are not meeting SAP standards.

After the first four months, Jerry's GPA is 3.0, but he completes only 250 of the 300 clock hours that were required for the payment period. Frisson informs him that he must submit an appeal to continue to receive FSA funds. Jerry tells the administrator that he was diagnosed with depression, which prevents him from doing as much as he'd like. He provides a note from his psychiatrist and affirms that he is doing better since he has received regular treatment. The administrator grants his appeal and puts him on financial aid probation since she determines that Jerry can finish the program in the remainder of the year. She drafts a plan that allows him some flexibility in his pace of completion and that requires him to check with her once a month to inform her of his progress in his classes.

After four more months, Jerry's GPA is 3.3, and he has completed 580 hours out of the 600 required under Frisson's published SAP policy, which would normally make him ineligible for FSA funds. But because he is progressing according to his personal SAP plan and is predicted to complete the program within the maximum timeframe, he may still receive aid.

### Eligibility and enrollment status for retaking coursework

34 CFR 668.2(b)

The regulatory definition for full-time enrollment status (for undergraduates) has been revised to allow a student to retake (one time only per previously passed course) any previously passed course. For this purpose, passed means any grade higher than an "F," regardless of any school or program policy requiring a higher qualitative grade or measure to have been considered to have passed the course. This retaken class may be counted towards a student's enrollment status, and the student may be awarded Title IV aid for the enrollment status based on inclusion of the class. Continued next page...

### *Appeals, financial aid probation, and academic plans*

All schools may use the financial aid probation as part of their satisfactory progress policy. When a student loses FSA eligibility because he failed to make satisfactory progress, if the school permits appeals, he may appeal that result on the basis of: his injury or illness, the death of a relative, or other special circumstances. His appeal must explain why he failed to make satisfactory progress and what has changed in his situation that will allow him to make satisfactory progress at the next evaluation.

If you determine, based on the appeal, that the student should be able to meet the SAP standards by the end of the subsequent payment period, you may place him on probation without an academic plan. You must review the student's progress at the end of that one payment period, as probation status is for one payment period only. If you determine, based on the appeal, that the student will require more than one payment period to meet progress standards, you may place him on probation and develop an academic plan for the student. You must review the student's progress at the end of one payment period as is required of a student on probation status, to determine if the student is meeting the requirements of the academic plan. If the student



is meeting the requirements of the academic plan, the student is eligible to receive Title IV aid as long as the student continues to meet those requirements and is reviewed according to the requirements specified in the plan.

Your school determines the process and documentation required for an appeal. It may decide to require more extensive information on an initial appeal and some type of an update statement on a subsequent appeal. The regulations do not specify what must be included in an academic plan. The school and the student should develop a plan that ensures that the student is able to meet the school's satisfactory progress standards by a specific time, though an academic plan could instead take the student to successful program completion. Students must also appeal to change their plan. They must explain what has happened to make the change necessary and how they will be able to make academic progress.

### **Reestablishing aid eligibility**

Your policy, even if it does not permit appeals, must explain how students who are not making satisfactory academic progress can restore their eligibility for FSA funds. Other than when a student is placed on financial aid warning or probation or has agreed to an academic plan as outlined above, he can regain eligibility only by taking action that brings him into compliance with your school's satisfactory progress standards.

The requirement that a student complete a number of credits or enroll for a number of academic periods without receiving FSA funds, or that he interrupt his attendance for one or more academic periods, may be part of your academic progress policy. However, neither paying for one's classes nor sitting out for a term affects a student's academic progress status, so neither is sufficient to reestablish aid eligibility.

## **ENROLLMENT STATUS**

A student must be enrolled at least half time to receive aid from the Direct Subsidized/Unsubsidized and Direct PLUS Loan programs. The Pell, TEACH Grant, and Campus-Based programs don't require half-time enrollment, with two exceptions: the first exception is students must be enrolled in a post-baccalaureate program for teacher education at least half-time. The second exception is that, for Perkins and FWS, students must be enrolled half-time in a teaching credential program. But enrollment status does affect the amount of Pell a student receives; see *Volume 3, Chapter 3*.

To be enrolled half time, a student must be taking at least half of the course load of a full-time student. Your school defines a full-time workload, but it must meet the minimum standards in the FSA regulations. The definition of full time for FSA purposes can differ from that used for other purposes at your school, such as the definition used by the registrar's office.

Your definition of a full-time workload for a program must be used for all students in that program and must be the same for all FSA-related purposes, including loan deferments. You can't accommodate a student with a learning disability or other handicap by allowing her a full-time enrollment status lower (for Title IV financial aid purposes) than the minimum standard (see the margin note on students with intellectual disabilities).

A student may be repeatedly paid for repeatedly failing the same course (normal SAP policy still applies to such cases), and if a student withdraws before completing the course that he or she is being paid Title IV funds for retaking, then that is not counted as his or her one allowed retake for that course. However, if a student passed a class once, then is repaid for retaking it, and fails the second time, that failure counts as their paid retake, and the student may not be paid for retaking the class a third time. If your school has a policy that requires students to retake all of the coursework for a term in which a student fails a course, any courses retaken that were previously passed in this case are not eligible for Title IV aid.

If a student withdraws from all Title IV eligible courses in the payment period or period of enrollment and continues to attend only the course(s) that he or she is completing or repeating for which he or she may not receive Title IV aid during that period, the student is a withdrawal for Title IV purposes. This is because a student is considered to be attending a Title IV eligible program only if he or she is attending one or more courses in that program for which the student is receiving Title IV, HEA program funds.

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### **Full-time student definition**

34 CFR 668.2(b)

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### **Half-time enrollment**

HEA Sec. 428(b)(1)(A),

34 CFR 668.2(b)

A school may choose to define half time as half of the minimum full-time standard established in the regulations even if this is less than half the full-time standard established by the school. For example, if a school sets 14 semester hours as full time, it could use 6 semester hours (one-half of the regulatory full-time minimum of 12) as half time instead of 7.

### Enrollment status for students with intellectual disabilities

Because a comprehensive training program for students with intellectual disabilities can include work for which the school awards no credit, such as audited courses, the school must develop equivalencies in credit hours for such work, just as it must do with non-credit remedial coursework. This will allow the school to determine the enrollment status for students in these programs.

### Counting non-credit or reduced-credit remedial work in enrollment status

34 CFR 668.20

A student can receive aid for a limited amount of remedial coursework that is included as part of a regular program. As long as the student qualifies for aid for remedial courses, you must include the remedial courses in the student's enrollment status.

Some schools give no credit or reduced credit for remedial classes. To determine enrollment status, credit hours for the remedial class should be the same as for the comparable full-credit class. If you're using credit hours, you can compare the number of classroom and homework hours of study that the remedial course requires with the hours required for similar courses offered for full credit. Clock-hour schools should use the number of classroom hours attended in the remedial program.

▼ *Minimum standards for full-time enrollment.* A student's workload may include any combination of courses, work, research, or special studies that your school considers sufficient to classify them as full time. This includes, for a term-based program, one repetition of a previously passed course that is not due to the student failing other coursework. The regulations specify a minimum standard for undergraduate students but not for graduate students. For undergraduates, full-time status must be at least:

- 12 semester hours or 12 quarter hours per academic term in an educational program using a semester, trimester, or quarter system;
- 24 semester hours or 36 quarter hours per academic year for an educational program using credit hours but not using a semester, trimester, or quarter system, or the prorated equivalent for a program of less than one academic year;
- 24 clock hours per week for an educational program using clock hours;
- a series of courses or seminars equaling 12 semester or quarter hours over a maximum of 18 weeks;
- for a program that measures credit hours and uses nonstandard terms, the number of weeks of instruction in the term divided by the number of weeks of instruction in the academic year, multiplied by the number of credit hours in the academic year;
- the work portion of a cooperative education program in which the amount of work performed is equivalent to the academic workload of a full-time student; or
- for correspondence coursework, a course load commensurate with the full-time definitions listed here, and at least half of that load must be non-correspondence coursework that meets half of the school's requirement for full-time students.

Your school must have a written policy stating what enrollment status the work portion of a co-op program is equivalent to. If it equals or exceeds a full-time academic load, the co-op student is considered full time regardless of how many credits are earned for the co-op work.

A student taking only correspondence courses is never considered to be enrolled more than half time. See *Volume 3* for more on Pell and enrollment status and correspondence courses.

If a student is enrolled in courses that do not count toward his degree, certificate, or other recognized credential, and they cannot be used to determine enrollment status unless they are eligible remedial courses. This means you cannot award the student aid for classes that do not count toward his degree, certificate, or other recognized credential. Also, federal student aid can be awarded only for learning that results from instruction provided or overseen by the school. It cannot be awarded for any portion of a program based on study or life experience prior to enrollment in the program, or based on tests of learning that are not associated with educational activities overseen by the school.



## STUDENTS CONVICTED OF POSSESSION OR SALE OF DRUGS

A federal or state drug conviction (but not a local or municipal conviction) can disqualify a student for FSA funds. The student self-certifies in applying for aid that he is eligible; you're not required to confirm this unless you have conflicting information.

Convictions only count against a student for aid eligibility purposes (FAFSA question 23c) if they were for an offense that occurred during a period of enrollment for which the student was receiving federal student aid—they do not count if the offense was not during such a period, unless the student was denied federal benefits for drug trafficking by a federal or state judge (see drug abuse hold sidebar). Also, a conviction that was reversed, set aside, or removed from the student's record does not count, nor does one received when she was a juvenile, unless she was tried as an adult.

The chart below illustrates the period of ineligibility for FSA funds, depending on whether the conviction was for sale or possession and whether the student had previous offenses. (A conviction for sale of drugs includes convictions for conspiring to sell drugs.)

	Possession of illegal drugs	Sale of illegal drugs
<b>1st offense</b>	1 year from date of conviction	2 years from date of conviction
<b>2nd offense</b>	2 years from date of conviction	Indefinite period
<b>3+ offenses</b>	Indefinite period	

If the student was convicted of both possessing and selling illegal drugs, and the periods of ineligibility are different, the student will be ineligible for the longer period. Schools must provide each student who becomes ineligible for FSA funds due to a drug conviction a clear and conspicuous written notice of his loss of eligibility and the methods whereby he can become eligible again.

A student regains eligibility the day after the period of ineligibility ends (i.e., for a 1st or 2nd offense); or when he or she successfully completes a qualified drug rehabilitation program that includes passing two unannounced drug tests given by such a program. Further drug convictions will make him ineligible again.

Students denied eligibility for an indefinite period can regain eligibility after completing any of the following 3 options:

- 1) Successfully completing a rehabilitation program (as described below, which includes passing two unannounced drug tests from such a program);
- 2) Having the conviction reversed, set aside, or removed from the student's record so that fewer than two convictions for sale or three

### Drug convictions

HEA Section 484(r)

34 CFR 668.40

A student who self certifies that he or she has a qualifying drug conviction will receive a "C" code and comment code 053, 054, 056, 058, or 052 on his or her SAR and ISIR. See the SAR Comment Code and Text Guide on IFAP.

### Question 23 Student Aid Eligibility Worksheet



You may distribute this worksheet to students to help them determine and document their eligibility or ineligibility, based on their responses to question 23 on the FAFSA (i.e., drug convictions): [www.ifap.ed.gov/drugworksheets/1415DrugWorkSheets.html](http://www.ifap.ed.gov/drugworksheets/1415DrugWorkSheets.html).

### Drug abuse hold

The Anti-Drug Abuse Act of 1988 includes provisions that authorize federal and state judges to deny certain federal benefits, including student aid, to persons convicted of drug trafficking or possession. The Central Processing System maintains a hold file of individuals who have received such a judgment. All applicants are checked against this file to determine if they should be denied aid. This is separate from the check for a drug conviction via question 23; records matching the drug abuse hold file receive a rejected application (reject 19 and comments 009 or 055 on the SAR and ISIR). See the *ISIR Guide* on the IFAP publications page for more information.

convictions for possession remain on the record; or

3) Successfully completing two unannounced drug tests which are part of a rehab program (the student does not need to complete the rest of the program).

In such cases, the nature and dates of the remaining convictions will determine when the student regains eligibility. It is the student's responsibility to certify to you that she has successfully completed the rehabilitation program; as with the conviction question on the FAFSA, you are not required to confirm the reported information unless you have conflicting information.

When a student regains eligibility during the award year, you may award Pell Grant, TEACH, and Campus-Based aid for the current payment period and Direct Loans for the period of enrollment.

### ***Standards for a qualified drug rehabilitation program***

A qualified drug rehabilitation program must include at least two unannounced drug tests and satisfy at least one of the following requirements:

- Be qualified to receive funds directly or indirectly from a federal, state, or local government program.
- Be qualified to receive payment directly or indirectly from a federally or state-licensed insurance company.
- Be administered or recognized by a federal, state, or local government agency or court.
- Be administered or recognized by a federally or state-licensed hospital, health clinic, or medical doctor.

If you are counseling a student who will need to enter such a program, be sure to advise the student of these requirements. If a student certifies that he has successfully completed a drug rehabilitation program, but you have reason to believe that the program does not meet the requirements, you must find out if it does before paying the student any FSA funds.

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### **Members of a religious order**

34 CFR 674.9(c)

34 CFR 675.9(c)

34 CFR 676.9(c)

34 CFR 685.200(a)(2)(ii)

34 CFR 690.75(d)

Members of any religious order, society, agency, community, or other organization aren't considered to have financial need if the order—

- (1) has as a primary objective the promotion of ideals and beliefs regarding a Supreme Being,
- (2) requires its members to forego monetary or other support substantially beyond the support it provides, and
- (3) directs the member to pursue the course of study or provides subsistence support to its members.

Members of these religious orders can't receive Direct Subsidized Loans, Pell Grants, or Campus-Based aid. They are eligible, however, for Direct Unsubsidized Loans.

## INCARCERATED STUDENTS

A student is considered to be incarcerated if she is serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, or similar correctional institution (whether it is operated by the government or a contractor). A student is not considered to be incarcerated if she is in a halfway house or home detention or is sentenced to serve only weekends.

Incarcerated students are not eligible for FSA loans but are eligible for FSEOGs and FWS. They are also eligible for Pell Grants if not incarcerated in a federal or state penal institution. See *Chapter 6* for more information on this and on sex offenders who were incarcerated but are now subject to an involuntary civil commitment.

You may accept the student's written self-certification that he is no longer incarcerated.

## CONFLICTING INFORMATION

In addition to reviewing data provided by the Department's application system and NSLDS (as discussed in the rest of this volume), your school must have an internal system to share information relevant to the student's eligibility, such as his or her academic standing. The FSA program regulations require a school to develop an adequate system to ensure the consistency of any data related to a student's application or eligibility for Federal Student Aid regardless of the source of that data. Your school is responsible for reconciling all inconsistencies that it receives with one exception: if the student dies during the award year, you aren't required to resolve conflicting information.

If your school has conflicting information for a student or you have any reason to believe his application is incorrect, you must resolve such discrepancies before disbursing FSA funds. If you discover a discrepancy after disbursing FSA funds, you must reconcile the conflicting information and require the student to repay any aid for which he wasn't eligible, unless he is no longer enrolled for the award year and will not re-enroll. Refer to the *Application and Verification Guide* and *Volume 2, Chapter 3* for more information.

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### Incarcerated students

HEA Sec. 401(b)(8) and 484(b)(5)  
34 CFR 600.2 and 668.32(c)(2)

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### Conflicting information

34 CFR 668.16(b)(3) and (f)

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### Defense of Marriage Act Decision



DCL-GEN-13-25

In June, 2013, the Supreme Court struck down Section 3 of the Defense of Marriage Act (DOMA), which provided that for purposes of federal programs, a marriage can only be between one man and one woman. The change will have implications for dependency status and will impact how applicants fill out the FAFSA. For more details, see the *Application and Verification Guide*, Chapter 2.

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### Gaining eligibility examples

Roy enrolls in a one-year certificate program at Carver University. Carver won't officially admit Roy before he provides an academic transcript from his previous school, but it lets him start classes in the fall. Carver receives Roy's transcript after he's attended for a month and officially admits him. He's still in his first payment period when admitted, so he can receive Pell and Campus-Based funds for his entire period of enrollment. The school can also use the program length of one year as the period of enrollment for which Roy can receive a loan.

Chavo is finishing his senior year in high school; his classes end June 4. He decides to start classes in the winter at Carver on January 11. The second payment period begins on May 17. Chavo isn't eligible for aid when he first starts classes at Carver. However, when he becomes eligible after June 4, Carver can disburse Pell and Campus-Based funds to Chavo retroactively for the current payment period that started on May 17 (but not for the payment period that started in January) and a Direct Loan for the current period of enrollment, which does include the payment period that began in January.

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### Losing eligibility example

Steve is a student at Jantz University. At the end of September, after the start of the fall term, he is convicted in a state court for possession of drugs. It is his first offense, and he isn't incarcerated, but he is ineligible for aid. Jantz gave Steve his first Direct Subsidized loan disbursement at the beginning of the semester in September and was going to disburse a Perkins Loan to him in October. Now Jantz can't disburse the Perkins Loan. Steve doesn't have to pay back the first disbursement of his Direct Loan immediately (though he will have to pay it back once he enters repayment), but he can't receive additional FSA funds until one year elapses or he successfully completes a qualified drug rehabilitation program.

## CHANGE IN ELIGIBILITY STATUS

A student's eligibility status can change during the award year, which almost always affects whether he can be paid. The special rules for changes in satisfactory academic progress status were discussed in the SAP section. For more details on Pell Grant status changes within and between terms, see *Volume 3, Chapter 3*.

### Gaining eligibility

A student who *applies for aid* by filling out a FAFSA is eligible for aid for the entire award year. A student who *gains eligibility* is one who was previously ineligible for some reason. In general, a student who gains eligibility may receive Pell Grant, TEACH Grant, and Campus-Based funds for the entire payment period and Direct Loan funds for the period of enrollment in which he or she becomes eligible.

A student is eligible for Pell Grant, TEACH Grant, and Campus-Based aid for the entire award year, not just the payment period, in which he or she becomes eligible by meeting the requirements for citizenship (including becoming an eligible noncitizen), having a valid Social Security number, or being registered for Selective Service.

### Losing eligibility

A student cannot receive any federal student aid after losing eligibility for it unless he or she qualifies for a late disbursement.

## Eligibility Requirements for Specific Educational Programs

See *Volume 2, Chapter 2* for more information on the topics below. Note that a school may not refuse to provide FSA funds to a student because he is enrolled in correspondence or distance education courses unless they are not part of an eligible program.

### **Correspondence courses**

HEA Sec. 484(k)

34 CFR 600.2

34 CFR 668.38

A correspondence or “home study” course is one for which the school provides instructional materials and exams for students who don’t physically attend classes at the school and who are studying independently. When a student completes a portion of the materials, he takes the related exam and returns it to the school for grading. If the course uses video cassettes or discs, it is a correspondence course unless the school provides the same instruction to students who physically attend the school that year. Distance education courses are not considered correspondence courses.

A student enrolled in a correspondence course can only receive FSA funds if the course is part of a program that leads to an associate’s, bachelor’s, or graduate degree; if the program leads to a certificate, the student is not eligible for aid for that course. There are also restrictions regarding cost of attendance for correspondence courses; see *Volume 3, Chapter 2*.

### **Distance education courses**

HEA Sec. 103 and 484(l)

34 CFR 600.2

34 CFR 668.38

Distance education refers to instruction delivered to students who are physically separated from their instructor, to support regular and substantive interaction between student and instructor, whether in real time or through time delay. Technologies used may include the Internet; one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices; audio conferencing; or, if used in conjunction with the previous technologies, video cassettes, DVDs, and CDs. If a course does not qualify as a distance education course, it is considered to be a correspondence course.

Students can receive FSA funds for distance education courses under these conditions: the courses must belong to an eligible program, and the school must have the capability to effectively deliver distance education programs as determined by an accrediting agency that is recognized by the Department and that has the evaluation of distance education programs within the scope of its recognition. Short-term certificate programs of less than one year offered via distance education are eligible for FSA funds, and they are not considered correspondence programs.

### **Students studying abroad**

HEA Sec. 484(o)

34 CFR 668.39

A student in a study-abroad program is eligible for aid if the program is approved for academic credit toward her degree by the eligible home school at which she is enrolled as a regular student. The home school must have a written agreement with the foreign school (or with another U.S. school that contracts with the foreign school) or a single written arrangement with a study-abroad organization to represent an agreement between the home school and the foreign school.





# Citizenship

## CHAPTER 2

*A student has to be a citizen or eligible noncitizen to receive federal student aid. In this chapter we describe how the student's FAFSA information is matched with other agencies to determine citizenship status. We also describe immigration documents that you may have to collect to make sure that the student meets this requirement.*

### ELIGIBLE CATEGORIES

A student must be one of the following to be eligible to receive federal student aid:

- a U.S. citizen or national;
- a U.S. permanent resident or other eligible noncitizen; or
- a citizen of the Freely Associated States: the Federated States of Micronesia and the Republics of Palau and the Marshall Islands. These students can only receive aid from some of the FSA programs (see Citizens of the Freely Associated States section later in this chapter).

The general requirement for eligible noncitizens is that they be in the U.S. for other than a temporary purpose with the intention of becoming a citizen or lawful permanent resident, as evidenced by the United States Citizenship and Immigration Services (USCIS) in the Department of Homeland Security (DHS). We use DHS throughout this chapter, and we also refer to USCIS since it is the actual agency that handles immigration matters and whose field offices you and your students might have to contact.

The Department of Education matches all applications with the Social Security Administration (SSA) to determine if the student is a U.S. citizen. If he provides an alien registration number (A-number or ARN) on the FAFSA, his record is also sent to DHS to check noncitizen current immigration status. The results of both matches appear on the Institutional Student Information Report (ISIR), and a failed match with either agency will produce a C code on the student's output document.

A student's citizenship status only needs to be checked once during the award year; if the status is eligible at that time, it remains so for the rest of the award year.

If a parent wants to take out a PLUS loan for a dependent undergraduate student, both the parent and the student must be U.S. citizens or nationals or eligible noncitizens.

### Citizenship issues

- All applications are matched with the Social Security Administration (SSA) to determine U.S. citizenship.
- Applications that have an Alien Registration Number (ARN) are matched against Department of Homeland Security (DHS) records.
- If the DHS match fails after automated primary and secondary confirmation, the school must conduct a paper secondary confirmation (see "paper secondary confirmation" section in this chapter).

### Citizenship

HEA Sec. 484(a)(5),  
34 CFR 668.32(d),  
34 CFR 668.33,  
and Subpart I of Part 668.

### Contacting USCIS

To contact USCIS, see "find a USCIS office" page at <http://www.USCIS.gov/>

### Eligible noncitizen and name changes

When an eligible noncitizen student changes his or her name, the student needs to update it with SSA and DHS. For the DHS update, students can do this at a local USCIS office, on [www.USCIS.gov/SAVE](http://www.USCIS.gov/SAVE), or by calling 1-800-375-5283. For the SSA update, see <http://ssa-custhelp.ssa.gov>

**Documenting citizenship**

34 CFR 668.33(c)

**U.S. citizen or national**

A person is a United States citizen by birth or by naturalization or by operation of law. Persons (except for the children of foreign diplomatic staff) born in the 50 states, the District of Columbia, and, in most cases, Puerto Rico, the U.S. Virgin Islands, Guam, and the Northern Mariana Islands are U.S. citizens, as are most persons born abroad to parents (or a parent) who are citizens. All U.S. citizens are considered U.S. nationals, but not all nationals are citizens. Persons whose only connection to the United States is through birth on American Samoa, Swains Island, or the United States Minor Outlying Islands are not U.S. citizens but are U.S. nationals, and therefore may receive FSA funds.

**Data doesn't match example**

Allen put in an incorrect number for his SSN when he completed his FAFSA. The number he used isn't in the SSA database. Therefore, his application fails both the SSN match and the SSA citizenship match. Allen will need to fix the problem before he can receive aid. Because the SSN is incorrect, Sarven Technical Institute asks Allen to complete a new FAFSA instead of making a correction (see Chapter 4 for more on fixing SSN problems).

**Social Security card and driver's license**

A Social Security card or driver's license isn't acceptable for documenting citizenship or national status since noncitizens and nonnationals can also have these forms of identification.

**Parent signature on certificate**

Because documents such as a certificate of citizenship can go to minors, they may be signed by a parent or guardian instead of the minor child. This does not affect the legitimacy of the document.

**CITIZENSHIP MATCH WITH THE SSA**

All applications are matched with Social Security records to verify name, date of birth, U.S. citizenship status, the Social Security number (SSN), and possible date of death (see Chapter 4). The CPS will reject the application for insufficient information if any of these items except the last is not provided. The result of this match is reported under SSA of the match flags on the ISIR and "SSA Citizenship Code" on the SAR.

If the student leaves the citizenship question on the FAFSA blank, the CPS will still attempt the citizenship match with the SSA. If there is a complete match with the student's Social Security number, name, date of birth, and U.S. citizenship, the CPS will determine the student to be a citizen.

▼ *Successful match.* The SAR and ISIR will have a match flag (but no comment) indicating that the student's status was confirmed.

▼ *Data doesn't match.* If the student's SSN, name, or date of birth doesn't match SSA records, his citizenship status can't be confirmed and a C code and a comment will appear on the output document. The student should correct the SSN, name, or date of birth (see Chapter 4 for more on SSN match problems) and submit it. The CPS will perform the match again, and you must see if the new ISIR confirms the student's citizenship status; if it does, the C code will no longer appear.

▼ *Citizenship not confirmed.* The SAR and ISIR will include a C code and a comment (code 146) explaining that the SSA was unable to confirm the student is a citizen and that she needs to provide her financial aid office with documents proving citizenship. If she provides eligible noncitizen documentation, make a correction by entering her A-number on the ISIR, changing her citizenship status to eligible noncitizen, and submitting it to the CPS, which will attempt a match with DHS records to confirm the student's status.

Note that U.S. citizens born abroad might fail the citizenship check with the SSA, unless they have updated their citizenship information (see "Updating status for citizens born abroad" later in this chapter).

**U.S. citizenship documentation**

If a student must prove his status as a citizen or national, you decide what documents are acceptable. The Department doesn't specify them, but here are documents you might choose to use:

- A copy of the student's birth certificate showing that the student was born in the United States, which includes Puerto Rico (on or after January 13, 1941), Guam, the U.S. Virgin Islands (on or after January 17, 1917), American Samoa, Swains Island, or the Northern Mariana Islands, unless the person was born to foreign diplomats residing in the U.S.

- A U.S. passport, current or expired, except limited passports (which are typically issued for short periods such as a year and which don't receive as much scrutiny as a regular passport when applying). In the case of nationals who are not citizens, the passport will be stamped "Noncitizen National."

The State Department issues a wallet-sized passport card that can only be used for land and sea travel between the United States and Canada, Mexico, the Caribbean, and Bermuda. It is adjudicated to the same standards as the passport book and is therefore a fully valid attestation of the U.S. citizenship and identity of the bearer.

- A copy of Form FS-240 (Consular Report of Birth Abroad), FS-545 (Certificate of birth issued by a foreign service post), or DS-1350 (Certification of Report of Birth). These are State Department documents.
- A Certificate of Citizenship (N-560 or N-561) issued by USCIS to individuals who derive U.S. citizenship through a parent.
- A Certificate of Naturalization (N-550 or N-570) issued by USCIS (or, prior to 1991, a federal or state court), or through administrative naturalization after December 1990 to those who are individually naturalized.

Before you can disburse aid, the student must present original documentation that verifies he is a citizen. Unlike the case of eligible noncitizens, you don't submit the documents to the DHS or any other agency for verification, but you do need to keep a copy in the student's file. Older versions of the Certificate of Citizenship and of the Certificate of Naturalization instruct the holder not to photocopy them. The USCIS has advised the Department that these documents (and others) may be photocopied for lawful purposes such as documenting eligibility for FSA funds.

The student should also contact the Social Security Administration to have it update its database—something all naturalized citizens should do—but he doesn't have to do this to receive aid; in this case, the C code can remain on his record.

### ***Updating status for citizens born abroad***

Students born abroad to U.S. citizens are also U.S. citizens, and their status is usually noted in the SSA's database when they receive an SSN. But occasionally, a student's citizenship might not be correct, and such a student (for example, one born on a military base abroad) will fail the citizenship match even if he has a Social Security number. He can contact the SSA to have its database corrected.

Such students can document citizenship by providing a "Consular Report of Birth Abroad" (Form FS-240, which is *proof* of U.S. citizenship), a "Certification of Report of Birth" (Form DS-1350, which is *evidence* of U.S. citizenship and equivalent to a birth certificate), or a Certificate of Citizen-

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### **Example: citizenship not confirmed**

Chavo is a U.S. citizen, but SSA doesn't confirm his citizenship status. The aid administrator at Sarven Technical Institute asks him to submit documentation of his status. Chavo first submits a Social Security card, but the administrator explains that the card doesn't document his status because noncitizens can have Social Security cards. Chavo then brings in his Certificate of Naturalization. The administrator makes a copy of the certificate for his file and tells Chavo his citizenship has been documented. She also advises Chavo to have the SSA correct its database so that he won't have this problem again.

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### **Report of birth abroad**

U.S. Department of State  
Passport Services  
Vital Records Section  
1150 Passport Services PI  
6th Floor  
Dulles, VA 20189-1150  
(202) 485-8300

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### **Certifications of Report of Birth and Consular Report of Birth Abroad**

[http://travel.state.gov/law/family\\_issues/birth/birth\\_593.html](http://travel.state.gov/law/family_issues/birth/birth_593.html)

To reduce vulnerability to fraud, as of January, 2011, the Consular Report of Birth Abroad (FS-240) has been redesigned and is now printed only in the United States. The previous version of the FS-240 continues to be a valid proof of U.S. citizenship. As of December 31, 2010, the State Department no longer issues Certifications of Report of Birth (DS-1350); however, all previously issued DS-1350s are still valid for proof of U.S. citizenship.

ship issued by U.S. Citizenship & Immigration Services (USCIS). If the birth of the student was registered with the American consulate or embassy in a foreign country before he turned 18, he can receive a copy of one of these by sending a written, notarized request to the address in the margin.

The student should provide his name given at birth, the date and location of birth, the parents' names, available passport information, a return address, and a daytime phone number. The signature and a copy of valid photo identification of the requester must be included. For form FS-240, the student also has to include the original form (to exchange it) or a signed, notarized affidavit that the original was destroyed or lost. The FS-240 is \$50 for each copy. This should be sent as a check or money order (no cash or foreign checks) payable to "Department of State." It will take four to eight weeks to receive the form. For more information, the Vital Records Section can be reached at (202) 485-8300.

### Child Citizenship Act (CCA)

The CCA became effective on February 27, 2001. As of that date, foreign-born children who are not U.S. citizens at birth become citizens once these conditions are met:

- At least one parent (biological or adoptive) is a U.S. citizen;
- The children live in the legal and physical custody of that parent;
- They are under 18 years of age; and
- They are admitted as immigrants for lawful permanent residence.

Children newly entering the country who are adopted abroad prior to the issuance of their IR-3 visa (for orphans) or IH-3 visa (for children from Hague Convention countries) become citizens upon arrival. They should receive a certificate of citizenship within 45 days instead of receiving a permanent resident card and then filing Form N-600 to request a certificate.

Children who are adopted after being admitted to the U.S. with an IR-4 visa (for orphans) or IH-4 visa (for children from Hague Convention countries) become citizens once their adoption is full and final. Parents of these and other children who do not automatically receive a certificate of citizenship can get one by filing Form N-600.

For more information, contact the USCIS, visit the website at [www.uscis.gov](http://www.uscis.gov), or see the State Department's intercountry adoption website at <http://adoption.state.gov/>.

If the student is over 18 and the birth wasn't registered, she can file a self-petition for a "Certificate of Citizenship" at any local USCIS office (Form N-600).

### NONCITIZEN MATCH WITH THE DHS

The DHS assigns to all legal immigrants an A-number, which FSA uses to verify the immigration status of permanent residents and other eligible noncitizens. If the applicant indicates on the FAFSA that he is an eligible noncitizen and provides an A-Number, identifying information is sent to the DHS for primary (and, if necessary, automated secondary) confirmation.

The results of the match are shown by a match flag in the "FAA Information" section of the output document, under the heading "DHS" on the ISIR or "DHS Match Flag" on the SAR. There will also be a comment about the results on the output document.

Because all applications are matched with the SSA, an application with an A-number will be matched with both DHS and SSA records. If results are received from both matches, only those from DHS will display on the ISIR; the SSA results will be suppressed.

If a student leaves the citizenship question blank but provides an A-number, the CPS will attempt to match with DHS records. If the student leaves both the citizenship question and A-Number blank, the CPS will reject the application. The output document will explain that SSA was unable to confirm that the student is a U.S. citizen. She must submit a correction with the citizenship status and A-number if she is an eligible noncitizen.

▼ *Successful match.* If the match confirms the student's immigration status as an eligible one, he can receive aid if the other eligibility criteria are also met. Comment code 143 will appear on the SAR and ISIR, and the successful match results are documentation of the student's eligibility. Of course, if you have other information about his status that seems to contradict the successful match result, you must resolve the conflict before paying the student (see "Conflicting Information" in Chapter 1).



▼ *Record was not sent to DHS.* The match won't be attempted if the student left the citizenship question blank (comment code 068), if she said she was an eligible noncitizen but provided either no A-number or an illegible or invalid one (code 142), or if she changed her response to the citizenship question or changed her A-number after previous verification by the DHS (code 141). Instead, the student will receive a C code and a comment explaining the problem and directing her to provide the school with documentation of her eligibility. Compare the document with the SAR/ISIR to determine the appropriate action. If you or the student corrects the A-number and resubmits it so that the match can be conducted, and her eligibility is confirmed, the C code will not appear on the new ISIR. If a correction is not required, the C code will remain, but you should put documentation in the student's file as proof that her record is correct.

Note that students who are citizens of the Marshall Islands, the Federated States of Micronesia, and Palau won't pass the DHS match because they don't have A-numbers to report. While these students aren't required to provide proof of their eligible noncitizen status, you may request their citizenship documentation and copy it for their record if necessary (they may also have employment authorization documents which may be verified against DHS databases to confirm current immigration status).

▼ *DHS has not yet confirmed the student's noncitizen status. DHS will continue to check its records.* The SAR and ISIR will have comment code 144 and a DHS match flag of "N" (for no match) and a DHS secondary confirmation match flag of "P" (indicating that the procedure is still in progress). The DHS will continue to check its records in a process called **automated secondary confirmation**. Within three days, the CPS should generate a SAR and ISIR showing one of the responses in the margin.

The school should wait at least five but no more than 15 business days for the result of automated secondary confirmation. If the result has not been received by that time, the school must begin the paper process.

A correction made while the DHS is conducting the automated secondary confirmation will start the process over, i.e., the correction will be sent through primary confirmation. Though unlikely, if the new primary confirmation match yields a "Y," the transaction can be used to award aid. The new transaction will have a new DHS verification number assigned. A correction made to a transaction that contains secondary confirmation results of "Y" or "C" (or a transaction with a primary confirmation result of "Y") will not be sent through the DHS match again. Otherwise the record will be resent for matching.

### DHS Automated secondary confirmation match flags and comment codes

Y, 120: The student's eligibility has been confirmed. You can process his aid.

C, 105: The DHS has not yet been able to confirm that the student is an eligible noncitizen. The school is required to wait 10 business days for another ISIR with an updated match result. If there is no update, the school begins the paper (G-845) secondary confirmation process.

N, 046: The DHS did not confirm the student's immigration status as eligible. The school begins paper secondary confirmation.

X, 109: The DHS did not have enough information to determine the student's status. The school begins paper secondary confirmation.

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### Conditions requiring secondary confirmation

34 CFR 668.133(a)

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### School policies and procedures on secondary confirmation

34 CFR 668.134–135

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### New G-845 form

USCIS has released a new version of the G-845 and discontinued the G-845S. You will be able to use the new form for secondary confirmation. See the form later in this chapter.

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### Sending the G-845 to the USCIS

Submit the G-845 to the USCIS field office (Los Angeles or Buffalo) that serves your state or territory. See their website at [www.uscis.gov](http://www.uscis.gov). Search on “Direct Filing Addresses for Form G-845.” **Do not send the form to the Department of Education.**

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### Help

The G-845 form can only be used after primary and automated secondary confirmation with DHS. If you have questions or if the form is returned to you by DHS with a request for more information, call the Customer Care and Research Center at 1-800-433-7327 for assistance.

## PAPER SECONDARY CONFIRMATION (G-845)

If the student didn’t pass automated secondary confirmation or if you have conflicting information about his immigration status after receiving a match result, you must use paper secondary confirmation. The student must give you unexpired documentation that shows he is an eligible noncitizen. If you determine the evidence is not convincing, he isn’t eligible for FSA funds, and you don’t have to complete and send a G-845. But if the documentation appears to demonstrate that he is an eligible noncitizen, you must submit it to the USCIS (in the DHS) to confirm it is valid. One exception to this applies to victims of human trafficking, as noted later in this chapter.

You must always examine and copy original immigration documents, and you must keep a copy in the student’s file with the secondary confirmation results from the USCIS. While generally not permitted, you may legally photocopy immigration documents (such as Forms I-551 or I-94) when a person needs to prove his immigration status for a lawful purpose such as applying for federal student aid.

### *Eligible noncitizens and documentation*

For classes of eligible noncitizens other than permanent residents, evidence of their status typically is on the I-94, but other documentation (including A-number, is also acceptable.

- **Lawful permanent residents** are noncitizens who are legally permitted to live and work in the U.S. permanently. The standard document is the Permanent Resident Card (Form I-551 since 1997) or Resident Alien Card (Form I-551 before 1997). Both forms are referred to colloquially as “green cards,” though they have changed colors over the years. Possessors of the older Alien Registration Receipt Card (Form I-151, issued prior to June 1978) should have replaced it with a newer card, but for receiving FSA funds it is acceptable as evidence of permanent residence.

Permanent residents may also present an Arrival/Departure Record (CBP Form I-94) or the Departure Record (Form I-94A, which is used at land border ports of entry) with the endorsement “Processed for I-551. Temporary Evidence of Lawful Admission for Permanent Residence. Valid until \_\_\_\_\_. Employment Authorized.” **Under certain circumstances, the I-94 will no longer be issued to students who are not refugees, asylees, or parolees. Students without I-94 documentation may have their status confirmed by a Customs and Border Patrol (CBP) stamp, showing class of admission and date admitted, on their passport, although an I-551 is preferable, if available.** The form will have an A-Number annotated on it and is acceptable if the expiration date has not passed.

The U.S. Department of State issues a machine readable immigrant visa (MRIV) in the holder’s passport. The MRIV will have a U.S. CBP inspector admission stamp, and the statement “UPON ENDORSEMENT SERVES AS TEMPORARY I-551 EVIDENCING PERMANENT RESIDENCE FOR 1 YEAR” will appear directly above the ma-



chine readable section. An MRIV with this statement, contained in an unexpired foreign passport and endorsed with the admission stamp, constitutes a temporary I-551, valid for one year from the date of endorsement on the stamp.

The USCIS issues the United States Travel Document (mint green cover), which contains the Reentry Permit (Form I-327) and the Refugee Travel Document (Form I-571). It is used by lawful permanent residents (as well as refugees and asylees) and is annotated with “Permit to Reenter Form I-327 (Rev. 9-2-03).”

If the student has an I-551 with a baby picture, she should update the I-551 with the USCIS. Permanent residents are expected to get a new picture and be fingerprinted at the age of 14. But you can submit the documents to USCIS and pay a student who has an I-551 with a baby picture as long as you can confirm that it belongs to the student. You can do this by comparing the I-551 to a current photo ID that has the student’s name, date of birth, and signature. The current ID must also be consistent with any identifying information in the student’s file.

A student who has an approved application for permanent residence on file with the USCIS and who is waiting for a permanent resident card should have an I-797 Approval Notice from USCIS indicating such, as well as an alien number, which will give notice of current status. Note that an **application** for permanent resident status alone is not sufficient for determining eligibility for FSA funds.

If a person is applying to suspend deportation, she must request a hearing before an immigration law judge who will render an oral or written decision. If that is favorable, the USCIS will give the applicant a Form I-551, which will certify her lawful permanent resident status. There is no special category for persons who have been granted suspensions of deportation.

- **Conditional resident aliens** are eligible for aid if their documentation has not expired. They may have a valid I-551, I-94, I-94A, or a passport with an MRIV bearing the statement “Upon endorsement serves as temporary I-551 evidencing permanent residence for 1 year.”

The Marriage Fraud Amendments established a two-year conditional permanent resident status for alien spouses of U.S. citizens or legal immigrants whose marriage took place less than two years before the spouse applied for permanent resident status. This status may also apply to any of the spouse’s children who are aliens.

A Form I-551 of a conditional permanent resident alien is the same I-551 that is issued to regular permanent residents, except that the card for a conditional permanent resident expires in two years, as opposed to 10 years for the regular card. A conditional permanent resident must file a petition for removal of this restriction in the 90 days before the end of the two years. The USCIS will review the petition and, if the result of the review is satisfactory, drop the restriction and issue new documents.

### I-94 website



<https://i94.cbp.dhs.gov/I94/request.html>

### Use of copy of I-94 or I-94A

Note that a refugee or an asylee may apply for permanent-resident status. During the period in which the application is being reviewed, the student may have a copy of the I-94 that includes the endorsement “209a (or 209b) pending. Employment Authorized.” Students with this form of documentation are eligible for FSA funds as long as the I-94 has not expired.

### CBP Guide to Selected U.S. Travel and Identity Documents



To order a copy of the “Guide to Selected U.S. Travel and Identity Documents,” contact the Customs and Border Protection National Distribution Center, at:

Customs and Border Protection  
National Distribution Center  
P.O. Box 68912  
Indianapolis, IN 46268  
Fax (317) 290-3046

Use form CF-262, available from the National Distribution Center website:  
<http://www.cbp.gov/newsroom/forms/ordering-forms-national-distribution-center-ndc>

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### Asylees abroad and eligibility

Asylees who leave the U.S. for an extended amount of time without USCIS approval forfeit their current immigration status, so it may thus be difficult for them to be considered an eligible non-citizen for FSA aid purposes.

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### Documentation for Cuban-Haitian entrants

The I-94 for some Cuban-Haitian entrants who are applying for permanent residence may be stamped “applicant for permanent residence.” (Or the student may instead be given a separate document acknowledging the receipt of his or her application for permanent residence.) Because the application for permanent residence is not sufficient to make a student eligible for FSA funds, a student who is a Cuban-Haitian entrant must request documentation of that status from the USCIS.

- **Refugee** Status continues unless revoked by DHS or until lawful permanent resident status is granted, which refugees apply for after one year (although they may remain in refugee status much longer). They may have a Form I-94 or I-94A annotated with a stamp showing admission under Section 207 of the Immigration and Nationality Act (INA). They may also have the old Refugee Travel Document (Form I-571) or the newer U.S. Travel Document annotated with “Refugee Travel Document Form I-571 (Rev. 9-2-03).” **Refugees** are given indefinite employment authorization.
- **Persons granted asylum** can apply for permanent residence after one year. Asylee status continues unless revoked by DHS or until permanent resident status is granted. Asylees will have an I-94 or I-94A with a stamp showing admission under Section 208 of the INA. They may also have the same travel documents described for refugees. Persons granted asylum in the United States are authorized for indefinite employment.
- **Persons paroled into the U.S. for at least one year** must provide evidence (such as having filed a valid permanent resident application) from the DHS that they are in the U.S. for other than a temporary purpose and intend to become a citizen or permanent resident. Their documentation must have a stamp indicating that the student has been paroled into the United States for at least one year, with a date that has not expired (federal student aid cannot be disbursed after the document has expired).
- **Cuban-Haitian entrants** as defined by Section 501(e) of the Refugee Education Assistance Act (REAA) of 1980. Such students will have a stamp across the face of the I-94 indicating that they have been classified as a “Cuban-Haitian Entrant (Status Pending).” **Under certain circumstances, the I-94 will no longer be issued to students who are not refugees, asylees, or parolees. Students without I-94 documentation may have their status confirmed by a Customs and Border Patrol (CBP) stamp, showing class of admission and date admitted or paroled on their passport.** Note that a document showing that the holder is a Cuban-Haitian entrant is valid even if the expiration date has passed.
- **Conditional entrants** are refugees who entered the United States under the seventh preference category of P.L. 89-236 or whose status was adjusted to lawful permanent resident alien under that category. They had to have entered the U.S. prior to the enactment of the Refugee Act of 1980. Students may have an I-94 with a stamp displaying “Section 203(a)(7)” and indicating that the person was admitted to the United States as a conditional entrant. Because the predecessor of the DHS stopped using this category after March 31, 1980, you should not disburse FSA funds if the student has an I-94 with conditional entrant status granted after that date.

As of January 2005, the stamps mentioned use red and blue security ink: the date of admission is red, and the rest of the stamp is blue. The stamp contains three codes: the first is a two-digit code to the left of the date that designates the field office with jurisdiction over the port of entry. On most stamps, this code will be two numbers and no letters. Letters are currently only used on HQ stamps. The three-letter code located under the word “ADMITTED” shows the port of entry. The third code, to the right of the date, is the unique four-digit number. When referring to a particular stamp, the port of entry code and the stamp’s unique number should be used.

The endorsement or stamp can be placed anywhere on the I-94. If the original stamp does not copy well due to the ink color, you should replicate it by hand on the photocopy. Because CBP offices don’t have uniform procedures or stamps, you should contact the local office with questions regarding acceptable immigration documents.

- **Victims of human trafficking** have the same eligibility for federal benefits as refugees under the Victims of Trafficking and Violence Protection Act (VTVPA), though the Department of Health and Human Services (HHS), rather than the DHS, is responsible for certifying this status. Because of this, these students will not pass the DHS match, and the normal paper secondary confirmation does not apply. These individuals may have an I-94 with a T1, T2, T3 or T COA code for principal, spouse, child, or parent, respectively. You must instead review the student’s certification or eligibility letter from the HHS and call the Office of Refugee Resettlement at 1-866-401-5510, as noted on the letter, to verify its validity and confirm that the eligibility has not expired. You must note the date, time, and results of the call and retain a copy of the letter. If the student applies for federal student aid in a subsequent year at your school, you must call again to ensure that the student’s status is still in force.

The spouse, child, or parent of a trafficking victim might be eligible for aid. He will not have a certification letter but will have a T-visa (e.g., T-2 or T-3). He will also fail the DHS match, so you must call the same office, verify the validity of his T-visa as well as the victim’s certification letter, note the time and results, and save a copy of both documents.

- **Battered immigrants-qualified aliens** are victims of domestic violence by their U.S. citizen (U.S.C.) or lawful permanent resident (L.P.R.) spouses. They may, with their designated children, be eligible under the Violence Against Women Act (VAWA) for federal public benefits, including federal student aid. Note that both men and women may be approved as victims under the Violence Against Women Act. Information on these immigrants is not maintained in the system used for matching between the Department and DHS, so there is a separate procedure for establishing eligibility for these students.

They indicate on the FAFSA that they are eligible noncitizens, though they will not pass the DHS match. Instead, they will need to obtain and provide you with documentation based on their case type: self-petition, suspension of deportation, or cancellation of removal.

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### **Victims of human trafficking**

DCL GEN-06-09

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### **Battered immigrants-qualified aliens**

DCL GEN-10-07

In **self-petitioning cases** under VAWA, the immigrant submits an I-360 form to the USCIS, which will deny the petition, approve it, or find that a “prima facie” case has been established. Either an approval or a prima facie finding makes a student eligible for aid, though the latter has an expiration date after which the person becomes ineligible. In some cases, the USCIS will acknowledge receipt of a petition. This does not establish eligibility for aid.

With an **approval of a petition**, the USCIS will provide a Form I-797, Notice of Action form, that will indicate it is an approval notice for a self-petitioning spouse of a U.S.C. or L.P.R. and that the petition has been approved. A separate I-797 will be issued with the names and dates of birth of children listed by the applicant, and it will indicate that they are named on the approved petition. These children are eligible for aid, and because their USCIS status continues after reaching the age of majority, their eligibility for aid continues as well. In some cases, a dependent child can petition for battered immigrant status; the I-797 would then indicate a self-petitioning child of a U.S.C. or L.P.R.

With a **prima facie case**, the USCIS will sometimes issue an I-797 that indicates an establishment of prima facie case. This status is usually for a period of up to 180 days, though the USCIS may extend that period until the case is approved or denied. Petitioners can submit a written request for the extension. As long as the deadline has not expired, the person is eligible for FSA funds. Children may be included on the I-797, though their eligibility is subject to the same expiration date. If a spouse is ultimately denied approval, the children on the I-797 would also be denied and ineligible for aid.

The I-797 form has a wider usage by the USCIS than for just the cases described here. Therefore, it is important to examine the notice carefully. For example, USCIS may issue a Notice of Deferred Action, which is an administrative choice to give lower priority for removal of an immigrant from the U.S. Such a notice could pertain to cases unrelated to petitions for battered immigrant status, and it would not be sufficient for documentation of a self-petitioner. Moreover, it generally will have a termination date; a student with a petition approval or an establishment of prima facie case will be eligible for aid through that date and ineligible afterward.

An immigration judge may issue a **suspension of deportation** of the abused person under the VAWA. The applicant will receive a copy of the court order. As long as it has not expired and clearly indicates suspension of deportation by the judge, an otherwise eligible person can receive FSA funds.

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**VAWA verification**

U.S. Citizenship and Immigration  
Services

10 Fountain Plaza, 3rd Floor  
Buffalo, NY 14202

Attn: Immigration Status Verification  
Unit

An immigration judge can also issue a **cancellation of removal** of the abused person under the VAWA. The applicant will receive a copy of the court order. As long as that has not expired and clearly indicates cancellation of removal by the judge, an otherwise eligible person can receive FSA funds.

You must examine the USCIS document and keep a copy in the student's file. If it indicates he is eligible for aid and the expiration date has not passed, you may award aid. If the student applies for FSA funds in a subsequent year, you may rely on the original document if it has not expired, but you must have the student provide a dated, written statement that his immigration status under VAWA remains in effect without change. If his documentation has expired, he must renew it.

If documentation is lost or expired or if you are unclear about it, submit a completed G-845 form and attach a copy of the document(s). Check "Box 10—Other" of the form and specify "VAWA verification" and submit the items to USCIS. The student's eligibility for aid will be based on the result of the submission.

### ***Jay Treaty***

Section 289 of the Immigration and Nationality Act (INA) gives persons with at least 50% Native American blood who were born in Canada the legal right to live and work indefinitely in the United States. This is based on the Jay Treaty of 1794 and subsequent court decisions. Such individuals are not subject to the legal restrictions typically imposed on aliens by the DHS, are not required to obtain documentation from the DHS, and are considered "lawfully admitted for permanent residence." They also are permitted to have an SSN, which they must enter on the FAFSA.

Students who may be eligible for FSA funds under Section 289 of the INA and who have a valid A-number should enter that on the FAFSA and indicate they are eligible noncitizens. If they fail the DHS match, they should submit their documentation with the G-845 form to DHS. If they fail paper secondary confirmation, they can still be considered eligible if they meet the documentation requirements below for students without an A-number.

Jay Treaty students who don't have a valid A-number should enter "A999999999" in that field on the FAFSA and report that they are eligible noncitizens. They will fail the match, and a comment 144 will be printed on the output document. The school must obtain proof that such a student has 50% Native American blood and was born in Canada. To do so, the student should provide one or more of the following documents:






- A “band card” issued by the Band Council of a Canadian Reserve, or by the Department of Indian Affairs in Ottawa;
- Birth or baptism records;
- An affidavit from a tribal official or other person knowledgeable about the applicant’s or recipient’s family history;
- Identification from a recognized Native American provincial or territorial organization.

If the student can provide this documentation and is otherwise eligible, the school must note this in the student’s file and can award FSA funds.

### ***Ineligible statuses and documents***

- **Persons with nonimmigrant visas** include those with work visas, students, visitors, and foreign government officials. Someone with a nonimmigrant visa isn’t eligible for FSA funds unless she has a Form I-94 with one of the endorsements given in the eligible document section. Nonimmigrant visas include the F-1, F-2, or M-1 Student Visa, N (NATO), A2 and A3 Visas (foreign official, including attendants), B-1 or B-2 Visitor Visa, J-1 or J-2 Exchange Visitors Visa, H series or L series Visa (which allow temporary employment in the U.S.), or a G series Visa (pertaining to international organizations). Someone who has only a “Notice of Approval to Apply for Permanent Residence (I-171 or I-464)” cannot receive FSA funds.
- **Family unity status** individuals have been granted relief from deportation under the Family Unity Program. They may present an approved Form I-817, Application for Family Unity Benefits. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Temporary residents** are allowed to live and work in the U.S. under the Legalization or Special Agricultural Worker program. Previously they were eligible for FSA funds, but they are no longer eligible.
- **Illegal aliens under the legalization (also called the amnesty) program** established by the Immigration Reform and Control Act of 1986 (IRCA). These individuals were given documentation that allowed them to work while their application for permanent resident status was being processed, but they aren’t eligible for aid unless their application was approved. Documents they might have in the interim are the Employment Authorization Card (Form I-688A), or the Employment Authorization Documents (Form I-688B or the I-766). None of these documents qualifies a student for FSA aid.



- **Students with “Temporary Protected Status”** stamped on their I-94 forms. This is used for persons who are from countries that are in upheaval, but the status differs significantly from refugee or asylee because it provides no conversion to permanent resident status. These students are not eligible for FSA funds.
- **The Deferred Action for Childhood Arrivals (DACA)** status  is conferred by the USCIS office in the Department of Homeland Security. While students granted DACA are normally assigned a Social Security number, they are not eligible for Title IV aid. However, DACA status students may still be eligible for state or college aid, and submitting a FAFSA can help them access those other types of aid. To complete the FAFSA, DACA status students must enter their Social Security number and answer the “Are you a U.S. citizen?” question as “No, I am not a citizen or eligible noncitizen.” After submitting the FAFSA, the student should check with the school’s financial aid office to see what types of financial aid they may be eligible to receive.
- **Students with a “Withholding of Removal” order** issued by an  immigration judge or by the Board of Immigration Appeals. This is used to protect a person from return to a country that threatens his or her life or freedom. This status is similar to asylee, but provides no pathway to permanent resident status. These students are not eligible for FSA aid.
- **“U-Visa” holders** are not designated as qualified aliens under  the Personal Responsibility and Work Opportunity Reconciliation Act (PRWORA), and are therefore not eligible for Title IV program funds. However, U-Visa holders may convert to lawful permanent resident status after they have physically been present in the United States for a continuous period of at least three years after the date of admission given on their U-Visa.

Once LPR status has been granted, the holder of LPR status becomes a qualified alien under the PRWORA (see above), and thus potentially eligible for Title IV funds (assuming they meet all other eligibility requirements, for example, being enrolled as a regular student in an eligible program, having a high-school diploma or its recognized equivalent, having a Social Security number, etc). U-Visa holders should be encouraged to explore non-federal aid options to help them pay for school while waiting for their application for LPR status (I-485) to be approved. In addition to institutional aid, there may be scholarships, private funding, and state aid available to them. The website [www.studentaid.gov](http://www.studentaid.gov) contains information to help students search for possible scholarships and other resources.

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### The A-number on the FAFSA and the DHS verification number

When the CPS matches with DHS records, a 15-digit verification number is assigned to the student and printed in the “FAA Information” section of the SAR and ISIR. This number is needed for paper secondary confirmation with the DHS. You should write the verification number at the top of the new G-845.

**If the student did not provide an A-number on the FAFSA, the match won’t be made and he won’t receive a DHS verification number.** He should make a correction to add the A-number so that the data match can be made and he can receive a verification number. If his A-number is eight digits, add a leading zero when making the correction.

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### U-Visa information

More information on U Visas may be found on the following website: [www.uscis.gov/green-card/other-ways-get-green-card/green-card-victim-crime-u-nonimmigrant](http://www.uscis.gov/green-card/other-ways-get-green-card/green-card-victim-crime-u-nonimmigrant).

**G-845 form response**

The status verifier at the USCIS field office will note on the G-845 form the immigration status the student's documentation supports. **The form does not directly state whether the student is eligible for FSA funds.** To determine that, you must check the result of the status check as it appears on the G-845 against the information on eligible noncitizen statuses provided in this chapter.

**Status not confirmed example**

On his original application, Hector didn't give his A-Number and reported that he was a citizen. When the SSA didn't confirm this, Hector told the aid administrator at Guerrero University that he was a permanent resident. He made a correction, but the USCIS didn't confirm his status as an eligible noncitizen. He explained to the administrator that he had applied for permanent resident status but didn't have documentation yet. The administrator told him that when he had documentation that his application was approved, he should bring it to Guerrero so that it could be submitted to the USCIS for confirmation.

**Procedures when ineligibility is determined after disbursement**

34 CFR 668.136(c)

If the document a student submits is for an ineligible status, you shouldn't submit the documentation for secondary confirmation. The USCIS can only confirm current immigration status based on the document presented; it doesn't determine whether the student is eligible for FSA funds. Unless the student can submit documentation for an eligible status, as described above, the student can't receive aid.

**Using the G-845 for secondary confirmation**

To initiate paper secondary confirmation, you must complete a Form G-845 and send it to the USCIS field office for your area within 10 business days of receiving the student's documentation. The G-845 ("Immigration Status/Document Verification Request") is a standard form that asks the USCIS to confirm a noncitizen's immigration status. See the USCIS website ([www.uscis.gov](http://www.uscis.gov)) for more information on where to send the form and to download a copy of it.

To complete the G-845, fill in each item on the top half of the form. You must enter the A-Number in box 1. **You should write the 15-digit DHS verification number that is printed in the match flag section of the SAR and ISIR in field number 7, "Case Verification Number," on the G-845 form. Paper G-845 requests without this number will be returned unprocessed.** "Education Grant/Loans/Workstudy" must be marked in box 10, "Benefit." Also, at the bottom of box 10, write "SSN" in the space marked "Other (specify below)" and the student's SSN in the space next to it. You must write your name as the submitting official in box 11 and your school's name as the submitting agency in box 12. Enter the DHS field office in the "To" space (in the upper left-hand corner of Section A) and your school's name and address in the "From" space (just below the "to" space) in the right column.

Photocopies of the front and back sides of the student's immigration document must be attached to the G-845. Be sure to submit each pertinent visa and immigration document along with the form; the G-845 submitted by itself can't be used to determine FSA eligibility. A student who lost documents or surrendered them when entering prison is responsible for getting copies of them before the G-845 is submitted. (See "Replacing Lost DHS Documents") You can request copies of immigration documents directly from penal institutions at the request of the student. Send the completed G-845 and attachments to the field office serving the prison's locale.

Noncitizens may also present other documents, such as marriage records or court orders, that indicate the identity or United States residency of the holder. Although these documents may not serve as adequate proof of immigration status, copies of them should be submitted with the G-845, as they may be useful to the status verifier.

A status verifier at the district USCIS office will search the student's record to confirm his immigration status, complete the "USCIS Response" section, and send the G-845 back to your office, generally within 21 federal working days of receipt. We recommend that you document any mailings to the USCIS and, if you haven't heard back on a G-845 within 15 days, that you call DHS's Case Resolution Team at 1-(877)-469-2563 to make sure the G-845 was received (note: the Case Resolution Team and its contact information are available to SAVE registered agencies only. Do not give this number to students or anyone not authorized to submit the G-845). See [www.uscis.gov/save](http://www.uscis.gov/save) for contact and other information. Do not send a duplicate G-845 unless the Case Resolution Team asks you to do so. If you don't receive a response from the USCIS after at least 15 business days from the date you sent the G-845, if you have sufficient documentation to make a decision, and if you have no information that conflicts with the student's documents or claimed status, you should review his file and determine whether he meets the eligible noncitizen requirements. If he does meet the requirements, make any disbursement for which he is eligible and note in his file that USCIS exceeded the time allotment and that noncitizen eligibility was determined without their verification.

When secondary confirmation results in an eligible status, you must keep the G-845. If the confirmation process indicates a discrepancy, you must ask the student to correct the discrepancy with the USCIS. No certification of loans or further disbursement of funds can be made until the discrepancy is corrected. If the discrepancy isn't reconciled, the student must repay all aid except wages earned under FWS. Whenever the student is able to provide new information, it must be submitted to the USCIS on a new G-845.

If you have followed the procedures outlined here, including notifying the student of the discrepancy and withholding further payments and loan certifications as soon as a discrepancy is found, your school isn't liable for aid disbursed prior to secondary confirmation. This assumes that you had no other conflicting information prior to making the disbursement and had reviewed the available documentation and concluded that the student was otherwise eligible.

### **Section A (the section you fill out on the G-845)**

Most of the items in this section are the same as the old form and are self-explanatory. Note that the new #7 is the same as #5 on the old form. The new #'s 6 and 8 are both irrelevant to Title IV aid and should be ignored. For more detail on the items in Section A, see the March, 2012 E-Announcement on the new G-845 form (Expires 1/31/15).

### **When a student provides new documentation**

If you have received a completed G-845 for a student who was determined not to be an eligible noncitizen, but later he or she provides an updated immigration document, do not complete a new G-845 form. First, make a correction to verify any data element on the student's FAFSA. This will resend the record to DHS for initial and secondary verification. If an eligible noncitizen code is not returned (in the usual time frame) on the resulting transaction, complete a new G-845 using the DHS verification number provided on the new transaction.

Making a correction on a student's record with an "N" primary verification match flag and a "C," "X" or "N" secondary verification match flag will produce a new ISIR with a new DHS verification number. This new number can be used if DHS is unable to process a student's G-845 due to problems in the SAVE system.

### **Determining eligibility if USCIS response is late**

34 CFR 668.136(b)

### **Lack of response example**

Mikko is a refugee and received aid from Guerrero University. His status wasn't confirmed through the DHS match, so Guerrero had to perform secondary confirmation. The DHS didn't respond in time, so Guerrero paid Mikko without any response. When Mikko applies again, the CPS still doesn't confirm his status. Even though Guerrero began secondary confirmation for Mikko last year and his documents haven't expired, because the school never received a DHS response, it must perform secondary confirmation again.

**Section B (Interpreting the USCIS response)**

The status verifier will mark one or more of the checkboxes on the G-845. The following list explains whether checking a box means the student is eligible. Note that Section B has been completely revamped on the new G-845. In reviewing the completed G-845, bear in mind that it reflects the student's most recent status with the USCIS and may show a different status than the documentation presented by the student. In this case, you should verify that both documents identify the same person. If they do, the status on the G-845 should be used since it is more current.

For descriptions of the following immigration statuses, see the earlier sections on eligible and ineligible noncitizens and their documentation:

1. **“Lawful Permanent Resident alien of the United States.”** A student with this status is eligible for FSA funds.
2. **“Conditional Resident alien of the United States.”** A student with this status is eligible for FSA funds.
3. **“Alien who is employment authorized in the United States.”** This indicates the expiration date or that there is no expiration. Employment authorization alone/by itself doesn't make the student eligible for FSA funds. Unless some eligible status is also checked or the student can provide other documentation that can be confirmed by the USCIS, the student isn't eligible for aid.
4. **“Aliens not employment authorized in the United States.”** This block is checked when an alien's status prohibits employment in the United States. Students with this status aren't eligible for aid. Citizenship and Immigration Services will initial and stamp the front of the G-845 in the signature block.
5. **“Alien who has an application pending for (specify...)”** This is checked for an alien waiting for a new immigration status or a change of status. If a change is pending, the block indicating the current status will also be checked elsewhere on the G-845. A pending application for an immigration status doesn't by itself make the student eligible for FSA funds; he must have an eligible status checked on the form or provide other documentation of an eligible status.
6. **“Alien granted asylum or refugee status in the United States.”** A student with this status is eligible for FSA funds.

7. **“Alien paroled into the United States pursuant to Section 212(d)(5) of the INA ...”** The student is eligible for aid if paroled into the U.S. for one year or more and if he has evidence from the DHS (such as having filed a valid permanent resident application) that he is in the U.S. for other than a temporary purpose and intends to become a citizen or permanent resident. The new G-845 form that USCIS issued in 2011 has date fields for the start and end of the parole period. If, for example, the start date was September 22, 2013, and the end date was September 21, 2014, the parole period would be for one year.
8. **“Alien who is a Cuban/Haitian entrant as defined by Section 501(e) of the REAA of 1980.”** A student with this status is eligible for FSA funds.
9. **“Alien who is a conditional entrant.”** A student with this status is eligible for FSA funds if they are in the United States for other than a temporary purpose.
10. **“Alien who is a nonimmigrant.”** A student with this status is not eligible for FSA funds.
11. **“American Indian born in Canada, to whom the provisions of section 289 of the INA applies.”** These students are likely eligible for FSA funds if their documentation supporting their status is adequate; for details, see the Jay Treaty section earlier in this chapter.
12. **“U.S. citizen.”** Because the verification request is used to check the status of immigrants, this box should be infrequently checked, and you should not see this in the financial aid office because, as explained earlier in the chapter, you would have reviewed the student’s documentation, and if it showed him to be a U.S. citizen, you would not have submitted it to the USCIS.

“Other USCIS responses” subsection:

13. **“USCIS is searching indices for further information.”** This block is checked if the USCIS is withholding judgment, pending further investigation on the status or validity of documentation. This statement doesn’t imply that the applicant is an illegal alien or the holder of fraudulent documentation. Benefits shouldn’t be denied on the basis of this statement.

The student's documentation should be accepted at face value until the USCIS sends final notification regarding immigration status. If the student appears to be an eligible noncitizen based upon your review of the documents, you may pay the student any FSA funds for which she is eligible. If the USCIS later notifies you that the student's documentation isn't valid, you must cancel further disbursements, but your school isn't liable for the payments already made—the student is.

14. **“This document is not valid because it appears to be: (check all that apply) A. Expired, B. Altered, or C. Counterfeit.”** Notify the student that unless corrective action is taken with the USCIS, the case will be submitted to the Office of Inspector General (OIG). Until this is resolved, no further aid may be disbursed, awarded, or certified. If the student does not take corrective action in a timely manner, you must report the case to the OIG.

### ***Section C (USCIS Comments)***

1. **“Unable to process request without an original consent of disclosure statement signed by the applicant.”** Ignore this comment; it does not apply to FSA applicants.
2. **“No determination can be made from the information submitted. Obtain copy of the original alien registration document.”** Resubmit the G-845, this time with any pertinent data from the alien registration document (you've probably already submitted all available data, but in case you have not, do so). If the student has already submitted all available data, they are considered ineligible.
3. **“No determination can be made without seeing both sides of the documents submitted.”** Resubmit the G-845 with copies of both sides of each document.
4. **“Cannot read document copy.”** Resubmit the G-845 with higher quality copies of the original documentation.

### ***Student rights***

You must allow the student at least 30 days from the time you receive the output document to provide documentation of his immigration status. During this period and until the results of the secondary confirmation are received, you can't deny, reduce, or terminate aid to him. If the documentation supports the student's status as an eligible noncitizen, and if at least 15 business days passed since the date on which the documentation was submitted to the USCIS, you can disburse aid to an otherwise eligible student pending the USCIS response.



Your school isn't liable if you erroneously conclude that a student is an eligible noncitizen, provided that you had no conflicting data on file and you relied on:

- a SAR or ISIR indicating that the student meets the requirements for federal student aid;
- a USCIS determination of an eligible immigration status in response to a request for secondary confirmation; or
- immigration status documents submitted by the student, if the USCIS did not respond in a timely fashion.

The student (or parent borrower of a PLUS loan) is liable for any FSA funds received if he is ineligible. If you made your decision without having one of these types of documents, your school is held responsible for repaying FSA funds to the Department.

Your school should establish procedures to ensure due process for the student if FSA funds are disbursed but the aid office later determines (using secondary confirmation) that the student isn't an eligible noncitizen. The student must be notified of his ineligibility and given an opportunity to contest the decision by submitting to your school any additional documents that support his claim to be an eligible noncitizen. If the documents appear to support the student's claim, you should submit them to USCIS using paper secondary confirmation. You must notify the student of your office's final decision based on the secondary confirmation results.

For every student required to undergo secondary confirmation, you must furnish written instructions providing:

- an explanation of the documentation the student must submit as evidence of eligible noncitizen status;
- your school's deadline for submitting documentation (which must be at least 30 days from the date your office receives the results of the primary confirmation);
- notification that if the student misses the deadline, he may not receive FSA funds for the award period or period of enrollment; and
- a statement that you won't decide the student's eligibility until he has a chance to submit immigration status documents.

Department of Homeland Security  
U.S. Citizenship and Immigration Services

# Form G-845, Document Verification Request

## Section A. To Be Completed by Registered Agency Only

To: U.S. Citizenship and Immigration Services (USCIS)  
Attn: USCIS SAVE Program Status Verification Office

From: Type or Stamp Name and Address of Registered Agency

Print clearly since USCIS may use above agency address with a No. 10 window envelope.

1. Immigration Document Number:

Alien Registration Number (A-Number)

A-

I-94 (Arrival-Departure Record) Number

▶

Other immigration number (if A-Number/I-94 Number not available):

Identify document containing the other immigration number:

2. Applicant's name as shown on the immigration document (Last, First, Middle)

3. Nationality

4. Date of Birth (mm/dd/yyyy): ▶

5. Social Security Number:

6. Student and Exchange Visitor Information System (SEVIS) Number: ▶

7. Case Verification Number

8. Registered Agency Case Number

9. Check all that apply:

- a. Photocopy of primary immigration document attached. **Ensure copies are legible.** If there is print on both sides of the immigration document, attach a copy of **front and back.**
- b. Other Information Attached (specify documents):

10. Benefit

<input type="checkbox"/> TANF	<input type="checkbox"/> Unemployment Insurance
<input type="checkbox"/> Education Grant/ Loan/ Work Study	<input type="checkbox"/> Employment Authorization
<input type="checkbox"/> Food Stamps	<input type="checkbox"/> Social Security Number
<input type="checkbox"/> Housing Assistance	<input type="checkbox"/> SSI or RSDI
<input type="checkbox"/> Medicaid/Medical Assistance	<input type="checkbox"/> Driver's License/ID
<input type="checkbox"/> Background Check	
<input type="checkbox"/> Other (specify below)	

11. Name of Agency Official

12. Title of Agency Official

13. Telephone Number (include area code)  
(  )  -

14. Fax Number (include area code):

15. Date (mm/dd/yyyy): ▶

**Section A. To Be Completed by Registered Agency Only (continued)**

**Registered Agency Comments**

**Section B. To Be Completed by USCIS**

**USCIS RESPONSES:** After review of the documents and/or information submitted, and/or of our records, we find that the document appears valid and relates to a/an:

- 1. **Lawful Permanent Resident** alien of the United States.
- 2. **Conditional Resident** alien of the United States.
- 3. Alien **employment authorized** in the United States as indicated:
  - a. No expiration (indefinite)
  - b. Expires on (mm/dd/yyyy):
  - c. Prior employment authorization date(s):
 

- 4. Alien **not employment authorized** in the United States.
- 5. Alien has an **application pending** for (specify USCIS benefit):
- 6. Alien **granted asylum or refugee** status in the United States.

- 7. Alien **paroled** into the United States under section 212 of the Immigration and Nationality Act (INA).
  - a. No expiration (Indefinite)
  - b. Parole granted on (mm/dd/yyyy):
  - c. Parole expires on (mm/dd/yyyy):
- 8. **Cuban/Haitian entrant** of the United States.
- 9. **Conditional entrant** of the United States.
- 10. **Nonimmigrant** alien.  
(Specify type or class below):
- 11. American Indian born in Canada to whom the provisions of section 289 of the INA apply. Date status recognized (mm/dd/yyyy):
- 12. U.S. Citizen.

**OTHER USCIS RESPONSES:**

- 13. USCIS is searching indices for further information.
- 14. This document is **not valid** because it appears to be: (Check all that apply)
  - a. Expired     b. Altered     c. Counterfeit

**Section C. USCIS Comments**

- 1. Unable to process request without an original consent of disclosure statement signed by the applicant. Resubmit request.
- 2. No determination can be made from the information submitted. Obtain copy of the original alien registration document. Resubmit request.
- 3. No determination can be made without seeing both sides of the documents submitted. Resubmit request.
- 4. Cannot read document copy. Resubmit request.
- 5. Other:

**USCIS Stamp**

## CITIZENS OF THE FREELY ASSOCIATED STATES

Students who are citizens of the Freely Associated States—the Federated States of Micronesia and the republics of Palau and the Marshall Islands—are eligible for Pell Grants (citizens of Palau are also eligible for FWS and FSEOG; see the margin note) but are not eligible for FSA loans. They should indicate on the FAFSA that they are eligible noncitizens and leave the A-Number item blank. If the student doesn't have an SSN, he enters 666 and ED will give him a number to use, or if he was given a number in the previous year, he should use that (for a more extensive discussion of SSNs, see Chapter 4 of this volume). Such students must continue to use the same ED-assigned SSN due to Pell Lifetime Eligibility Used (LEU) rules. Because he isn't giving an A-Number, his application won't go through the DHS match. As long as his file contains consistent information on his citizenship, you aren't required to collect documentation.

Citizens of the Freely Associated States whose applications were sent through FAA Access to CPS Online may indicate that they are eligible noncitizens, and their state of legal residence will be confirmed. If they are determined to be residents of the Freely Associated States, they won't be required to provide an A-Number.

## DOCUMENTING IMMIGRATION STATUS IN LATER AWARD YEARS

There are several cases in which you must document a student's immigration status in a subsequent award year if that student again is not confirmed through the application process.

For example, a student who presented a Temporary Form I-551 in a prior award year should have received a permanent I-551 by the next year and shouldn't still have a temporary card. You should refer the student to USCIS to obtain a permanent I-551 or an updated endorsement on the previous card. The documents should also be submitted to USCIS along with a G-845.

You must also document the eligible noncitizen status each award year for a conditional permanent resident, a refugee, a Cuban-Haitian entrant, or a person granted asylum. Students in any of these categories may have been redesignated to permanent-resident status or may have had their statuses revoked. You will have to send the documents for secondary confirmation if the student's status isn't confirmed through the USCIS match. You don't have to document a student's eligible noncitizen status in subsequent award years if you've documented that the student is a U.S. citizen or national, is a citizen of the Freely Associated States, or has a Form I-551 or I-151.

In addition, you aren't required to perform secondary confirmation if, for a previous award year, it showed that the student was an eligible noncitizen and the documents used for that secondary confirmation haven't expired. You must also have no conflicting information or reason to doubt the student's claim of having eligible noncitizen status. Also note that you must have **confirmed the status** in a previous award year. (Although you can disburse aid without the USCIS response if the USCIS doesn't respond in time, you can't count that lack of response as confirmation for the following year.)

## The Freely Associated States

The Compact of Free Association (P.L. 99-239) created three political entities from the former Trust Territory of the Pacific Islands. Two of these entities, the Marshall Islands and the Federated States of Micronesia, voted in 1986 to end political ties with the United States. The third entity, Palau, voted to ratify the compact in 1994; its independence was effective October 1, 1994. These three entities are the Freely Associated States.  
34 CFR 600.2

## Pseudo-SSNs for Pacific Islanders and the FAFSA



Electronic Announcement Nov 20, 2013  
For more details on SSNs for Citizens of the Freely Associated States, see chapter 4 of this volume.

## No FSEOG and FWS

The Compact of Free Association Amendments Act of 2003, or the Compact Act, eliminates eligibility for citizens of the Republic of the Marshall Islands (RMI) and the Federated States of Micronesia (FSM) for FSEOG and FWS funds. To mitigate this loss, the Compact Act authorizes Supplemental Education Grants (SEGs) that may be awarded to the FSM and RMI. For more information, students of the FSM and RMI should contact their local education authority. Also under the Compact Act, students who are citizens of the Republic of Palau will continue to be eligible for FWS and FSEOG through the 2014-15 award year.

## Exclusion from subsequent secondary confirmation

34 CFR 668.133(b)

## REPLACING LOST DHS DOCUMENTS

If a student can't locate his official USCIS documentation, the student must request that the documents be replaced because noncitizens who are 18 years and older must have immigration documentation in their possession at all times while in the United States. Requests for replacement documents should be made to the nearest USCIS District Office.

The student will be asked to complete a Form I-90, "Application to Replace Alien Registration Card" or a Form I-102, "Application for Replacement/Initial Nonimmigrant Arrival-Departure Document." PDF versions of these forms can be downloaded from the USCIS website at [www.uscis.gov](http://www.uscis.gov). A temporary I-94 may be issued while the replacement documents are pending.

In cases of undue hardship, where the student urgently needs documentation of his status, the Freedom of Information Act (FOIA) allows him to obtain photocopies of the documents from the USCIS District Office that issued the original documents. The student can submit a Form G-639 to make this request or can simply send a letter to the district office. If he is not sure which district office issued the original documents, he can submit the request to the field office nearest to his place of residence.

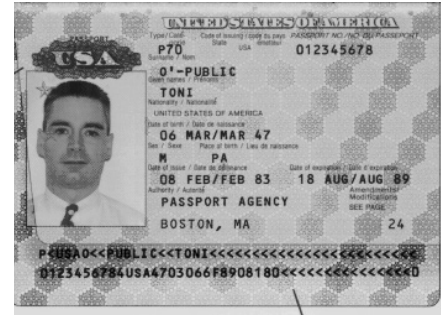
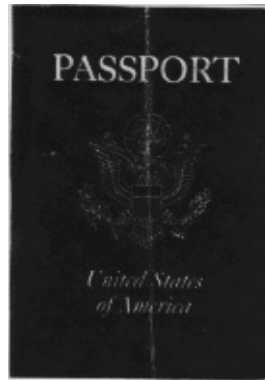


# CITIZEN NOT BORN IN U.S./NONCITIZEN NATIONAL

## U.S. Passport

Can be used to document citizenship for citizen born abroad.

For a noncitizen national, must be stamped “Noncitizen National.” (Note that a passport issued by another country may be used to document permanent resident status if it has the endorsement “Processed for I-551” and has a currently valid expiration date.)



## U.S. Passport Card

This resembles a credit card in size and form. Though it cannot be used for international air travel, it is, like the passport book, proof of U.S. citizenship.

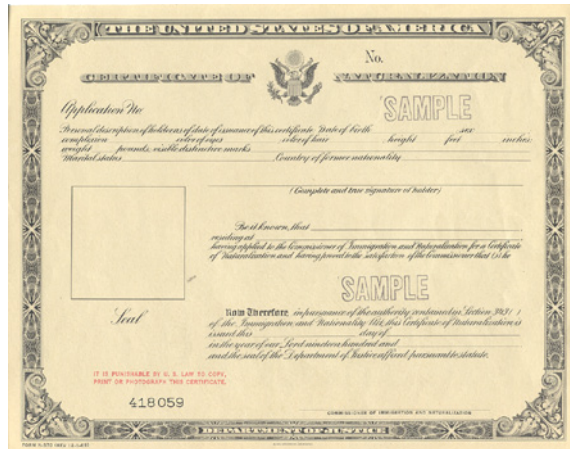


## Certificate of Citizenship

The Certificate of Citizenship is issued to persons who were born abroad of U.S. parent(s), who became citizens when their parents were naturalized, or who were adopted by U.S. parents.



**Certificate of Naturalization**  
 The Certificate of Naturalization is issued to naturalized U.S. citizens.

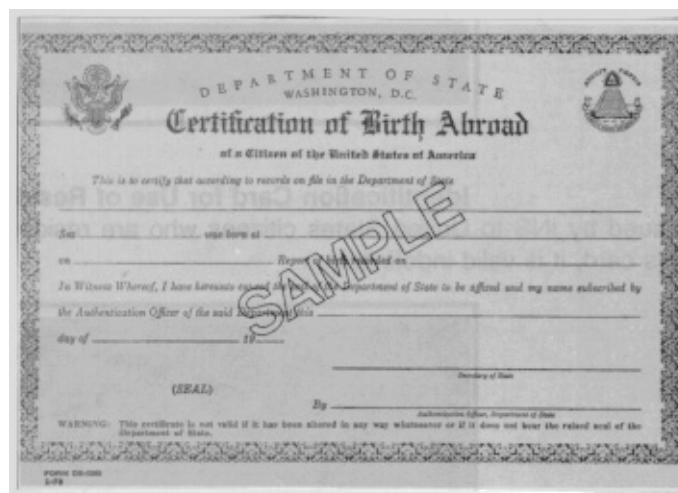


A revised version of the Certificate of Naturalization (Form N-550) was created in 2010.

All previously issued certificates remain valid.



**Certification of Birth Abroad**  
 Issued to U.S. citizens born abroad. Must have embossed seal of the State Department.



# CITIZEN NOT BORN IN U.S./NONCITIZEN NATIONAL PERMANENT RESIDENT/OTHER ELIGIBLE NONCITIZEN

## Form CBP I-94A

The computer-generated Form CBP I-94A replaces—in many instances, but not all—the Form I-94 that was completed manually. For eligible noncitizens, it must be annotated as described earlier in this chapter. See also the I-94 website at: [www.cbp.gov/I94](http://www.cbp.gov/I94).

## I-94 Arrival-Departure Record

For permanent resident status, must be stamped “Processed for I-551” with expiration date or “Temporary Form I-551” with appropriate information filled in. For other eligible noncitizens, must be stamped as Refugee, Asylum Status, Conditional Entrant (before April 1, 1980), Parolee, or Cuban-Haitian Entrant.

**Warning** - A nonimmigrant who accepts unauthorized employment is subject to deportation.

**Important** - Retain this permit in your possession; you must **surrender it when you leave the U.S.** Failure to do so may delay your entry into the U.S. in the future.

You are authorized to stay in the U.S. only until the date written on this form. To remain past this date, without permission from immigration authorities, is a violation of the law.

**Surrender this permit when you leave the U.S.:**

- By sea or air, to the transportation line;
- Across the Canadian border, to a Canadian Official;
- Across the Mexican border, to a U.S. Official.

Students planning to reenter the U.S. within 30 days to return to the same school, see “Arrival-Departure” on page 2 of Form I-20 prior to surrendering this permit.

**Record of Changes**

Port: \_\_\_\_\_ Departure Record

Date: \_\_\_\_\_

Carrier: \_\_\_\_\_

Flight #/Ship Name: \_\_\_\_\_

For sale by the Superintendent of Documents, U.S. Government Printing Office  
Washington, D.C. 20402





## PERMANENT RESIDENTS

Permanent residents are issued identification cards that they are required to have in their possession at all times. The first Alien Registration Receipt Card was introduced in 1946 and through various revisions was primarily green, which caused it to be known as a “green card.” This term is still used, though the cards have changed color over the years.

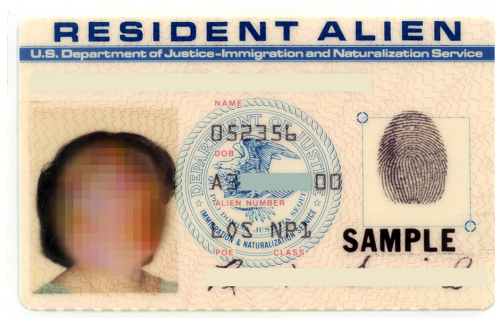
### Alien Registration Receipt Card I-151 (front and back)

Issued prior to June 1978 to permanent residents. Note: As of March 20, 1996, Form I-151 is no longer acceptable to USCIS as evidence of permanent residence, though it may be used to receive FSA funds.



### Resident Alien Card I-551 (two versions, front only)

The I-551 is a revised version of the I-151. It was phased in beginning in January 1977 and was revised in 1989. The “Conditional Resident Alien Card” is identified by a “C” on the front and an expiration date on the back.



(1989)

### Permanent Resident Card I-551 (front only for older versions, front and back for the current version)

The Permanent Resident Card was introduced in December 1997 and revised in 2004. In 2010 it was again updated, with the color green used once more in the design of the front of the card.



(1997)



(2004)



(2010)









# NSLDS Financial Aid History

## CHAPTER 3

*Students who have previously attended other colleges may have a financial aid history that affects their eligibility for FSA funds at your school. You can review a student's financial aid history by using the National Student Loan Data System (NSLDS) online at [www.nslsdfap.ed.gov](http://www.nslsdfap.ed.gov); for questions call 1-800-999-8219. NSLDS will also help you track changes to the student's financial aid history through the postscreening and transfer student monitoring processes.*

A person generally isn't eligible for FSA funds if he is in default on an FSA loan or he owes an overpayment on an FSA grant or loan and he has not made a repayment arrangement for the default or overpayment. Also, for a parent to receive a PLUS Loan, neither the parent nor the student may be in default or owe an overpayment on an FSA loan or grant (though a parent in default on a PLUS loan does not make a student ineligible for aid). Exceptions to these general rules are noted in the discussion below.

Any student applying for FSA funds must certify that he isn't in default on any FSA loan and doesn't owe an overpayment on any FSA grant, or that he has made satisfactory arrangements to repay the overpayment or default. This certification statement is printed on the *Free Application for Federal Student Aid* (FAFSA).

A student is also ineligible if she inadvertently exceeded annual or aggregate loan limits. When this occurs, you must identify the loan(s) that resulted in the overborrowing and discuss the overborrowing with the student. The student can regain eligibility by repaying the extra amount borrowed or making arrangements, satisfactory to the loan holder, to repay it. See Dear Colleague Letter GEN-13-02 and *Volume 4* of the FSA Handbook for more details.

A student who has been convicted of, or has pled no contest or guilty to, a crime involving fraud in obtaining FSA funds must have completely repaid the fraudulently obtained funds to the Department or the loan holder before regaining aid eligibility. Any Perkins or Direct Loan so obtained is not eligible for rehabilitation. You can handle this requirement as you would a judgment lien: you don't need to collect certification from each student but can deal with the situation when you become aware of it.

Finally, a student is ineligible if his property is subject to a judgment lien for a debt owed to the United States, and a parent can't receive a PLUS loan if either the student or parent is subject to such a lien. For example, if the Internal Revenue Service (IRS) has placed a lien on a student's property for failure to pay a federal tax debt or make satisfactory arrangements for repayment, the student would be ineligible for federal student aid.

### FSA loans

- Direct Subsidized Loans and Direct Unsubsidized Loans
- Direct PLUS Loans (for parents or for graduate/professional students)
- Direct Consolidation Loans
- Federal Perkins Loans

The following loan types from earlier programs also appear in NSLDS:

- Federal Stafford Loans (subsidized and unsubsidized)
- Federal PLUS Loans
- Federal Consolidation Loans
- Federally Insured Student Loans (FISL)
- Guaranteed Student Loans
- Supplemental Loans for Students (SLS)
- National Direct Student loans and National Defense Student loans (predecessors of Perkins Loans)
- Income Contingent Loans (ICL)

### Federal default and debt

HEA Sec. 484(a)(3), 484(f),  
34 CFR 668.32(g), 668.35

### Loan limits and eligibility

See Volume 3, Chapter 5 for loan limits  
HEA Sec. 484(f),  
34 CFR 668.32(g)(2), 668.35(d)  
DCL GEN-13-02

### Financial aid history

34 CFR 668.19  
Dear Colleague Letter GEN-96-13

### Judgment lien example

When Charlotte provides her parents' tax return to the aid administrator at Brandt College, he notices that they've reported business income but didn't report a business asset on the FAFSA. Charlotte explains that they didn't report the business as an asset because there's a lien against the business for a federal loan. The aid administrator tells her that the asset must still be reported, and also that her parents won't be able to borrow a PLUS Loan as long as they are subject to the lien.

### Unusual Pell enrollment history

DCL GEN-13-09

There is a new flag in NSLDS for students whose pattern of enrollment is identified as unusual. The CPS will flag the Unusual Enrollment History field (UEH) on the student's SAR/ISIR. A value of "2" or "3" in the UEH field requires review by your school. For more information, see DCL GEN-13-09. These codes do not necessarily mean the student has improperly received Pell funds, but it is a sign of unusual activity, for example, receiving Pell at multiple schools in the same semester.

### Adding a school and the NSLDS match

When a school is added after the FAFSA has been submitted, it goes through the NSLDS match again rather than being processed in real time. This ensures that the new school receives the latest financial aid history (FAH) on the ensuing transaction. This does not affect schools' responsibility to use transfer student monitoring.

To supplement the ISIR and ensure a student's history is considered, some schools submit entire rosters of FAH requests. See the TSM/FAH processes and batch file layouts posted on the IFAP website at the NSLDS Reference Materials link under Processing Resources.

When the FAFSA is processed, the Central Processing System (CPS) matches the student against the National Student Loan Data System (NSLDS) to see if she is in default, owes an overpayment, or has exceeded the loan limits. The CPS doesn't perform any matches to determine whether or not the student is subject to a judgment lien for a federal debt, and you aren't required to check for such liens. However, if you know that she is subject to such a lien, you can't pay her FSA funds.

### NSLDS MATCH

To help you identify students with problems such as defaulted loans or overpayments, the CPS matches the student against the NSLDS database to obtain her financial aid history. You must resolve any conflicts between NSLDS and other information you have about the student before disbursing FSA funds (for example, if NSLDS shows that a student isn't in default but you have documentation showing that she is in default). The results of the NSLDS match are provided on the SAR and ISIR on the NSLDS Financial Aid History page. As with other matches, a "C" next to the student's expected family contribution (EFC) indicates problems that must be resolved. See Appendix B of the ISIR Guide for the complete tables of NSLDS match results.

### Successful match

The SAR and ISIR will contain the NSLDS financial aid history only if the student's identifying information matches the database and there is relevant information for the student in the database. If the student has no defaults or overpayments or has made satisfactory repayment arrangements on a defaulted loan, the NSLDS match flag will be 1 and no C code will appear on the output document. A match flag of 2, 3, or 4 indicates that the student has defaulted loans or owes an overpayment or both. You will need to document that the problem has been resolved before disbursing aid. Note that for "real-time" processing—if a student uses Corrections on the Web or an aid administrator uses FAA Access to CPS Online—the CPS does not match against the NSLDS database (except when a school is added; see the sidebar), but the output document will show NSLDS data from the last transaction that did match against NSLDS. The ISIR might not, therefore, reflect the most current information.

### No data from match

There are several reasons why an output document may not have financial aid history information: for example, if the application was rejected for lack of a signature or if identifying information was missing. For other cases, you can check the NSLDS flags reported in the "FAA Information" section.

▼ *Partial match.* If the student's SSN is in the NSLDS database but the first name or date of birth don't match what the student reported, no financial aid history will be reported and the output document will have an NSLDS match flag of "7" and a C code. There will also be a comment explaining why the financial aid history isn't given and directing the student to work with the school to resolve any discrepancies. A partial match **requires resolution**; otherwise you won't have information from the Department on defaults and overpayments. If the student originally

reported incorrect identifying information, you can have her submit correct information, which will be sent through the match again. If the student did not submit incorrect identifying information, you can call the NSLDS customer support center (see sidebar), for help with determining the identifiers with the SSN in the NSLDS database. If you discover the discrepancy is due to the student misreporting the name or date of birth on the FAFSA, you should have the student make a correction. However, you may use the NSLDS record to determine the student's eligibility; you don't need to wait for the corrected data to be reported.

If you find that the financial aid history associated with the student's SSN doesn't belong to the student, you should assume that the student has no relevant financial aid information. You may request that the data in NSLDS be corrected by providing relevant supporting documents. NSLDS will work with the previous data providers to correct the identifiers. You aren't required to request a correction; however, doing so will prevent the same FAFSA response in subsequent award years.

▼ *Student not in database.* If a match with NSLDS is completed but there's no information on the student in the database, the output document will comment that the student's SSN is not associated with any financial aid history. You can assume this is correct unless you have conflicting information. If you believe NSLDS should show a loan history, help the student by contacting the appropriate loan servicer or, for FFEL, guaranty agency.

▼ *No relevant history.* If a student's SSN matches a record in the NSLDS database but there's no relevant financial aid history to report, no information will be on the output document, because it isn't needed to determine the student's aid eligibility for the current award year (conversely, if a student has relevant prior data, for example a prior Pell award, that will appear on the SAR/ISIR). The SAR and ISIR will have a comment that the student's record was matched with NSLDS but no information was found to print on the NSLDS page.

▼ *Processing problem.* If there was a problem with the match, the SAR and ISIR won't include financial aid history information. The output document will have a C code and a comment explaining that the CPS couldn't determine whether the student has loans in default and will direct her to contact the financial aid administrator. You must get the student's financial aid history before disbursing aid. If she has to make corrections of any kind, her information will go through the match again when the corrections are submitted, and you can use the results of that match to determine her eligibility.

### **Postscreening—changes after initial match**

Once you receive the financial aid history through NSLDS, you aren't required to check for changes to the data before disbursing funds to the student. But if you learn from NSLDS or another source that the student was not or is no longer eligible, you must not disburse any more FSA funds and must help make sure the student arranges to repay the aid for which he/she wasn't eligible.

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**NSLDS Customer Support Center**  
1-(800)-999-8219

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### **Example of misreported information on the FAFSA**

When Krieger University (KU) receives Rob's ISIR, it shows that there was a discrepancy with the NSLDS database, so no financial aid history information is provided. The aid administrator at KU asks Rob if he provided the correct name and birth date on the application. Rob says he wrote in the wrong month for his birth date, but his name is correct. The administrator checks the NSLDS database using Rob's first name, SSN, and date of birth. NSLDS shows the correct birth date, but the first name of the student is Warren, not Rob. She checks again with Rob, who explains that Rob is a nickname and Warren is his real name. The administrator determines that the financial aid history associated with the SSN belongs to Rob. She could disburse aid without requiring a correction, but Rob has other corrections to make, so she will wait for the ISIR correction before disbursing aid.

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### **Example of incorrect NSLDS data**

Lydia is a first-year undergraduate at Bennet College and has never attended college before. When Bennet receives Lydia's ISIR, it shows that there was a partial match, and there is some data associated with her SSN. Bennet checks with the NSLDS CSC and learns that a guaranty agency is reporting a loan made years ago (when Lydia was in elementary school) under her SSN but with a completely different name and birth date. Bennet determines that this isn't Lydia's loan, so she has no financial aid history in NSLDS. Bennet also suggests that Lydia provide documentation that the SSN belongs to her so the school can request that NSLDS data be corrected to prevent problems for her later.

## Getting the student's financial aid history

There are several ways for you to get a student's financial aid history from NSLDS. You can:

- use the NSLDS Financial Aid History section of the ISIR,
- log on to the NSLDS Professional Access website and access the data online for a student,
- for multiple students, use the FAT 001 Web report, which you submit from the Reports tab on the NSLDS site (you retrieve the results through the SAIG), or
- send a batch TSM/FAH Inform file to request aid history data for several students, which will be returned in either extract or report format through SAIG. The TSM/FAH processes and batch file layouts are posted on the IFAP website at the NSLDS reference materials link under Processing Resources.

NSLDS uses a postscreening process to let you know when there are significant changes (such as a defaulted loan or an overpayment) to a student's financial aid history. If postscreening identifies changes that may affect the student's eligibility, the CPS will generate new output documents so schools that are listed for receipt of the student's FAFSA information will automatically be notified. Items that have changed since the last transaction are marked on the output document with a “#” sign, and the reason code for the postscreening will be given.

To help you identify when NSLDS data has changed, the document will include an NSLDS transaction number in the “FAA Information” section with the other match flags. This is the number of the last transaction on which NSLDS data changed, so if you receive an ISIR on which that number is higher than the one on the ISIR you used to determine the student's eligibility, you must review the NSLDS data on the new ISIR to be sure there are no changes affecting the student's eligibility (be aware of the new Pell LEU limits and codes; for more on Pell LEU, see Volume 3, Chapter 3). There will be postscreening codes (see *The ISIR Guide* for the list) to help determine what changed.

## CHECKING THE FINANCIAL AID HISTORY FOR TRANSFER STUDENTS

Before disbursing FSA funds to a transfer student, you **must** obtain his financial aid history if he may have received aid at another school since your latest ISIR. The NSLDS Transfer Student Monitoring Process was established to allow schools to use NSLDS information for its transfer students.

▼ *Reviewing the student's NSLDS financial aid history.* If a student transfers to your school during the award year, you'll need to review her aid history on the ISIR or online at the NSLDS website. From this, you can determine:

- Whether the student is in default or owes an overpayment on an FSA loan or grant;
- The student's Pell Grant and the amount already disbursed for the award year;
- Data pertaining to TEACH grants, including those converted to loans;
- The student's balance on all FSA loans; and
- The amount and period of enrollment for all FSA loans for the award year.

Usually the financial aid history on the ISIR will be enough, but there are cases where you might check NSLDS for more information. For example, if the student has more than six loans, the ISIR won't have detailed information for some of the loans. If you need that level of detail for those loans, you can get the information from NSLDS. Or, as discussed previously, you might need to use NSLDS to resolve a partial match situation (see “Partial match” in “NSLDS match” section, earlier in this chapter).

## Transfer student monitoring

Dear Partner Letters GEN-00-12 and GEN-01-09

Through this process for checking the eligibility of transfer students, you may either check the student's financial aid history on the NSLDS website for professionals, or wait seven days (because NSLDS issues alerts weekly) after you've submitted the student's information for monitoring to receive an alert if data has changed.

NSLDSFAP

[www.nslidsfap.ed.gov](http://www.nslidsfap.ed.gov)



▼ *Transfer student monitoring process.* You must send NSLDS identifying information for students transferring to your school during the award year so that NSLDS can notify you of changes to their financial aid history. You may send information for students who have expressed an interest in attending your school even if they have not yet formally applied for admission.

Through transfer student monitoring, NSLDS will alert you to any relevant changes in the transfer student's financial aid history—other than the default and overpayment information reported in the postscreening process—that may affect the student's current award(s). There are three steps: inform, monitor, and alert.

- *Inform.* You **must** identify students who are transferring to your school by creating a list of transfer students on the NSLDS website or by sending the list to NSLDS as an electronic batch file (see the margin note) through SAIG. You may use either or both methods, and a change in method does not require prior notification to the Customer Service Center.
- *Monitor.* NSLDS will monitor these students for a change in financial aid history that may affect their current awards and alert you when: a new loan or grant is being awarded, a new disbursement is made on a loan or grant, or a loan or grant (or a single disbursement) is cancelled. Note that defaulted loans and overpayment information are not monitored in transfer student monitoring, as they are already covered in the postscreening process. If the student has not listed your school in Step Six when filing the FAFSA, he has to add your school for you to receive the postscreening information.
- *Alert.* Finally, if changes are detected for one or more of your students and NSLDS creates an alert, it will also send an email notification reminder to the address given on the School Transfer Profile setup page. Your school's designated contact person may then either review the alert list on the NSLDS for Financial Aid Professionals website or download a batch file, if batch alerts were requested, through SAIG in report or extract format.

▼ *Timing of the disbursement.* To pay the student, you'll need to have an output document and an accurate EFC. A valid ISIR will include that and the student's financial aid history, and it will also tell you if he is in default or owes an overpayment. The postscreening process will send you another ISIR if he subsequently goes into or out of default or owes or ceases to owe an overpayment.

When you initiate transfer monitoring for a student, NSLDS will alert you to significant award changes since you last received an ISIR or alert for her; this will continue for 30 to 120 days (depending on the monitoring duration you've established) after the enrollment begin date. If you start transfer monitoring before you receive ISIRs for a student, NSLDS will track changes in her financial aid history from the date of your request or a future monitoring begin date you choose.

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### Sending batch files

To begin sending batch files, you must sign up at [www.fsawebenroll.ed.gov](http://www.fsawebenroll.ed.gov) for the Transfer Student Monitoring/Financial Aid History (TSM/FAH) batch service. Then you must designate a profile for your school on the School Transfer Profile Page ([www.nslsdfap.ed.gov](http://www.nslsdfap.ed.gov)) prior to creating any Inform records. The School Transfer Profile tells NSLDS who will be submitting Inform files from or on behalf of your school and how your school wants to receive an alert notice.

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### Repopulate Transfer Monitoring List

NSLDS Professional Access offers a Transfer Monitoring Repopulate web page that enables you to repopulate your TSM list of students from the Inform list used during a prior monitoring period so you can continuously add from one monitoring time period to another. For more information see NSLDS Newsletter 23.

### Resolving grant overpayments

Because FSA grants have priority in packaging, aid overpayments can often be resolved by adjusting other types of aid in the package. If necessary, you can also adjust later grant payments for the same award year. But if a student receives more grant money than she is eligible for and the excess can't be offset, she must return the overpayment. As noted at the beginning of the chapter, a student with an outstanding FSA grant overpayment is ineligible for aid until she repays it or makes satisfactory repayment arrangements. See *Volume 4* for a complete discussion of resolving overpayments and over-awards.

### Checking Discharge Status with loan servicer

When it is not possible to determine the precise status of a potentially discharged loan in NSLDS, you should contact the Department's Total and Permanent Disability (TPD) servicer, Nelnet\*:

Phone: 1-888-303-7818

Fax: 303-696-5250

E-mail: [disabilityinformation@nelnet.net](mailto:disabilityinformation@nelnet.net)

\*Note that Nelnet is referred to in NSLDS as "DDP," or Disability Discharge Provider.

### Total and permanent disability discharge

Perkins: 34 CFR 674.61(b)

34 CFR 682.402(c)

34 CFR 685.213

The regulations state that a school may not make a disbursement to the student for seven days following the transfer monitoring request to NSLDS, unless it receives an earlier response from NSLDS or checks the student's current financial aid history by accessing NSLDS directly. Therefore, it's usually a good idea to submit the student's name to NSLDS for monitoring as soon as possible, even if he has not yet decided to enroll at your school.

▼ *Consequences when a transfer student subsequently is found to be ineligible for all or part of an aid disbursement.* If the school has followed the proper procedures for obtaining financial aid history information from NSLDS, it is not liable for any overpayments if the student's situation subsequently changes. However, the student will be liable for the overpayment in this situation, and you may not pay the student further FSA funds until the overpayment is resolved. (See *Volume 4* for information on resolving overpayments.)

### EFFECT OF BANKRUPTCY OR DISABILITY DISCHARGE

A student who has filed for bankruptcy or had a loan discharged for disability may need to give additional documentation before receiving aid.

#### Bankruptcy

A student with an FSA loan or grant overpayment that has been discharged in bankruptcy remains eligible for FSA loans, grants, and work-study (NSLDS loan status code BC for loans that did not default and status code DK or OD for loans that defaulted prior to the bankruptcy discharge). A borrower doesn't have to reaffirm a loan discharged in bankruptcy to be eligible. The Bankruptcy Reform Act of 1994 prohibits denial of aid based solely on filing for, or having a debt discharged in, bankruptcy.

A borrower who lists a defaulted FSA loan or grant overpayment in an active bankruptcy claim is not eligible for further FSA funds unless she provides you with documentation from the holder of the debt stating it is dischargeable (NSLDS loan status code DO). A borrower who includes a non-defaulted FSA loan in an active bankruptcy claim, so that collection on the loan is stayed, is eligible for aid as long as he has no loans in default (including the stayed loan).

#### Total and permanent disability (TPD) discharges

▼ *Qualifying for TPD Discharge:* Perkins, FFEL, and Direct Loan borrowers may qualify to have their loans discharged if they become totally and permanently disabled. Except for veterans who qualify for a total and permanent disability (TPD) discharge based on a determination by the Department of Veterans Affairs (VA) that they are unemployable due to a service-connected disability, the Department of Education monitors the status of borrowers who have received a TPD discharge for a three-year period.

Borrowers whose discharge applications are received on or after July 1, 2010, receive a final discharge followed by a *post-discharge monitoring period* that begins on the date the discharge was granted and lasts for up to three years.



Borrowers whose discharge applications were received before July 1, 2010, received a conditional discharge followed by a *conditional discharge period* that begins on the date the borrower's physician certified the disability discharge application and lasts for up to three years. If the borrower fails to meet certain eligibility requirements throughout the post-discharge monitoring period or conditional discharge period, the Department reinstates the borrower's obligation to repay the discharged loan(s) or returns the conditionally discharged loan(s) to repayment status. The same criteria and procedures are used to discharge and reinstate the service obligation for TEACH grant recipients who become totally and permanently disabled.

▼ *Taking out another loan:* If a borrower whose prior loan was discharged due to a total and permanent disability wishes to take out another FSA loan or wishes to receive a TEACH grant, he must obtain a physician's certification\* that he has the ability to engage in substantial gainful activity, and he must sign a borrower statement acknowledging that the new FSA loan or the TEACH grant service obligation can't later be discharged for any present impairment unless it deteriorates so that he is again totally and permanently disabled.

If the borrower requests a new loan or TEACH Grant during the post-discharge monitoring period or the conditional discharge period, he must also resume payment on the old loan before receipt of the new loan or TEACH grant. If the loan on which the borrower must resume payment was in default when it was discharged or conditionally discharged, it remains in default upon reinstatement, and the student must make satisfactory repayment arrangements before receiving the new loan, in addition to meeting the other requirements described.

A borrower who received a TPD discharge based on a determination from the VA that he is unemployable due to a service-connected disability is not subject to a monitoring period and is not required to resume payment on the discharged loan as a condition for receiving a new loan. But he must still provide the physician's certification and borrower acknowledgement described above.

## RESOLVING DEFAULT STATUS

A student in default on an FSA loan can't receive further FSA funds until she resolves the default, which she can do in a few ways.

▼ *Repayment in full (including consolidation).* A student can resolve a default and regain eligibility for FSA funds by repaying the loan in full (loan status code DP). If the school writes off a regulatorily permissible amount that the student repays (for Perkins), that counts as paying the loan in full (code DC). If a defaulted loan is successfully consolidated, it is also counted as paid in full (code DN). However, if the loan holder just writes off the entire loan (except for Perkins), it isn't paid in full, and the student remains ineligible for FSA funds (code DW). The student regains eligibility whether repayment was completed voluntarily or involuntarily (that is, through IRS offset or wage garnishment).

### Total and permanent disability

The condition of an individual who:

- is unable to engage in substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death; has lasted for a continuous period of at least 60 months; or can be expected to last for a continuous period of at least 60 months; OR
- has been determined by the Department of Veterans Affairs (VA) to be unemployable due to a service-connected disability.

\* The student only needs to obtain the physician certification once; the school keeps a copy of it in the student's file. But the school must collect a new borrower acknowledgment from the student each time he receives a new loan.

### Substantial gainful activity

The phrase "substantial gainful activity" means a level of work performed for pay that involves doing significant physical or mental activities or a combination of both. If a physician's certification does not appear to support this status, the school should contact the physician for clarification.

### Perkins writeoffs

Note that Perkins writeoffs don't make a student ineligible. See *Volume 6* for more information.

### No defense of infancy

Students who are minors may receive federal student loans, and they may not refuse to repay those loans based on a "defense of infancy," i.e., that they were too young to enter into the contract of signing the promissory note. See HEA Sec. 484A(b)(2).

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### Example: documenting loan “paid in full”

Eddy had a Direct Loan as an undergraduate that went into default while he was out of school. When he applies for financial aid so he can go to graduate school, his ISIR shows that the loan is still in default. Eddy tells the aid administrator at Guerrero University that he paid off the loan last year. The aid administrator asks Eddy to bring in a letter from the guaranty agency documenting that the loan has been paid and advises Eddy that he should ask the guaranty agency to update his status in NSLDS.

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### Other ways of reestablishing eligibility for Perkins Loans

A provision in the Perkins Loan Program reestablishes the borrower’s eligibility if she meets any of the conditions that would remove her Perkins Loan from the school’s cohort default rate. This provision only allows the borrower to regain eligibility for Perkins Loans, not the other FSA programs. See *Volume 6, Chapter 6*.

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### Satisfactory repayment and rehabilitation

HEA Sec. 428F(a) and (b), 464(h)(1) and (2)

General Provisions: 34 CFR 668.35(a)(2)

Perkins: 34 CFR 674.9(j), 674.39

FFEL: 34 CFR 682.200(b), 682.405

DL: 34 CFR 685.102(b), 685.211(f)

For the Perkins Loan program, while a student who has repaid her defaulted loan in full is eligible for aid if the repayment was voluntary, you *can* still consider the default to be evidence of a student’s unwillingness to repay loans and deny the student additional Perkins Loans. If the repayment was involuntary, you *should* consider the default as such evidence and deny the student additional Perkins Loans.

If a student has paid a defaulted loan in full but the SAR and ISIR have a comment showing that he is ineligible because of the default, he must give you documentation proving that the loan was paid.

▼ *Satisfactory repayment arrangements.* A student in default on an FSA loan can be eligible for FSA funds if he has made repayment arrangements that are satisfactory to the loan holder. After he makes six consecutive, full, voluntary payments on time, he regains eligibility for FSA funds (loan status code DX). Voluntary payments are those made directly by the borrower and do not include payments obtained by federal offset, garnishment, or income or asset execution. A student may regain eligibility under this option only one time.

You can pay the student as soon as you have documentation that she has made satisfactory repayment arrangements. For example, the loan holder may update the code for the loan in NSLDS to DX once six payments have been made; you could then use that as confirmation of the repayment arrangement. You may also use a written statement from the loan holder indicating that the student has made satisfactory repayment arrangements as documentation of the arrangement.

▼ *Loan rehabilitation.* Although a student can regain eligibility for all FSA funds by making satisfactory repayment arrangements, the loan is still in default. After the student makes more payments, the loan may be rehabilitated, that is, it won’t be in default anymore, and the student will have all the normal loan benefits, such as deferments. A loan is rehabilitated once the borrower makes nine full, voluntary payments on time (no later than 20 days after the due date) within 10 consecutive months. See *Volume 6, Chapter 6* for more information on rehabilitation in the Perkins/NDSL program.

# NSLDS Loan Status Codes

## 2014–15 SARs & ISIRs

Code	Status	Eligible for FSA funds
AL	Abandoned Loan	Yes
BC	No Prior Default Bankruptcy Claim, Discharged	Yes, because loan was not in default and was discharged
BK	No Prior Default Bankruptcy Claim, Active	Yes, because loan was not in default
CA	Cancelled (For Perkins means Loan Reversal)	Yes
CS	Closed School Discharge	Yes
DA	Deferred	Yes
DB	Defaulted, then Bankrupt, Active. (Perkins: all bankruptcies; FFELP and Direct Loans: Chapter 13)	No, unless debtor can show that loan is dischargeable. See Dear Colleague letter GEN-95-40, dated September 1995
DC	Defaulted, Compromise	Yes, because compromise is recognized as payment in full
DD	Defaulted, Then Died	No, because if borrower is reapplying, then loan status is in error
DE	Death	No, because if borrower is reapplying, then loan status is in error
DF	Defaulted, Unresolved	No
DI	Disability	Yes
DK	Defaulted, Then Bankrupt, Discharged. (Perkins: all bankruptcies; FFELP and Direct Loans: Chapter 13)	Yes, because defaulted loan has been totally discharged
DL	Defaulted, in Litigation	No
DN	Defaulted, Then Paid in Full Through Consolidation Loan	Yes
DO	Defaulted, Then Bankrupt, Active, other. (FFELP and Direct Loans in Chapters 7, 11, and 12)	No, unless debtor can show that loan is dischargeable. See Dear Colleague letter GEN-95-40, dated September 1995
DP	Defaulted, Then Paid in Full	Yes, because loan was paid in full
DR	Defaulted Loan Included in Roll-up Loan	Yes, because the loan was combined with other loans and subrogated to the Department, which reported the same information to NSLDS in one loan. The status of that record will determine eligibility
DS	Defaulted, Then Disabled	Yes, because loan debt is cancelled
DT	Defaulted, Collection Terminated	No
DU	Defaulted, Unresolved	No
DW	Defaulted, Write-Off	No [Note that there is no status code for Perkins write-offs, which are for amounts less than \$50; see 34 CFR 674.47(h)]
DX	Defaulted, Satisfactory Arrangements, and Six Consecutive Payments	Yes, assuming student continues to comply with repayment plan on defaulted loan, or is granted forbearance by the GA

Code	Status	Eligible for FSA funds
DZ	Defaulted, Six Consecutive Payments, Then Missed Payment	No, loan is back in active default status
FB	Forbearance	Yes
FC	False Certification Discharge	Yes
FR	Loans obtained by borrowers convicted of fraud in obtaining FSA funds	No
FX	Loan once considered fraudulent but is now resolved	Yes
IA	Loan Originated	Yes
ID	In School or Grace Period	Yes
IG	In Grace Period	Yes
IM	In Military Grace	Yes
IP	In Post-Deferment Grace (Perkins only)	Yes
OD	Defaulted, Then Bankrupt, Discharged, other (FFELP and Direct Loans in Chapters 7, 11, and 12)	Yes, because defaulted loan has been totally discharged
PC	Paid in Full Through Consolidation Loan	Yes, because it does not matter if the consolidation loan was a FFEL or Direct Loan, nor whether underlying loans were in default
PD	Permanently Disabled	Yes, borrower considered permanently disabled
PF	Paid in Full	Yes
PM	Presumed Paid in Full	Yes
PN	Non-defaulted, Paid in Full Through Consolidation Loan	Yes
PZ	Parent PLUS loan for a student who has died	No for the student, yes for the parent
RF	Refinanced	Yes, because defaulted loans cannot be refinanced
RP	In Repayment	Yes
UA	Temporarily Uninsured—No Default Claim Requested	Yes
UB	Temporarily Uninsured—Default Claim Denied	Yes, because the loan is not a federal loan while temporarily uninsured
UC	FFEL: Permanently Uninsured/Unreinsured—Non-defaulted Loan. Perkins: Non-defaulted Loan Purchased by School	Yes
UD	FFEL: Permanently Uninsured/Unreinsured—Defaulted Loan. Perkins: Defaulted Loan Purchased by School	Yes, because the loan is no longer a federal loan
UI	Uninsured/Unreinsured	Yes, does not matter if the loan was in default
VA	Veterans Administration Discharge	Yes
XD	Defaulted, Satisfactory Arrangements, and Six Consecutive Payments	Yes, assuming student continues to comply with repayment plan on defaulted loan, or is granted forbearance by the GA/ED servicer

# Social Security Number

## CHAPTER 4

*To be eligible to receive FSA funds, each student must provide a correct Social Security number (SSN). To confirm the student's SSN for schools, the Department conducts a match with the Social Security Administration. In this chapter, we discuss the SSN requirement and the match process.*

The FAFSA collects the student's and dependent parents' Social Security numbers (SSNs) so that the Central Processing System (CPS) can validate the numbers through a match with the Social Security Administration (SSA). The CPS verifies that the name and birth date associated with the SSN match the name and birth date on the application. For the full list of SSN match results, see *2014-2015 SAR Comment Codes and Text* ([www.ifap.ed.gov](http://www.ifap.ed.gov)).

The CPS won't process an application without an SSN. A student who doesn't have an SSN or doesn't remember it must contact the local Social Security office for help. There is one exception to the requirement to provide SSNs (see the Exception for the Freely Associated States section later in this chapter).

The SSN is a key identifier for the student's records, so you must be sure the Department knows the right SSN if you find out it's wrong on the application or output document. We discuss correcting such errors later.

### SSN MATCH

The CPS prints the SSN match result in the "FAA Information" section of the output document as the SSN Match Flag. If the match is successful, the CPS doesn't match the student's data against the Social Security database on subsequent transactions. However, the CPS will attempt the match again if the student makes corrections to the name, birth date, or SSN.

#### **Successful match**

If the CPS match with the Social Security Administration confirms the student's SSN and the Social Security records have the same name and birth date as reported on the FAFSA, you may disburse aid to the otherwise eligible student. No comment is provided on the output document when the SSN match is successful. Of course, if you have any conflicting information about the SSN, you must resolve the conflict before disbursing FSA funds to the student. Once a student's SSN is confirmed and there is no discrepancy on the name or birth date, the student can't change the SSN.

#### **SSN requirement**

HEA Sec. 484(p)  
Student Assistance General Provisions  
34 CFR 668.32(i), 668.36

#### **Contacting the SSA**

For more information (in English and Spanish), students should call the SSA at 1-800-772-1213 or go to its website ([www.ssa.gov](http://www.ssa.gov)).



**SSN doesn't match**

Student reported wrong SSN

→ Correct FAFSA data

FAFSA processing error

→ Call 1-800-4-FED-AID

Error in SSA database

→ Contact SSA office; resubmit SSN as correction after SSA change is made

**Other match problems**

→ SSN matches, but name and date of birth don't match

→ Missing FAFSA information: student didn't report a name or birth date, or didn't sign the FAFSA

→ SSN record includes date of death

If a student whose match data have been confirmed subsequently tries to change his SSN, the CPS won't accept the change. Instead, the student's SAR will have a comment telling the student to contact his financial aid administrator for help. In the unlikely event that the confirmed SSN is wrong, the student must correct it by filing a new FAFSA.

**No match on the Social Security number**

You must resolve any problems with the match before disbursing aid. If the SSN is not found in the Social Security Administration database, the student's application will be rejected. The student will also receive a comment that instructs her to correct her SSN or contact the SSA if she believes the number reported is correct. If it is wrong on the application, the student will have to correct it with the CPS and get a successful match result before she can receive aid.

▼ *Student reported wrong SSN on the FAFSA.* If the student's application is rejected because she reported an SSN that is not in the Social Security Administration's database, the student must provide the correct SSN to the CPS. This will change the current SSN in the CPS, but it will not change the original, identifying SSN. A student can file a new FAFSA to correct the original SSN, but since the Common Origination and Disbursement (COD) System will use the current SSN to process records, changing the original SSN is not always necessary (however, see Applicants Using Same SSN later in this chapter).

COD replaced the Direct Loan and Pell (RFMS) reporting systems, but there are other systems, such as EDEXpress and possibly some mainframe and servicer systems, that will still use the original SSN to identify records. These systems will be able to interface with COD but might still need the original SSN to process records.

▼ *FAFSA data entry error.* If a student provided the correct SSN on the FAFSA, but the SSN on the output document is wrong, the student can contact the Federal Student Aid Information Center at 1-800-4-FED-AID (1-800-433-3243). If the Information Center confirms that there was a data entry error, it will refer the error to the Department for correction—the student does not need to submit a correction. After the data entry error is corrected, the CPS will produce new output documents. See Chapter 5 of the *Application and Verification Guide* for general information on data entry error corrections.

**COD and SSN changes**

See the electronic announcements on the IFAP website at [www.ifap.ed.gov](http://www.ifap.ed.gov) for information about COD. See the January 7, 2004, announcement for SSN corrections in CPS.

▼ *Error in Social Security database.* If the SSN on the FAFSA is correct but isn't in the Social Security database, the student must contact a local or regional Social Security Administration office to correct the database, which is updated daily with information from local and regional offices. The student must report the correct SSN and provide verifying documentation. He must also contact a Social Security office directly—the Department of Education cannot correct SSA records. Once the database is updated, the student can submit a correction by re-entering the SSN originally reported as if it is a correction. The CPS will then do another SSN match. The student can't simply verify that the SSN is correct; the application will be rejected until the SSA database is updated.



**No match on name or birth date**

The student's application will be rejected if her or a parent's SSN is in the Social Security database but the name there differs from the one she gave. Misspellings or name changes due to marriage are common reasons for a non-match. The student should make sure that the name on the application matches the one on the Social Security card.

This reject is verifiable, which means that the name is questionable but not necessarily wrong. The student can eliminate the reject by entering the right name. If the name was correct on the application, she reenters it on the paper SAR, or she chooses "Data is Correct" for both the first and last name on Corrections on the Web. If her name is incorrect in the SSA database, we strongly recommend that she contact the SSA to correct it.

If the student's (or parent's) name and SSN match the SSA's database but the date of birth does not, the application will also be rejected, and the student must correct the application. If the error is with the SSA's database, he should contact the SSA to correct the record. He can override the reject by reentering the date on the paper SAR or on Corrections on the Web, by choosing "Data is Correct" for the date of birth. The application will be sent through the match again, and if the SSA's record has been corrected, the match flag will be cleared and no further action is needed. If there is still a disagreement with the SSA record, the student will need to provide the aid office with documentation of his date of birth.

If the student reported the current or a later year as her birth date, her application will be rejected and she must correct the error.

**Missing information**

No match is performed if the student doesn't sign the FAFSA or provide a last name or birth date. The student's FAFSA will be rejected and the student must submit the missing information.

Although the CPS doesn't conduct the match, the student will receive a comment explaining that the match could not be conducted without the name, birth date, or signature. The student must submit a correction providing the missing information. When the correction is sent, the information will be sent to the Social Security Administration for matching, and you should check the new output document for match results.

**Date of death**

If the Social Security Administration's database shows a date of death associated with the SSN the student reported, the student's application will be rejected. Students resolve this problem in the same way as problems matching the SSN. The student must either contact Social Security Administration to get the records corrected, or must submit a change with the correct SSN (see "No match on the Social Security number").

**Example: Incorrect name on application**

When Sarven Technical Institute receives Tod's ISIR, the SSN match shows the name on the application isn't the one associated with the SSN in the database. The aid administrator asks Tod to bring in documentation showing his correct name and SSN. He brings in his Social Security card, and the first name on the card is Warren, not Tod. He also has a driver's license showing his first name is Warren. The administrator tells Tod to correct his name on the application to Warren.

**Example: Correct name not in database**

Elizabeth's ISIR shows that her name doesn't match the one the SSA has on file for her SSN. When the administrator talks to Elizabeth, she explains that she recently got married and changed her last name. Elizabeth gives the administrator a copy of her marriage certificate. The administrator plans to disburse aid to Elizabeth and tells her to reenter her current name and advises her to contact SSA to have its database updated to prevent future problems.

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### When a student dies

For full discussion of how to handle TIV aid when a student dies, see the FSA Handbook appendix on student death.

### DEATH MASTER FILE

The CPS will verify that student SSNs do not appear on a master death file the Department obtains from the SSA. This will be in addition to the date of death match. The CPS will regularly compare its records with those in the master death file. If a match is found, the CPS will resend the student record to SSA. If the SSA does not confirm a date of death for the applicant, the CPS will do nothing further. If the SSA does confirm a date of death, the CPS will send an ISIR to the schools listed on that transaction but will not send a SAR to the student.

Also, the CPS will disable PINs and will not generate renewal applications for individuals found in the death file. Their record will not be deleted from the CPS database. If an applicant wrongly appears in the death file, he will need to apply for a PIN again and receive a clean match before a new PIN will be issued.

### APPLICANTS USING SAME SSN

When one student uses another's SSN, the duplicate SSN flag will be set in the ISIR, and the student's application will likely fail the SSN match, but it will be processed. She will have to make a correction as described earlier in this chapter.

If a student uses the same SSN **and** first two letters of the last name (together these data are the record identifier) as another student, the CPS will not accept her application because it will assume it to be a duplicate application of the first student. If she is using FAFSA on the Web, she will receive an immediate message telling her the proper way to make a correction, or if her record identifier is correct and she is trying to apply for aid, how she can proceed. If she is submitting a paper FAFSA, she will receive a letter giving her the same information and stating that the application was not processed.

If the student using the correct SSN applied after the other student, she must submit a special "correction application" that she can only get from the Department of Education. It will enable the CPS to accept her data instead of treating her application as a duplicate. The first student, who used the wrong SSN, **must** correct the error by filing a new FAFSA because the CPS uses the record identifier for students for the entire award year, even if they later change their SSN or last name. If the student simply corrected her SSN, her record identifier would still be wrong.

If the student using the correct SSN applied first, the CPS will have her data, so a correction application isn't necessary. The second student will need to submit a new application.

Both students should keep copies of all output documents, including those from the first FAFSAs filed. When a student files a correction application or a new FAFSA, the application receipt date is changed. Because some schools and agencies use this receipt date to determine if the student met a deadline, she should keep the output documents to show the original receipt date and to show why a later application was necessary.

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### Example: Students using same SSN

Hector completes an application in January, but uses his brother Eddy's SSN instead of his own. When Hector gets his SAR, he realizes that he used the wrong SSN, corrects the SAR, and mails it back to the processor. He gets a new SAR with the correct SSN, but it has the same identifier as the first SAR. Eddy files an application in April and is surprised to receive a SAR that doesn't match what was on his application because it has Hector's information instead. Eddy goes to the financial aid office at Guerrero University, where a counselor tells him he'll need to file a correction application. Hector is also attending Guerrero, so the counselor contacts Hector to explain why he'll need to file a new application even though he already has a SAR with the correct information.

Contact the Department at 1-(319)-665-7101 if you believe that a correction application may be needed; one can be mailed to your office or to the student.

### **EXCEPTION FOR THE FREELY ASSOCIATED STATES: MICRONESIA, MARSHALL ISLANDS, AND PALAU**

Persons from the Republic of the Marshall Islands, the Federated States of Micronesia, or the Republic of Palau (the Freely Associated States) typically do not have SSNs. First-time FAFSA filers who indicate on the FAFSA that their state of legal residence is one of the above Pacific island groups should enter “666” for the first three digits of their SSN, and the CPS will assign them an identification number. They should use this number in place of the SSN throughout their financial aid years.

For returning FAFSA filers from one of the Freely Associated States, any FAFSAs for the 2014-15 award year must be submitted under the same nine-digit pseudo-SSN assigned originally by the CPS when the earlier award year was processed. Returning filers and FAAs should not provide only the first three digits of the pseudo-SSN, as this will result in the inappropriate creation of an entirely new SSN.

The Department is exploring options for communicating this directly to FAFSA filers, through changes to FAFSA on the Web or the paper FAFSA. In the interim, we strongly encourage you to follow this guidance when submitting application data through the FAA Access to CPS Online website, and to share this guidance with Pacific Island applicants who used a pseudo-SSN in prior years and plan to submit another FAFSA (either online or paper).

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### **Pseudo-SSNs for Pacific Islanders and the FAFSA**

Electronic Announcement Nov 20, 2013



# Selective Service

## CHAPTER 5

*Any male required to register with Selective Service at any time must have done so to receive federal student aid. The Central Processing System (CPS) performs a match with Selective Service to confirm a student's registration status. In this chapter we discuss that match and the registration requirement.*

### REGISTRATION REQUIREMENT

**M**ales (any person assigned the sex of male at birth) aged 18–25 are required to register with the Selective Service System (SSS). This requirement covers males residing in the United States who are U.S. citizens or noncitizens, except that a male who is in the U.S. as a lawful nonimmigrant isn't required to register as long as he maintains that status (see the exceptions to the registration requirement under "Exemptions" below). Students who are required to register with the Selective Service must do so to be eligible for FSA funds, but parents who want to borrow a PLUS loan aren't required to have registered.

The student has several ways to register, which include using the FAFSA; there is a question that asks if the student wants Selective Service to register him. If he indicates that he wants to be registered, we will submit his registration information to the Selective Service. If he doesn't answer this question, he can do so later on the student aid report (SAR) and submit the correction (the answer to the question "Are you male?" must be yes). The student may also register online at the Selective Service website ([www.sss.gov](http://www.sss.gov)) or by filling out a form available at the post office.

Generally, a male student who is 18–25 and who has not registered previously may register using the FAFSA or SAR. Students who have questions about Selective Service registration may contact the Selective Service at 1-(847)-688-6888 or on the Web.

### EXEMPTIONS

Males exempted from the requirement to register include:



- males currently in the armed services and on active duty (this exception does not apply to members of the Reserve and National Guard who are not on active duty);
- males who are not yet 18 at the time that they complete their applications (an update is not required during the year, even if a student turns 18 after completing the application);

### Selective Service requirement

General Provisions  
34 CFR 668.32(j), 668.37  
PLUS exemption 682.201(b)(1)(v)

### Age and registration

The student can be registered with Selective Service as early as 30 days before his 18th birthday. If the student is too young, Selective Service will hold the registration until the student is within 30 days of his 18th birthday. Students 26 and older can't be registered.

### Gender and registration

Only persons assigned the sex of male at birth are required to register. If a student's gender identity is now female but she was assigned the sex of male at birth, the student must register with the SSS, unless one of the exemptions described in this chapter apply, regardless of subsequent sexual reassignment surgery or any other gender transition process. If a student's gender identity is now male but he was assigned the sex of female at birth, the student is not required to register with the SSS, regardless of subsequent sexual reassignment surgery or any other gender transition process.

## Exemptions

34 CFR 668.37(a)(2)

### Exemption examples

Tod has been on active duty in the Army from the time he was 18 and didn't register with Selective Service before he joined the Army. He's now 24, is planning to leave the Army, and wants to receive financial aid. If he applies while he's still on active duty, he doesn't need to be registered with Selective Service. Once he leaves, he must be registered, or else he won't be able to receive aid in later years. In most cases, when someone completes an enlistment contract, he is automatically registered, so Tod is probably already registered even though he didn't complete a separate registration form.

George was enrolled in an officer procurement program at the Virginia Military Institute, which he started a month before he turned 18. When he was 22, he had a serious accident and was hospitalized; he officially dropped out of school a month after he was hospitalized. Due to his injuries, he was hospitalized for four years. Because he qualified for a waiver for the entire time he was 18–25, he was not required to register with Selective Service.

\*A citizen or national of the Republic of the Marshall Islands or the Federated States of Micronesia who lives in the United States for more than one year for any reason except as a student or employee of the government of his homeland must register.

- males born before 1960;
- citizens of the Republic of Palau, the Republic of the Marshall Islands, or the Federated States of Micronesia\*;
- noncitizens who first entered the U.S. after they turned 26;
- noncitizens who entered the U.S. as lawful *nonimmigrants* on a valid visa and remained in the U.S. on the terms of that visa until after they turned 26.
- transgender males who were assigned the sex of female at birth.

There are certain less common situations in which registration isn't necessary. Students who weren't required to register prior to meeting one of these criteria and who meet a criterion for the entire time through the age of 25 qualify for the waiver if:

- they are unable to register due to being hospitalized, incarcerated, or institutionalized;
- they are enrolled in any officer procurement program at The Citadel, North Georgia College and State University, Norwich University, Virginia Military Institute, Texas A&M University, or Virginia Polytechnic and State University; or
- they are commissioned Public Health Service officers on active duty or members of the Reserve of the Public Health Service on specified active duty.

If the student is clearly not required to register, you must document this, but do not have him request a status information letter from the Selective Service. You should only ask the student to provide such a letter to document an exemption from the requirement to register if it is not clear that he is exempt. For example, noncitizens who first enter the U.S. after the age of 26 aren't required to register. Only those immigrant males who enter and live in the U.S. at ages 18–25 are required to be registered. If a male immigrant can show proof that he first entered the U.S. when he was past registration age, he is clearly not required to be registered, and no status information letter is needed. The student's entry documentation is enough to show whether he was required to register.

Documentation for exempt noncitizens includes: proof of birth date on a passport, birth certificate, or U.S. driver's license or state ID; proof of immigration date into the U.S. from an entry date stamp on the I-94 form or in the passport, or a letter from the USCIS indicating the entry date; and, for those here on a valid visa who are at least 18 and less than 26 years old, a student visa form (I-20) or other valid U.S. passport visa stamp with expiration date (the dates must be from entry until after the male turned 26).



## SELECTIVE SERVICE MATCH

The CPS performs a match with the SSS to determine if relevant students are registered. The output document displays the match result in the FAA Information section, as well as a comment about the result.

### Successful matches

If the match shows that the student is registered or exempt, a comment confirming this fact will be on the student's output document. The student is then eligible for aid.

The student is also eligible for aid if the match shows that the student is still too young to register. If the student asks to be registered, Selective Service will hold onto that registration request until 30 days before the student's 18th birthday and will then register the student.

Finally, the student is also eligible if the CPS successfully forwards the student's name to Selective Service for registration.

### Unsuccessful matches

If the match doesn't confirm the student's registration or the student can't be registered, the output document will have a comment about the problem. A "C" code will also be printed next to the student's EFC. Until the student resolves the registration problem, you can't pay FSA funds to the student or certify or originate a loan.

▼ *Registration not confirmed.* If the match shows that the student isn't registered, he must either register or provide evidence that he is registered or is exempt from registration. His Selective Service Registration Acknowledgement or letter of registration shows that he is registered. You can also go to the Selective Service System web page at [www.sss.gov](http://www.sss.gov) and check on the student's status—a printout of the web page is acceptable documentation that the student is registered. If he doesn't have an acknowledgement or letter of registration and the web page doesn't confirm his registration, he'll have to contact Selective Service to resolve the problem. If the conflict is resolved in his favor, he'll receive a letter from the Selective Service documenting that he is registered or is exempt from registering.

▼ *Unsuccessful registration.* The CPS won't be able to forward the student for registration if certain information—first and last name and date of birth—is missing. The student should submit a correction with the required information, and you can check the match results from this correction to see if the student is eligible.

If the student is 26 or older, the CPS cannot register the student but will send his record through the data match. If the student is not registered, he can no longer do so, but may qualify for a status information letter from the SSS. You will have to determine if he is eligible for aid despite failing to register.

### Status information letter codes

The Selective Service has different status information letters, which are indicated by a code that appears in the lower left-hand corner. Determination of aid eligibility for a male who failed to register with Selective Service should not be based solely on these letter codes. Financial aid administrators are obliged to review all evidence presented by a student to determine if he has shown "by a preponderance of evidence" that his failure to register was neither willful nor knowing. The codes are:

- **E1–E8:** These codes indicate that the student was not required to register or was exempt the entire time he could have registered (ages 18–25).
- **NM:** The student did not register although he was on active duty in the armed forces only for a portion of the time when he could have registered (between ages 18–25) and was, therefore, required to register.
- **NR:** The student was born before 1960 and is therefore not required to register.
- **RD:** The student gave a reason for not registering or documentation to show he was exempt from the requirement, but the Selective Service determined the reason or documentation to be invalid. Therefore, the student was required to register but did not. No requests to comply with the registration requirement were sent.
- **RH:** The student was sent one or more letters requesting that he register during the required period, but all letters were returned by the post office as undeliverable.
- **RL:** The student was required to register, but the Selective Service has no record of his registration, and their records show he was sent one or more letters requesting that he register.
- **RR:** The student said he attempted to register, but Selective Service has no proof of the attempt.

Out of concern for privacy, the SSS only displays the last four digits of the Social Security number on correspondence.

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**Unsuccessful registration****example**

On his FAFSA, Hector asks the CPS to forward his information to the Selective Service for registration. However, he's over 26, so the Selective Service can't register him. His output document comes back with a blank match flag and comment 33. Hector didn't enter the U.S. until after his 26th birthday, so he doesn't have to be registered. Guerrero University already has information about his citizenship status, including the date he arrived in the U.S., so it has documentation that he is exempt from registration. The aid administrator explains to Hector why he wasn't required to register.

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**Failure to register**

34 CFR 668.37(d), (e)

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**Veteran status match**

See the *Application and Verification Guide* for information on the veteran match and dependency status.

**FAILURE TO REGISTER**

Some students have been denied aid because they failed to register with the Selective Service before their 26th birthday. The Selective Service will register only males aged 18–25, leaving older students with no way to remedy their situation if they failed to register. However, the student may still be eligible to receive aid if he can demonstrate that he did not knowingly and willfully fail to register.

A student who served on active duty in the armed forces but who did not register before turning 26 is still eligible to receive FSA funds because it's reasonable to conclude that he was not trying to avoid registering for the Selective Service. Ask the student to provide a copy of his DD Form 214, "Certificate of Release or Discharge from Active Duty," showing military service in the armed forces—other than the reserve forces, the Delayed Entry pool, and the National Guard.

Students without military service who knew of the registration requirement but chose not to register are considered to have knowingly and willfully failed to register and are therefore ineligible for FSA funds. Your school's decision in this case is final and cannot be appealed to the Department except as noted in the "Appeals" sidebar in this chapter.

***Determining if non-registration was knowing and willful***

Unless you can document that the student meets one of the registration exemptions or that he served on active duty in the armed forces (with a character of service other than dishonorable), he must write to the Selective Service to get a status information letter addressing his failure to register. He may also download a request form from [www.sss.gov](http://www.sss.gov) to print out, complete, and mail. The student should provide as complete a description about his situation as possible: where he was living during the period when he should have registered, whether he was incarcerated or institutionalized, his citizenship status during the period, if applicable, and so on.

If the student receives a "general exemption letter" (codes E1-E8) or a "DOB before 1960" letter (code NR), he is exempt from registration and may receive FSA funds. If he receives any other type of letter, you must determine based on all relevant evidence whether he knowingly and willfully failed to register. The letter from Selective Service may provide information that is crucial to your decision. For example, if the student received a letter indicating a compliance letter had been sent (code RL), this would be a negative factor when you make the determination. If the student received a "Military Service: Noncontinuous" letter (code NM), you might reasonably determine that the student did not knowingly and willfully avoid registration.

Most of the status information letters state that the final decision regarding the student's eligibility rests with the agency awarding funds. For the purposes of the FSA Programs, the decision is made by your school, which represents the Department of Education. If you determine that the student's failure to register was knowing and willful, the student loses FSA eligibility.

When deciding whether the student had knowingly and willfully failed to register, you should consider the following factors:

- **Where the student lived when he was aged 18–25.** For example, if a student was living abroad, it is more plausible that he would not come into contact with the requirement for registration.
- **Whether the student claims that he thought he was registered.** Mistakes in recordkeeping can occur. Correspondence indicating an attempt to register could form a basis for determining that the student did not knowingly and willfully fail to register. On the other hand, a letter from Selective Service stating that it received no response to correspondence sent to the student at a correct address would be a negative factor.
- **Why the student claims he was not aware of the widely publicized requirement to register when he was aged 18–25.**

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**Exception if SSS does not respond in 30 days**

As of this writing, the Selective Service System does not have a delay in responding to requests for status information letters. However, you may award aid while waiting for the letter from the SSS if their response time is longer than 30 days and if you have no evidence that a student intentionally failed to register. If the SSS response or other subsequent information causes you to conclude the student did knowingly and willfully fail to register, then he becomes ineligible for federal student aid and he, not your school, is responsible for returning the aid he received.

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**Appeals**

The school's decision is final and cannot be appealed to the Department except in one limited instance. The regulations state that the Department will hear appeals from students who have provided their schools with proof that they are in compliance (i.e., that they are registered or exempt from registration) but who are still being denied federal student aid based on the registration requirement. 34 CFR 668.37(f)



# Eligibility for Specific FSA Programs

## CHAPTER 6

*Most of the student eligibility requirements we have discussed so far apply to all or most of the FSA programs. In this chapter we'll describe some additional eligibility requirements which are program specific.*

### FEDERAL PELL GRANTS

In general, a student must be enrolled in an undergraduate course of study at a non-foreign institution to receive a Pell Grant, though there are teaching certification exceptions (see the next page). A student who has earned a baccalaureate degree or a first professional degree cannot receive a Pell Grant.

A student who completes a master's program has earned a degree beyond the baccalaureate level (in many instances a professional degree), making the student ineligible for a Pell Grant even if he or she does not have a bachelor's degree and enrolls in an undergraduate program.

A student who has received an associate degree—or any certificate or diploma below the baccalaureate level—and who enrolls in another undergraduate program continues to be considered an undergraduate student until she has completed the curriculum requirements for a first bachelor's degree.

A student with a baccalaureate or professional degree is ineligible even if the degree is from an unaccredited school or is not recognized by your school. Similarly, a student with a baccalaureate or professional degree from a foreign school usually isn't eligible for a Pell Grant. But because a foreign degree often won't translate neatly into the American classification, the school must judge whether it equates to a U.S. bachelor's degree. If the student provides written documentation that the foreign degree is not equivalent to a bachelor's degree awarded in the United States, you may determine that he does not have a bachelor's degree. Documents supporting such a conclusion may include information about the type of school the student attended and total years of education leading to the degree.

Occasionally a student will complete all the requirements for a bachelor's degree but will continue taking undergraduate courses without accepting the degree. Your school must decide whether and at what point the student completed the baccalaureate course of study. If your school determines that the student did complete a bachelor's program (regardless of whether the student accepted the degree), then the student is no longer eligible to receive a Pell Grant.

### Undergraduate student definition

34 CFR 668.2(b)

A student enrolled in a program of study that is usually four, or sometimes five, academic years and that leads to a baccalaureate degree. A student enrolled in a program that lasts longer than five years, typically first professional degree programs such as a six-year pharmacy program, can be considered an undergraduate for only the first three or four years.

Students enrolled in dual degree programs that confer a bachelor's degree and either a graduate or first professional degree are undergraduates for at least the first three years of the program. The school determines at what point after three years the student ceases to be an undergraduate.

For the FSEOG, Pell, and TEACH Grant programs, a student is an undergraduate only if he has not earned, or completed the requirements for, a bachelor's or professional degree. Students enrolled in an eligible postbaccalaureate program as described on the next page are still undergraduates for receiving TEACH and Pell Grants.

34 CFR 668.2(b), 690.6, 686.2(d)

**Professional degree**

A degree that signifies both completion of the academic requirements for beginning practice in a given profession and a level of professional skill beyond that normally required for a bachelor's degree. Professional licensure is also generally required. Some examples are pharmacy (Pharm.D.), dentistry (D.D.S. or D.M.D.), and law (L.L.M. or J.D.).

**Incarcerated Students and Pell**

HEA Sec. 401(b)(6)

34 CFR 668.32(c)(2)(ii)

"Dear Colleague" Letter P-94-7

Costs for incarcerated students:

HEA Sec. 472(6)

**Wrong grade level on the FAFSA**

When an undergraduate student incorrectly reports on the Free Application for Federal Student Aid (FAFSA) that he will be a graduate student or has a bachelor's degree, he must correct that information. Because the application shows that the student isn't an undergraduate, the Department's records will show that he is ineligible for Pell. If the application isn't corrected, the school won't be able to pay him a Pell Grant.

**Eligible postbaccalaureate program and the FAFSA**

34 CFR 690.6(c)

HEA Sec. 484(a)(4)(B)

Normally a student who indicates on the FAFSA that he has a bachelor's degree won't be listed in the Department's records as a Pell-eligible student, and the school won't be able to receive Pell funds for the student. However, to allow students who are eligible under the postbaccalaureate program provision to be paid, students who correctly report that they have a bachelor's degree but also indicate on the FAFSA that they're in a teaching credential program will be listed as Pell-eligible students. Of course, you must determine whether the student actually falls under the eligible postbaccalaureate provision.

**Incarcerated students and sex offenders**

Students incarcerated in federal and state penal institutions aren't eligible for Pell Grants, but those incarcerated in local penal institutions are. Students incarcerated by jurisdictions defined as a state in the law, such as the District of Columbia, are considered to be in a state penal institution and aren't eligible for Pell Grants. A student isn't considered incarcerated if she is in a halfway house or home detention or is sentenced to serve only on weekends.

The cost of attendance for students who are incarcerated in local penal institutions is limited to tuition and fees and the price of books and supplies specifically related to the student's course of study. For more information on the cost of attendance, see *Volume 3, Chapter 2*. A student cannot receive a Pell Grant if he is subject to an involuntary civil commitment following incarceration for a sexual offense (as determined under the FBI's Uniform Crime Reporting Program).

**Duration of eligibility**

All students may receive Pell Grants for up to 12 semesters, measured by percentage of Scheduled Award(s) disbursed ("Lifetime Eligibility Used," or "LEU" field in COD up to 600%). This limitation is not limited to students who received their first Pell Grant on or after July 1, 2008, as was the previous limit of 18 semesters or equivalent. For more information on duration of Pell eligibility and LEU, see *Volume 3, Chapter 3* of the *FSA Handbook*.

**Eligible postbaccalaureate program**

A student who is enrolled at least half time in a postbaccalaureate teacher certification or licensure program is eligible to receive a Pell Grant for the period necessary to complete the program if:

- the program does not lead to a graduate degree;
- the school offering the program does not also offer a bachelor's degree in education;
- the student is pursuing an initial teacher certification or licensing credential within a state; and
- the program consists of the courses required by a state to receive a professional certification or licensing credential necessary for employment as a teacher in an elementary or secondary school in that state.

Under this **very limited provision**, a postbaccalaureate program is defined as a program that generally requires a student to have a bachelor's degree before being admitted to the program. Accordingly, a program in which undergraduate students are routinely allowed to enroll would not meet the definition of a postbaccalaureate program for this purpose, nor would a program that is generally open to undergraduates but that also admits students with bachelor's degrees. For FSA purposes, a school must treat a student who receives a Pell Grant under this provision as enrolled in an undergraduate program. He is eligible for federal work-study and fifth-year undergraduate (not graduate student) Direct Loan limits. He is not eligible for an FSEOG.



## IRAQ AND AFGHANISTAN SERVICE GRANTS & ZERO EFCs

A student whose parent or guardian died as a result of U.S. military service in Iraq or Afghanistan after September 11, 2001, may receive increased FSA funds if at the time of the parent or guardian's death the student was either less than 24 years old or was enrolled in college.

- If the student is eligible for a Pell Grant, you award and package all Title IV aid based on an EFC of zero.
- If the student is ineligible for a Pell Grant only because his EFC is too high, he may receive an Iraq and Afghanistan Service Grant. As with Pell Grants, there is a receipt limit of 12 semesters (600% LEU in COD), and this limitation is not limited to students who received their first Pell Grant on or after July 1, 2008. Payments are adjusted for students enrolled less than full time. Unlike Pell Grants, these non-need-based grants do not count as estimated financial assistance.

See *Volume 3, Chapters 3 and 7* for more details on awarding and packaging these students.

## DIRECT LOANS

To be eligible for Direct Loans, undergraduate students attending a school that participates in the Pell Grant Program must first receive a determination of their eligibility for Pell Grants (see *Volume 3, Chapter 7*). Generally a student must be enrolled or accepted for enrollment in a degree or certificate program to receive FSA funds, but there are exceptions that apply to Direct Loans.

### **Preparatory coursework**

A student may apply for a Direct Subsidized/Unsubsidized Loan (or a parent may apply for a Direct PLUS Loan on behalf of a dependent student) for coursework the school has documented is necessary for the student to enroll in an eligible program. The courses must be part of an eligible program otherwise offered by the school, though the student does not have to be in that program. If enrolled at least half time in these prerequisite courses, the student is eligible for loans for one consecutive 12-month period (not per program) beginning on the first day of the loan period. If the period of preparatory courses spans more than one academic year, the student may receive multiple loans.

To be eligible for loans under this exception, the student must be taking classes that are a prerequisite for admission. A student who is only taking courses to raise his or her GPA in order to be admitted would not qualify.

### **Teacher certification coursework**

Chapter 1 explains when a student may receive a Direct Subsidized/Unsubsidized (or a parent may receive a Direct PLUS Loan, among other aid, for courses necessary for an elementary or secondary school teaching credential or certification).

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### **Direct Loan program**

34 CFR 685

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### **Preparatory coursework example**

Eddy has a bachelor's degree with a major in mathematics. He wants to enroll in a graduate computer science program at Guerrero University. He needs 12 more semester hours of computer science coursework to meet Guerrero's admission requirements. He enrolls in courses that are part of Guerrero's undergraduate degree program, but because he is not enrolled for the purpose of receiving an undergraduate degree, he is not a regular student. However, because the coursework is necessary for his enrollment in the graduate program, he may receive a Direct Loan for this coursework.

34 CFR 685.203(a)(6)

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### Preparatory coursework at a different school

A student may take the preparatory courses at School A (as long as they are part of an eligible program there) to prepare for enrollment at School B. Also, School A may require documentation from School B that these courses are required for the student's enrollment.

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### Refusing or reducing loans

34 CFR 685.301(a)(8)

DCL GEN-11-07

A school may refuse to originate a Direct Subsidized, Direct Unsubsidized, or Direct PLUS Loan or may reduce the borrower's determination of need for the loan if the reason for that action is documented and provided to the borrower in writing, and if—

- (i) The determination is made on a case-by-case basis;
- (ii) The documentation supporting the determination is retained in the student's file; and
- (iii) The school does not engage in any pattern or practice that results in a denial of a borrower's access to Direct Loans because of the borrower's race, gender, color, religion, national origin, age, disability status, or income.

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### Student credit checks

Financial aid administrators may not perform credit checks on students in connection with awarding them federal aid.

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### Medical internships and residencies

A student is ineligible to receive a Direct Loan or a Perkins Loan while in a medical internship or residency program unless it is part of the school's degree program. This restriction does not apply to students in dental internship programs.

### Parent borrower eligibility

To borrow a Direct PLUS Loan for a student, the parent must be the student's biological or adoptive mother or father, (regardless of whether he or she is the "custodial" parent or provided financial information on the FAFSA), or in some cases, a stepparent (see below). More than one parent may get a Direct PLUS Loan for the same dependent student as long as the total aid package does not exceed the student's cost of attendance.

A stepparent is eligible to borrow a Direct PLUS Loan if he or she is considered to be a parent in accordance with the instructions on the FAFSA for purposes of reporting financial information on the FAFSA. A legal guardian is not considered a parent for FSA purposes.

In all cases, the dependent student on whose behalf a parent has applied for a Direct PLUS Loan must have filed a FAFSA. This requirement ensures that student eligibility data matches are conducted to verify that the dependent student on whose behalf the parent is borrowing:

- is not in default on an FSA loan and does not owe an overpayment on an FSA grant;
- has had his or her Social Security number verified by the Social Security Administration;
- has had his or her citizenship status confirmed by either the Social Security Administration or the Department of Homeland Security; and
- if required, has registered with the Selective Service System.

Note that this requirement is for the **student** to submit a FAFSA. It is not a requirement for the parent borrower to submit a FAFSA in his or her name, and it does not preclude a "non-custodial" parent whose information is not included on the FAFSA, from obtaining a Direct PLUS Loan.

Before originating a Direct PLUS Loan for a parent borrower, schools must review the Institutional Student Information Record (ISIR) or Student Information Record (SAR) of the dependent student to determine that there are no student eligibility issues that must be resolved before the parent can receive the Direct PLUS Loan.

Both parents may get a Direct PLUS Loan as long as the total aid package does not exceed the student's cost of attendance. Stepparents are also eligible to borrow a Direct PLUS Loan if their income and assets would be taken into account when calculating the dependent student's EFC. A legal guardian is not considered a parent for FSA purposes. A parent may receive a Direct PLUS Loan only to pay for the education costs of a dependent undergraduate student who meets the eligible student definition.

A parent must meet the same citizenship and residency requirements as a student. Similarly, a parent who owes an overpayment on an FSA grant or is in default on an FSA loan is ineligible for a Direct PLUS Loan unless he has

made satisfactory arrangements to repay the grant or loan. Yet the parent's ineligibility for a Direct PLUS Loan does not affect the student's eligibility for other FSA funds. If the parent had a prior FSA loan that was cancelled for total and permanent disability, he or she must adhere to the same eligibility requirements outlined for borrowers in Chapter 3.

Finally, a parent is not eligible for a Direct PLUS Loan if the federal government holds a judgment lien on her property or if she is incarcerated.

### **Adverse credit history for Direct PLUS**

A parent or graduate/professional student with an adverse credit history is prohibited from obtaining a Direct PLUS Loan unless he meets additional criteria. The Department obtains a credit report on each applicant for a loan from at least one national credit bureau. An applicant is considered to have an adverse credit history if:

- he is 90 days or more delinquent on any debt, or
- during the five years preceding the date of the credit report, he has been determined to be in default on a debt, his debts have been discharged in bankruptcy, or he has been the subject of foreclosure, repossession, tax lien, wage garnishment, or write-off of an FSA debt.

An applicant cannot be rejected for a Direct PLUS Loan because she has no credit history—i.e., the absence of a credit history cannot be construed as an adverse credit history. For more detail on adverse credit history, see <https://studentloans.gov/myDirectLoan/faqs.action>, then click “credit check,” then “what is considered adverse credit” (note the “s” in the https portion of the URL).

Someone with an adverse credit history can qualify for a Direct PLUS Loan by securing an endorser who doesn't have an adverse credit history. For a parent borrower, the endorser may not be the dependent student for whom he is borrowing. Instead of securing an endorser, an applicant who has been determined to have an adverse credit history may submit documentation to the Department showing that there are extenuating circumstances (see <https://studentloans.gov/myDirectLoan/whatYouNeed.action?page=credit>). The Department has the final decision on whether to make a loan to the person.

If your school participates in the Direct PLUS program but a student's parent cannot obtain a Direct PLUS Loan, the student is allowed to borrow additional unsubsidized funds (see *Volume 3, Chapter 5*).

### **150% Limit on Subsidized Loans**

E-Announcement Nov. 25, 2013  
Due to the Moving Ahead for Progress in the 21st Century Act, a new borrower on or after July 1, 2013 cannot receive subsidized loans for more than 150 percent of the published length of the borrower's educational program. The law also provides that a borrower who becomes ineligible for subsidized loans because of the 150 percent limit is ineligible for interest subsidy benefits on all subsidized loans first disbursed to that borrower on or after July 1, 2013.

Schools must begin using the new file layouts in NSLDS showing student enrollment in specific programs of study by July 1, 2014 (and may begin doing so April 14, 2014); for more details on the new NSLDS record layouts, see the November 25th E-Announcement on 150% Direct Subsidized Loan Limit Electronic Announcement #6 on IFAP.

For more on the 150% limit, known formally as the “Subsidized Loan Eligibility Time Limitation,” see Volume 3, Chapter 5.

You can also see the latest updates and FAQs on the 150% limit at the Department's dedicated page on IFAP for this issue:  
[ifap.ed.gov/150PercentDirectSubsidizedLoanLimitInfo/index.html](http://ifap.ed.gov/150PercentDirectSubsidizedLoanLimitInfo/index.html).

You can also email your questions regarding the 150% limit to:  
[150Percent-Questions@ed.gov](mailto:150Percent-Questions@ed.gov).

## CAMPUS-BASED AID GENERAL REQUIREMENTS

Unlike the Direct and Direct PLUS Loan programs, a student does not have to be enrolled at least half time to be eligible to receive aid through the Campus-Based programs unless the student is seeking aid to attend a teacher certification or professional credential program.

A student enrolled as an undergraduate, graduate, or professional student is eligible to receive assistance from the Federal Perkins Loan and Federal Work-Study (FWS) programs. Only undergraduate students who do not have a baccalaureate or first professional degree are eligible to receive Federal Supplemental Educational Opportunity Grants (FSEOGs). This means that a student who has earned a bachelor's or first professional degree may receive a Perkins Loan or FWS wages to pursue a graduate or additional undergraduate degree, but may not receive an FSEOG.

See the “No FSEOG and FWS” sidebar note in chapter two of this volume about how the Compact Act affects FSEOG and FWS eligibility for students from the Republic of the Marshall Islands and the Federated States of Micronesia.

### *Teacher certification programs*

As with Direct Loans, a student may receive a Perkins Loan or FWS for coursework that doesn't lead to a degree or certificate from the school but that is required by a state for an elementary or secondary school teaching credential or certificate. See Chapter 1 of this volume.

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### **Perkins Loan eligibility**

34 CFR 674.9

Medical internship or residency  
HEA 464(c)(2)(A)(i)

Incarceration  
34 CFR 668.32(c)(2)(ii)

Default  
HEA 464 (b)(1)

Teacher certification programs  
34 CFR 668.32(a)(1)(iii)

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### **Previous disability cancellation**

34 CFR 674.9(g) and (h)

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### **Perkins eligibility—willingness to repay**

34 CFR 674.9(e)

## PERKINS LOANS

Both undergraduate and graduate students may receive Perkins Loans, but those with *exceptional financial need* (as defined by your school) have priority. To receive a Perkins Loan, a student must meet the general eligibility requirements and must not have borrowed the maximum amounts. A student who has earned a bachelor's or first professional degree may receive a Perkins Loan to pursue an additional undergraduate degree. For students to receive a Perkins Loan, they must provide the school a driver's license number (if they have one) when they apply for the loan, and they must have their eligibility for a Pell Grant determined if they are undergraduates.

A borrower who is in default on an FSA loan is not eligible for a Perkins Loan unless she has regained eligibility. However, a borrower who satisfies any of the conditions that remove her defaulted Perkins Loan from the school's cohort default rate becomes eligible for additional Perkins Loans.

As with Direct Loans, if a borrower received a discharge of a Perkins Loan or NDSL due to total and permanent disability and applies for another Perkins Loan or NDSL, she must follow the procedure explained in Chapter 3 of this Volume.

### *Willingness to repay*

In selecting Perkins Loan recipients, a school must consider evidence of a borrower's willingness to repay the loan. Delinquency, default, or other failure to meet repayment obligations on a previous loan is evidence that the borrower is unwilling to repay a loan. For example, if a borrower has previ-

ously satisfied a defaulted student loan involuntarily (such as by garnishment of the borrower's wages), a school should consider this as evidence of unwillingness to repay and should deny further loan assistance to the borrower.

### ***Previous Perkins Loan discharged in bankruptcy***

Due to the Bankruptcy Reform Act of 1994, a student or parent may not be denied FSA loans solely on the basis of a bankruptcy filing or discharge. They also may not be required to repay a previously discharged loan in order to reestablish eligibility for new loans. However, aid administrators have more latitude in making awards under the Perkins than the Direct Loan program because they may consider a student's willingness to repay. If a student has filed for or received a loan discharge in bankruptcy or has had an FSA loan determined dischargeable by a court of law, the bankruptcy may be considered when determining a student's willingness to repay provided it is not the sole basis for the determination and for a denial of a Perkins Loan. Schools may also, of course, consider the student's post-bankruptcy credit history in determining willingness to repay.

## **FEDERAL WORK-STUDY (FWS)**

To be eligible for a Federal Work-Study (FWS) job, a student must meet all general eligibility criteria and must have financial need, that is, his cost of attendance must be greater than his expected family contribution (EFC). Also, a financial aid administrator may not award FWS employment to a student if that award, when combined with all other resources, would exceed the student's need. However, unlike the other two Campus-Based programs, the FWS Program does not require that priority be given to students who have *exceptional* financial need. In choosing students for FWS employment, schools must follow the procedures discussed in *Volume 3, Chapter 6*.

A student can be employed in an FWS job during a period of non-attendance, such as a summer term. He must be planning to attend school during the next period of enrollment and must have financial need for that period—his current FWS earnings must be used to cover expenses for it and will count as estimated financial assistance. See *Volume 6, Chapter 2* for more information.

## **FSEOG**

To receive a Federal Supplemental Educational Opportunity Grant (FSEOG), a student must have financial need and must meet the general eligibility requirements discussed in the other chapters of this volume. Students with the lowest EFCs who will also receive Pell Grants for the award year have primary consideration for an FSEOG. If, after giving FSEOG awards to all its Pell recipients, a school has FSEOG funds remaining, it can award those funds to eligible students with the lowest EFCs who will not receive Pell Grants. See *Volume 3, Chapter 6*.

Additionally, to receive an FSEOG, one must be enrolled or accepted for enrollment as an undergraduate student and must not have previously earned a bachelor's or first professional degree. A school must make FSEOG funds reasonably available (to the extent that funds remain) to all eligible students.

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### **FWS eligibility**

34 CFR 675.9

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### **Additional FWS criteria**

For information on eligible FWS jobs, see *Volume 6*.

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### **TEACH Grant-eligible program**

This is an eligible program as described in *Volume 2, Chapter 2*, that prepares one to be a highly qualified teacher in a high need field and that leads to a bachelor's or master's degree or is a postbaccalaureate program. A two-year program acceptable for full credit toward a bachelor's degree is considered a program that leads to a bachelor's degree.

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### **FSEOG eligibility**

34 CFR 676.9 and 676.10  
34 CFR 668.32(c)(1)



**TEACH Grant Program**

34 CFR 686

**TEACH Grant definitions****High-need field—**

1. Bilingual education and English language acquisition
2. Foreign language
3. Mathematics
4. Reading specialist
5. Science
6. Special education
7. Another field documented as high-need by the federal government, a state government, or a local education agency, and appearing on the Department's annual Teacher Shortage Area Nationwide Listing.

**Postbaccalaureate program—**a program for those who have completed a bachelor's degree that:

1. does not lead to a graduate degree,
2. consists of courses required by a state for a credential necessary for teaching at an elementary or secondary school in that state (this does not include any program offered by a TEACH Grant-eligible school that offers a bachelor's degree in education), and
3. is treated as an undergraduate program for FSA purposes.

**Scheduled Award—**the maximum amount of a TEACH Grant that a full-time student could receive for a year.

**School or educational service agency serving low-income students (low-income school or educational service agency)—**an elementary or secondary school or an educational service agency listed in the Department's annual Teacher Cancellation Low Income Directory (see [www.tcli.ed.gov](http://www.tcli.ed.gov)) because it—

1. is in the school district of a local education agency that is eligible for assistance under Title I of the Elementary and Secondary Education Act (ESEA); and
2. has been determined by the Secretary to have more than 30 percent of its children qualify for services under Title I of the ESEA.

**TEACH GRANTS**

The Teacher Education Assistance for College and Higher Education (TEACH) Grant Program provides \$4,000 annual grants to students who plan to become teachers. As a condition for receiving a TEACH Grant, students must agree to teach full-time in a high-need field, for at least four academic years at an elementary school, secondary school, or educational service agency that serves low-income families. The grant recipient must complete the required four years of teaching within eight years of completing (or otherwise ceasing to be enrolled in) the course of study for which a TEACH Grant was received. If a grant recipient does not meet that obligation, the TEACH Grant funds received are converted to a Direct Unsubsidized Loan that must be repaid with interest.

**Amount of grant funds available**

A full-time TEACH Grant recipient may receive four scheduled awards of \$4,000 each, or a total of \$16,000, for the student's *first* baccalaureate and first postbaccalaureate programs combined. Programs after the first baccalaureate are not eligible. A graduate student may receive two scheduled awards, or a total of \$8,000, for a master's degree program. Students who are enrolled less than full time have the same maximums, though the annual awards will be smaller: for example, a student enrolled half time in a master's program could receive an annual award of \$2,000 for each of the four years it would take to complete the program. A TEACH Grant in combination with other assistance the student receives cannot exceed the cost of attendance; if it does, the aid package must be reduced.

**Receiving a TEACH Grant**

To qualify for a TEACH Grant, a student fills out not only a FAFSA but also an agreement to serve (explained later) and must be enrolled in a program and at a school that are both TEACH-grant eligible.

Students must adhere to an academic standard: they must have a grade point average of at least 3.25 on a 4.0 scale, or the numeric equivalent (see "Schools without a traditional GPA"), or must have scored above the 75th percentile on at least one of the batteries on a nationally-normed standardized undergraduate, postbaccalaureate, or graduate school admissions test. An undergraduate student uses, for the first year, her final high school GPA or the GPA for all the classes she has taken at college through the most recently completed payment period; after the first year, she uses the latter GPA. A graduate student uses her undergraduate GPA for the first payment period and her cumulative graduate school GPA thereafter.

You must have documentation of the GPA from the cognizant authority or from the student. For high school grades, the authority is typically the high school or, in the case of homeschooled students, the parents or guardians. If the student provides the document and you have reason to question its accuracy, you must obtain documentation directly from the cognizant authority.

The previous academic requirements do not apply to certain graduate students. This group comprises current teachers or retirees from another occupation with expertise in a high-need field who are seeking a master's de-



gree, as well as current or former teachers who are completing a high-quality alternative certification, such as Teach for America.

When you determine TEACH Grant eligibility for transfer students and calculate their GPA, you must, for at least the first payment period, include grades for courses accepted for transfer into the TEACH Grant-eligible program. For subsequent payment periods, follow your academic policy regarding the calculation of the GPA, whether that is to include grades for courses that transfer or to exclude them.

### **Agreement to serve**

To receive a TEACH Grant, a student must sign an agreement to serve. This document explains that the student will do the following:

- Serve as a full-time teacher for a total of at least four academic years within eight calendar years of completing or otherwise ceasing to be enrolled in the course of study for which the TEACH Grant was received;
- Teach at a school or educational service agency serving low-income students;
- Comply with the requirements for being a highly qualified teacher (see the sidebar note);
- Teach (in the majority of classes) in a high-need field, which includes subjects on the nationwide shortage area list at <http://www.ed.gov/about/offices/list/ope/pol/tsa.html> that is updated each year by the Department;
- Upon completion of each year of service, provide certification of that service from the chief administrative officer of the school or educational service agency; and
- If the student fails or refuses to carry out the service obligation in the required timeframe, the student must repay as a Direct Unsubsidized Loan the total amount of all TEACH Grants received, with interest accrued as of the date of disbursement of each grant.

A TEACH Grant recipient must complete a four-year service obligation for each program of study for which a TEACH Grant was received. The eight-year period for completing this obligation begins when the student's enrollment in the program ends. Teaching may apply to more than one obligation: for example, a student who completes a bachelor's and a master's program consecutively and receives TEACH Grants for both would have two service obligations. The student could receive a suspension for completing the obligation for the undergraduate program while enrolled in the master's program. Once that is done, four years of qualifying teaching would satisfy the service obligations for both programs. However, a student who finishes the bachelor's program, completes the obligation for it, and later enrolls in the master's program would need to complete another four-year service obligation.

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### **Highly qualified teacher**

The definition of "highly qualified" with respect to teachers is lengthy and is explained in Section 9101(23) of the Elementary and Secondary Education Act [USC 7801(23)] and Section 602(10) of the Individuals with Disabilities Education Act [USC 1401(10)].

For each year of the service obligation, the TEACH Grant recipient must teach a majority of classes in a high-need field. Fields on the nationwide list must be designated as high-need by the state where and when the individual begins teaching or they must have been listed at the time a TEACH Grant was received. Teaching in a geographic region of a state or in a grade level not associated in the nationwide list with the student's field does not satisfy the service obligation.

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**School without a traditional GPA**

At Marble University, instructors submit, at the end of the semester, an evaluation that the work a student does in a class is “satisfactory” or “unsatisfactory.” The catalog indicates that the evaluation is never translated into a grade by the registrar’s office. Neither the catalog, the faculty handbook, nor any other school publication differentiates levels of satisfactory student performance. Even though the state scholarship program accepts a “satisfactory” as the equivalent of a “B,” the university may not make such an assumption for the TEACH Grant program. Moreover, a “B” grade generally corresponds to a GPA of 3.0, while TEACH Grants require a GPA of 3.25 or better.

***Schools without a traditional GPA***

Schools that do not use a standard 4.0 GPA scale for a program must have a written equivalency policy with a numeric scale and must make it available upon request. The policy must clearly differentiate student performance so that it can support a determination that a student has achieved at a level commensurate with at least a 3.25 GPA on a 4.0 scale. Generally a grading scale that includes only “pass/fail,” “satisfactory/unsatisfactory,” or some other non-numeric evaluation will not meet this requirement unless it can be shown that a “pass” or “satisfactory” grade has a numeric equivalent to a traditional 3.25 GPA (or higher) or that a student’s performance on tests and assignments yielded such a numeric equivalent.

Such a policy must be consistent with other grading scales that the school has developed for academic and other (including FSA) purposes—e.g., graduate school applications, scholarship eligibility, insurance certifications—to the extent that such scales distinguish between levels of student academic performance.

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# Introduction



*This volume of the Federal Student Aid Handbook comprises topics pertaining to colleges' general obligations in administering the Title IV student aid programs: institutional and program eligibility, administrative requirements, audits, recordkeeping, program reviews, and providing information to the public are all explained.*

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Throughout the Handbook we use “college,” “school,” and “institution” interchangeably unless some more specific use is given. Similarly, “student,” “applicant,” and “aid recipient” are synonyms. “Parents” in this volume refers to the parents of dependent students, and “you” refers to the primary audience of the Handbook: financial aid administrators at colleges. “We” indicates the United States Department of Education (Department, ED), and “federal student aid” and “Title IV aid” are synonymous terms for the financial aid offered by the Department.

We appreciate any comments that you have regarding the Federal Student Aid Handbook. We revise and clarify the text in response to questions and feedback from the financial aid community, so please contact us at [fsaschoolspubs@ed.gov](mailto:fsaschoolspubs@ed.gov) to let us know how to improve the Handbook so that it is always clear and informative.

## CHANGES FOR 2014–2015

We edited the guidance on pages 5–7 related to state authorization for greater clarity and to include new paragraphs on the school complaint process and Dear Colleague Letter (DCL) GEN-13-20. We noted in the margin of page 5 that for states that have been unable to meet certain state authorization regulations, their implementation date has been delayed until July 1, 2015.

On page 8 we added the High School Equivalency Test (HiSET) and the Test Assessing Secondary Completion (TASC) as tests for which a state can recognize a passing score as the equivalent of a high school diploma.

In a few places “telecommunications” was replaced with distance education, which is the more current term. See the last paragraph of page 15, the middle margin note on page 26, and the first bullet in the right-hand column on page 151.

In the body of page 18 we added a section titled “State requirements and program length.”

We moved the text of the margin note on study-abroad students being eligible for federal student aid to the body of page 25.

We added an example of the clock-credit hour conversion exception to the margin of page 29. Also on that page we placed the section “Out-of-class student work,” which previously was a margin note on the following page.

We added a paragraph to the bottom of page 46 explaining that several of the Department’s systems are behind the Access and Identity Management System, which has a single ID and password. If the ID is not used within 90 or 365 days, it will be suspended or deactivated respectively. Also on that page we added a margin note about two-factor authentication.

On page 47 we added a margin note about the new phone number you can use to contact any of several FSA contact centers for schools.

We amended and added to the guidance on page 48 to account for the changes to enrollment reporting file layouts, the timing of their submission, and the information to be reported, which are discussed in DCL GEN-14-07.

We updated the statutory references to the Perkins Act on page 78 and otherwise amended the guidance pertaining to the correspondence course and student limitations for greater clarity.

On pages 78–81 we updated the guidance to reflect that beginning with 2014, the two-year cohort default rates will no longer be used. From now on, only the three-year rates will be calculated and published.

We updated the margin note on page 105 about the Financial Aid Shopping Sheet to show that DCL GEN-13-26 provides the latest information.

On page 108 we replaced the margin note about a future ED-provided disclosure form with a note about the new Gainful Employment Disclosure Template that the Department has now developed and that schools must use to create webpages that offer the required information about their GE programs.

We moved the section “Providing additional information” from the margin of page 113 to the body of page 122.

In 2013 the Private Education Loan Applicant Self-Certification was updated, and we noted on page 123 that it appears in Dear Colleague Letter GEN-13-15.

We added to the margin of page 138 a reference to the *Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education*, which has helpful FERPA information.

We combined the material from last year’s Chapter 8 with Chapter 6 because much of the information in both was closely related.

# Institutional Eligibility

## CHAPTER 1

*This chapter discusses the three types of institutions that are eligible to participate in the Federal Student Aid (FSA) programs. If circumstances change and a participating school no longer qualifies as an eligible institution, it must notify the Department of Education (the Department; see Chapter 5) and carry out the closeout procedures described in Chapter 8.*

Schools must apply to and receive approval from the Department to be eligible to participate in the FSA programs before they can be certified for participation. Some schools apply only for designation as an eligible institution—they do not seek to participate—so that their students may receive deferments on FSA program loans or be eligible for the American Opportunity and Lifetime Learning tax credits or other non-FSA programs that require schools to be FSA-eligible. The same application is used to apply for both eligibility and certification for participation (see Chapter 2).

### TYPE & CONTROL

#### ***The three types of eligible institutions***

The law defines three kinds of eligible institutions: *institutions of higher education*, *proprietary institutions of higher education*, and *postsecondary vocational institutions*. Each type of school is eligible to participate in all the FSA programs, provided it offers the appropriate type of program (see the chart on the next page). This section covers the key elements of the three definitions, giving special attention to those requirements that affect the definition of an eligible program.

Although the criteria for the three types of institutions differ, it is possible for some programs at an institution of higher education to meet the requirements for a postsecondary vocational institution.

#### ***Institutional control***

The control of an institution distinguishes whether it is public or private, nonprofit or for-profit. By definition, an institution of higher education or a postsecondary vocational institution can be either public or private but is always nonprofit. A proprietary institution of higher education is always a private, for-profit institution.

#### **Related information**

- Eligible program—Chapter 2
- Closeout procedures—Chapter 8
- Applying to participate, *New School Guide*
- Eligibility of home-schooled and correspondence students—Volume 1, Chapter 1

#### **Assessing your school's compliance**

To assess your school's compliance with the provisions of this chapter, see the FSA Assessment module for "Institutional Eligibility," at: <http://ifap.ed.gov/qahome/qaassessments/institutionalelig.html>.

#### **Definitions of eligible institutions**

34 CFR 600.4, 600.5, and 600.6

### Type and Control of Eligible Institutions

<i>Institution of Higher Education</i> A public or private nonprofit educational institution located in a state	<i>Proprietary Institution of Higher Education</i> A private, for-profit educational institution located in a state	<i>Postsecondary Vocational Institution</i> A public or private nonprofit educational institution located in a state
<p>The institution offers</p> <ul style="list-style-type: none"> <li>(1) associate, bachelor’s, graduate, or professional degree programs;</li> <li>(2) a program of at least two years that is acceptable for full credit toward a bachelor’s degree; or</li> <li>(3) a training program of at least one academic year that leads to a certificate or other nondegree recognized credential and prepares students for gainful employment in a recognized occupation.</li> </ul>	<p>The institution must</p> <ul style="list-style-type: none"> <li>(1) provide training for gainful employment in a recognized occupation or</li> <li>(2) have provided a program leading to a baccalaureate degree in liberal arts continuously since 1/1/09 (with continuous regional accreditation since 10/1/07 or earlier).</li> </ul> <p>Programs offered must meet the criteria of at least one category below:</p> <ul style="list-style-type: none"> <li>(1) They are at least a 15-week (instructional time) undergraduate program of 600 clock hours, 16 semester or trimester hours, or 24 quarter hours. They may admit students without an associate degree or equivalent.</li> <li>(2) They are at least a 10-week (instructional time) program of 300 clock hours, 8 semester or trimester hours, or 12 quarter hours. They must be a graduate/professional program or must admit only students with an associate degree or equivalent.</li> <li>(3) They are at least a 10-week (instructional time) undergraduate program of 300–599 clock hours. They must admit at least some students who do not have an associate degree or equivalent and must meet specific qualitative standards. Note: These programs are eligible only for Direct Loan participation.</li> </ul>	<p>The institution must provide training for gainful employment in a recognized occupation.</p> <p>Programs offered must meet the criteria of at least one category below:</p> <ul style="list-style-type: none"> <li>(1) They are at least a 15-week (instructional time) undergraduate program of 600 clock hours, 16 semester or trimester hours, or 24 quarter hours. They may admit students without an associate degree or equivalent.</li> <li>(2) They are at least a 10-week (instructional time) program of 300 clock hours, 8 semester or trimester hours, or 12 quarter hours. Must be a graduate/professional program or must admit only students with an associate degree or equivalent.</li> <li>(3) They are at least a 10-week (instructional time) undergraduate program of 300–599 clock hours. Must admit at least some students who do not have an associate degree or equivalent and must meet specific qualitative standards. Note: These programs are eligible only for Direct Loan participation.</li> </ul>

All three institutional types may also provide a comprehensive transition and postsecondary program for individuals with intellectual disabilities.

“Two-Year Rule” (applicable to proprietary and postsecondary vocational institutions): Legally authorized to give (and continuously have been giving) the same postsecondary instruction for at least two consecutive years.



## BASIC CRITERIA FOR ELIGIBLE INSTITUTIONS

To be eligible an institution must

- be legally authorized by a state to provide a postsecondary education program in that state,
- be accredited by a nationally recognized accrediting agency or have met the alternative requirements, if applicable, and
- admit as a regular student only individuals with a high school diploma or its recognized equivalent or individuals beyond the age of compulsory school attendance in the state where the institution is located.

These requirements are discussed in the following sections.

## LEGAL AUTHORIZATION BY A STATE

Generally, an eligible institution must be located in a state. A school is physically located in a state if it has a campus or instructional site in that state. There are exceptions:

- Institutions of higher education in the Federated States of Micronesia and the Republic of the Marshall Islands are eligible for purposes of the Federal Pell Grant Program.
- Institutions of higher education in Palau are eligible for purposes of the Federal Pell Grant, FSEOG, and FWS programs.
- Foreign schools may participate in the Direct Loan Program, subject to the rules of Subpart E of 34 CFR Part 600.

There are two basic requirements for an institution to be considered legally authorized by a state for the purpose of Title IV program eligibility: (1) the state must authorize the institution by name to operate postsecondary educational programs; and (2) the state must have a process to review and act on complaints concerning the schools, including enforcing applicable state laws. The following are exempt from both of these requirements:

- schools authorized by name by the federal government to offer educational programs beyond secondary education, and
- schools authorized by name by an Indian tribe [as defined in 25 USC 1801(a)(2)] to offer educational programs beyond secondary education, provided they are located on tribal lands and the tribal government has a process to review and appropriately act on complaints concerning the schools and enforces applicable tribal requirements or laws.

Religious institutions must comply with (2) but are exempt from (1) above—i.e., they are already considered to be legally authorized to operate postsecondary educational programs—if they are exempt from state authorization as religious institutions under the state constitution or by state law. See the definition in the margin on the following page.

## Nonprofit institution

A school that is

- owned and operated by one or more nonprofit corporations or associations whose net earnings do not benefit any private shareholder or individual,
- legally authorized to operate as a nonprofit organization by each state in which it is physically located, and
- determined by the Internal Revenue Service (IRS) to be eligible for tax-deductible contributions in accordance with the IRS Code [26 U.S.C. 501(c)(3)].

## Foreign schools eligible for Direct Loan Program

By law a foreign school can participate in the Direct Loan Program if it is comparable to an institution of higher education in the United States and has been approved by the Department. The regulations give specific requirements. For more about foreign school eligibility, see the page at <http://ifap.ed.gov/ForeignSchoolInfo/ForeignSchoolInfo.html>.

## State defined

“State” includes not only the 50 states, but also American Samoa, Puerto Rico, the District of Columbia, Guam, the U.S. Virgin Islands, and the Northern Mariana Islands. See 34 CFR 600.2.

## State authorization

The regulations for a school to be considered legally authorized by a state were effective July 1, 2011, although annual delays in implementation have been provided for schools in states that could not implement the changes in 34 CFR 600.9(a) and (b) in time. A school making use of the extension to July 1, 2015, must obtain from its state an explanation, such as information on timeline and action steps to ensure compliance, of how an additional one-year extension will permit the state to finalize its procedures so that the school complies with Sec. 600.9. See the *Federal Register* notice published June 24, 2014 (79 FR 35692). 34 CFR 600.9(a) and (b)  
DCL GEN-11-05, GEN-12-13, GEN-13-04

**Definition of religious institution**

An institution that

- is owned, controlled, operated, and maintained by a religious organization lawfully operating as a nonprofit religious corporation; and
- awards only religious degrees or certificates including but not limited to a certificate of Talmudic studies, an associate of Biblical studies, a bachelor of religious studies, a master of divinity, or a doctor of divinity.

34 CFR 600.9(b)(2)

**Authorization to operate postsecondary educational programs**

A school can be established by name as an educational institution through a state charter, statute, constitutional provision, or other action by an appropriate state entity. The school must be authorized to operate educational programs beyond the secondary level, including programs leading to a degree or certificate. In addition, the institution must comply with any applicable state approval or licensure requirement, although the state may exempt the school from that approval or requirement based on the school being in operation for at least 20 years or on its accreditation by one or more accrediting agencies recognized by the Department.

If a school was not established by name as an educational institution but was established by a state on the basis of an authorization to conduct business or to operate as a nonprofit charitable organization, it must be approved or licensed by name by the state to offer programs beyond secondary education, including programs leading to a degree or certificate. Such a school can't be exempted from state approval or licensure requirements based on accreditation, years in operation, or a comparable exemption.

**Definition of Indian tribe**

The institutional eligibility regulations (see 34 CFR 600.9) incorrectly cite 25 USC 1802(2); this will be corrected in the *Federal Register* to 25 USC 1801(a)(2).

A school must have documentation that it has the authority to operate in a state at the time of its certification to participate in the FSA programs. For more information on applying for participation in the FSA programs, see the *New School Guide*. Existing Title IV schools should ensure that they are currently in compliance with the regulations, but they are not required to immediately update their Eligibility and Certification Approval Report (ECAR). Instead, they can include the information showing their state authorization when they next submit their application for approval to

How different types of schools meet state authorization requirements

<i>Legal Entity</i>	<i>Entity Description</i>	<i>Approval or Licensure Process</i>
Educational Institution	A public, private nonprofit, or for-profit institution established by name through a charter, statute, articles of incorporation, or other action issued by an appropriate state entity as an educational institution authorized to operate educational programs beyond secondary education, including programs leading to a degree or certificate.	The institution must comply with any applicable state approval or licensure process and be approved or licensed by name. It may be exempted from such requirement based on its accreditation or being in operation at least 20 years.
Business	A for-profit entity established by the state on the basis of an authorization or license to conduct commerce or provide services.	The state must have a state approval or licensure process, and the institution must comply with that process and be approved or licensed by name to offer postsecondary education. An institution in this category may not be exempted from state approval or licensure based on accreditation, years in operation, or a comparable exemption.
Charitable Organizations	A nonprofit entity established by the state on the basis of an authorization or license for the public interest or common good.	

Notes: The chart does not apply to federal, tribal, and religious institutions, which are exempt from these requirements, or to distance education programs offered out of state. A state must have a process to review and address complaints directly or through referrals; this applies to all institutions except tribal and federal institutions. For tribal institutions, the tribal government must have a process to review and appropriately act on complaints concerning them and to enforce applicable tribal requirements or laws.

participate in the FSA programs. For questions about documenting state legal authorization, schools should contact their participation team, information for which can be found at [www.eligcert.ed.gov/](http://www.eligcert.ed.gov/).

### **State complaint process**

The state must have a process to review and act on complaints (for example, about fraud or false advertising) concerning a school, which must provide the contact information for filing those complaints to enrolled and prospective students. Complaints can be handled by the state attorney general's office or a state agency as long as that entity can review, investigate, and resolve complaints against the school. There may be different complaint processes for different types of schools. Whatever entity handles complaints, the state must have the final authority for the process. See DCL GEN-14-04 for more information.

## **ACCREDITATION**

Generally, a school must be accredited or preaccredited by a nationally recognized accrediting agency or association (both referred to here as agencies) to be eligible.

Except as provided here, a school must be accredited by an agency that has the authority to cover all of the institution's programs. An agency such as this is referred to as the school's *primary accrediting agency*. A school can have only one primary accreditor.

A school may also be accredited by one or more programmatic accrediting agencies. A *programmatic accrediting agency* is one that accredits only individual educational programs that prepare students for entry into a profession, occupation, or vocation.

If a school is seeking to change primary accreditors, it must first provide the Department and the agencies all materials documenting the reasons for the change. Information on accreditation changes is in *Chapter 5*.

### **Alternatives to regular accreditation**

The law provides two statutory alternatives to accreditation by a recognized accrediting agency. First, a public or private nonprofit institution may be preaccredited by an agency or association that has been approved by the Department to grant such preaccreditation. Second, public postsecondary vocational educational institutions may be eligible for FSA funds if accredited by a state agency that the Department determines to be a reliable authority.

### **Primary accreditor**

The primary accreditor typically is an accrediting agency whose scope is institution-wide rather than only programmatic. A participating institution must tell the Department which accrediting agency it wants to serve as its primary accrediting agency for FSA eligibility. If a school offers only programs of a singular nature, the school's primary accreditor may be an agency that accredits only those specific educational programs.

### **Role of state entities**

The regulations mention, as one option, that an institution may be established by name through some "other action" by an appropriate state entity. Other institutions, established as businesses or nonprofit charitable institutions, must show that the state took an active role in approving or licensing them to operate postsecondary educational programs. For details on these and other issues, see DCL GEN-13-20.

### **Nationally recognized accrediting agency**

An agency or association the Department has recognized to accredit or preaccredit a category of institution, school, or educational program according to 34 CFR Parts 602 and 603.

### **List of accrediting agencies**

The Department periodically publishes a list of nationally recognized accrediting bodies in the *Federal Register* based on criteria in 34 CFR Part 602. The list of accrediting agencies recognized for FSA purposes is on the Department's website at [www.ed.gov/admins/finaid/accred/index.html](http://www.ed.gov/admins/finaid/accred/index.html). Agencies recognized for their preaccreditation categories are in Section 7. Information about national recognition of state approval agencies is in Section 10.

### **Preaccredited**

A status granted by a nationally recognized accrediting agency or association to a public or private nonprofit institution that is progressing toward accreditation within a reasonable period of time. Institutions of Higher Education 34 CFR 600.4(a)(5)(ii)  
Postsecondary Vocational Institutions 34 CFR 600.6(a)(5)(i)

### **Alternatives to accreditation**

Institutions of Higher Education 34 CFR 600.4(a)(5)(ii)  
Postsecondary Vocational Institutions 34 CFR 600.6(a)(5)(ii)

**Admissions standards**

34 CFR 600.4(a)(2), 600.5(a)(3), 600.6(a)(2)

**Checking validity of high school diplomas**

A school must evaluate the validity of a student's high school completion if the school or the Department has reason to believe that the high school diploma is not valid or was not obtained from an entity that provides secondary school education. This is discussed in detail in *Volume 1: Student Eligibility, Chapter 1*. 34 CFR 668.16(p)

**Regular student**

A person who is enrolled or accepted for enrollment in an eligible program to obtain a degree, certificate, or other recognized educational credential. If a person is not yet beyond the age of compulsory school attendance in the state in which the college is physically located, the college may only enroll her as a "regular student" if she has a high school diploma or its equivalent or is dually enrolled in secondary school and college. 34 CFR 600.2

**Dual enrollment in high school and college**

20 USC 1001(b)(2)(B), 1002(b)(2)(B) and (c)(2)(B)

**Admissions standards as a student eligibility issue**

To be eligible for FSA funds, a student must have a high school diploma or its recognized equivalent or be beyond the age of compulsory attendance and meet the criteria for homeschooled students. Students who are dually enrolled in high school and college are **not eligible** for FSA funds. See *Volume 1, Chapter 1*.

**Related requirements**

A school may not deny readmission to a service member of the uniformed services for reasons relating to that service. See *Chapter 3* for more information.

**Dual accreditation**

If a school is accredited by two agencies at the same time, the school must designate which agency's accreditation will be used in determining institutional eligibility for FSA funds and must inform the Department via the E-App. Further, the school must provide to the Department and to both agencies all materials documenting the reasons for dual accreditation before the school adds the additional accreditation. See *Chapter 5* for more on changes in accreditation and loss of eligibility.

**ADMISSIONS STANDARDS**

An eligible institution may admit as regular students only persons who have a high school diploma or its recognized equivalent, are beyond the age of compulsory school attendance in the state in which the school is located, or are dually enrolled in the college and a secondary school. Admissions standards also play a role in student eligibility, as discussed in *Volume 1, Chapter 1*.

**High school diploma**

A high school diploma is a document recognized by the state in which the high school is located. Unless required by its accrediting or state licensing agency, the college is not required to keep a copy of a student's high school diploma or recognized equivalent of a high school diploma (see below). Rather, the college may rely on the student's certification (including that on the FAFSA) that he or she has received the credential and a copy of the certification must be kept on file. This certification need not be a separate document. It may be collected on the college's admissions application. The college may also require the student to provide supporting documentation.

**Recognized equivalent of a high school diploma**

The following are the equivalent of a high school diploma:

- A GED certificate.
- A state certificate awarded after passing an authorized test and that the state recognizes as equivalent to a high school diploma. This includes evidence of a passing score on tests recognized by the state and similar to the GED, such as the High School Equivalency Test or HiSET and the Test Assessing Secondary Completion or TASC.
- An academic transcript showing that the student has successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree.
- For a student seeking enrollment in a program of at least the associate degree level, documentation showing that he excelled academically in high school and has met the formalized written admissions policies of the college.

**Homeschooled students and compulsory school attendance**

The Department considers that a homeschooled student is beyond the age of compulsory school attendance if the state in which the eligible institution is located does not consider him truant once he has completed the homeschool program.



For instance, if your state requires children to attend school until age 17, you may admit as a regular student a child who completes her secondary homeschooling curriculum at age 16 if your state would not consider her truant and would not require her to go to high school or continue homeschooling until age 17.

You may rely on a homeschooled student's self-certification that he completed secondary school in a homeschool setting, as discussed in *Volume 1, Chapter 1*, under "Academic Qualifications."

### ***Preparatory programs for students without a high school diploma or equivalent***

A school that admits students without a high school diploma or its recognized equivalent (except homeschooled students) must make available to them a program that has proven successful in helping students obtain the equivalent of a high school diploma.

For example, such a program might assist a student in obtaining a GED certificate or the state certificate mentioned earlier. It could be a preparatory program conducted by state and local secondary school authorities, as well as a program for which the school has documentation that statistically demonstrates success. The school must provide information about the availability of the program to interested students.

The school does not have to provide the program or pay for its cost. The program must be offered at a place that is convenient for students, and the school must take reasonable steps to ensure that students have access to it, such as coordinating the timing of school programs and the preparatory program.

The law does not require a school to verify that a student is enrolled in a preparatory program or to monitor his progress in it. A student who does not have a high school diploma or its recognized equivalent is not required by law to enroll in such a program, but the school may make this an admission requirement.

A student may not receive FSA funds for the program.

### **"TWO-YEAR" RULE FOR NEW PROPRIETARY OR VOCATIONAL SCHOOLS**

To be eligible as a proprietary institution or a postsecondary vocational institution, a school must be legally authorized to give (and have continuously been giving) the same postsecondary instruction for at least two consecutive years prior to its application. The educational program(s) offered must remain substantially the same in length and subject matter except for changes made because of new technology or requirements of other federal agencies. A school subject to the two-year rule may not award FSA funds to a student in a program that is not included in the school's approval documents.

If a school is subject to the two-year rule, during the school's initial period of participation in the FSA programs, the Department will not approve additional programs that would expand the institution's eligibility.

### **Limitation on students admitted without HS diploma or equivalent**

A school that admits students who do not have a high school diploma nor its recognized equivalent has some additional considerations. A waiver of this limitation is possible for some schools. See the discussion under *Limitation on students admitted without a high school diploma or equivalent in Chapter 4*.

### **Students without high school diploma or equivalent, related topics**

See *Chapter 2* for transition programs for students with intellectual disabilities. For remedial coursework and students with intellectual disabilities, see also *Volume 1, Chapter 1*.

### **Branch campus**

A branch campus is a location of a school that is geographically apart and independent of the main campus of the school. A location is considered to be independent of the main campus if the location:

- is permanent in nature;
- offers courses in educational programs leading to a degree, certificate, or other recognized educational credential;
- has its own faculty and administrative or supervisory organization; and
- has its own budgetary and hiring authority.

Branch campus  
34 CFR 600.2 and 600.8  
Additional location  
34 CFR 600.32

### **Notifying ED of changes to school's E-App information**

If there is a change to any of a school's answers to the Yes/No questions in Section G of a submitted Electronic Application (E-App), which deal with enrollment thresholds for the limitations below, the school must notify the Department via the E-App (see *Chapter 5*). The Department will advise the school of its options, including whether the school might be eligible for a waiver. Waivers are available for the correspondence student limitation, the incarcerated student limitation, and the limitation on students without a high school diploma or equivalent.  
34 CFR 600.7(h)

An exception would be considered if the school demonstrates that the program has been legally authorized and continuously provided for at least two years prior to the date of the request.

A branch campus of an eligible proprietary institution or postsecondary vocational institution seeking status as a main campus or freestanding institution is subject to the two-year rule. It must be designated as a branch campus for two years after certification as such by the Department before it can seek certification as a main or freestanding school.

An additional location must obtain approval from the Department to become a branch campus. A branch campus then must satisfy the two-year rule before it may be considered for status as a freestanding institution. Time at an additional location of an eligible proprietary institution or postsecondary vocational institution does not count toward the two years.

## **FACTORS LEADING TO LOSS OF ELIGIBILITY**

### ***Limitations***

An otherwise eligible institution becomes ineligible if it violates, among other requirements,

- the 50% limit on students without a high school diploma or equivalent (for schools that don't offer a 4-year bachelor's degree program or a 2-year associate degree program),
- the incarcerated student limitation (25%), or
- the correspondence course limitation (50%) or correspondence student limitation (50%).

The school must demonstrate compliance with these limitations, and its calculations must be attested to by the independent auditor. *Chapter 4*, which describes FSA audit requirements, discusses the calculations in more detail and how the school must notify the Department of a failure to meet any of these requirements.

### ***Bankruptcy or crimes involving FSA programs***

A school is not eligible if it files for relief in bankruptcy or has entered against it an order for bankruptcy. The school is also ineligible if either of these circumstances apply to an affiliate of the school that has the power, by contract or ownership interest, to direct or cause the direction of the management of policies of the school.

A school also loses eligibility if it, its owner, or its executive officer has

- pled guilty or nolo contendere to, or is found guilty of, a crime involving the acquisition, use, or expenditure of FSA program funds; or
- been judicially determined to have committed fraud involving FSA program funds.

If a school becomes ineligible for any of these reasons, it must notify the Department of the change within 10 days. A school that becomes ineligible

### **Conditions of institutional ineligibility**

34 CFR 600.7

### **Prohibition on employment of individuals who have misused government funds**

A school may not have as principals or employ or contract with other organizations that employ individuals who have engaged in the misuse of government funds.  
See *Chapter 3* for details.



because of one of these factors must immediately stop awarding FSA funds and must follow the requirements for a school that has lost its FSA participation (see *Chapter 8*). The loss of eligibility is effective as of the date of the bankruptcy or the date the school or individual pleads guilty to, or is found responsible for, the crime, as applicable. A loss of eligibility for these two reasons is permanent—the school’s eligibility cannot be reinstated.

## CRITERIA TO PARTICIPATE IN TEACH GRANT PROGRAM

Eligibility for the Teacher Education Assistance for College and Higher Education (TEACH) Grant program is not automatically extended to an FSA-eligible postsecondary school. A school qualifies as a “TEACH Grant-eligible institution” if it offers a high-quality teacher preparation program at either the baccalaureate or masters level and provides supervision and support services to teachers (or assists in the provision of such services). The teacher preparation program must be accredited by a specialized accrediting agency recognized by the Department for the accreditation of professional teacher education programs or be approved by a state and provide extensive pre-service clinical experience.

If a school does not have a teacher preparation program, it can qualify for TEACH grants if it

- provides one or more 2-year programs of study that are acceptable for full credit to either a baccalaureate teacher preparation degree program or a baccalaureate degree program in a high-need field at another TEACH-eligible school with which it has an agreement;
- offers a baccalaureate degree that, in combination with other training or experience, will prepare a student to teach in a high-need field and has an agreement with another institution that offers a teacher preparation program or a post-baccalaureate program that prepares students to teach; or
- offers a postbaccalaureate program that prepares students to teach.

## APPLYING AS AN ELIGIBLE NONPARTICIPATING SCHOOL

Some schools choose to establish their eligibility for FSA programs but elect not to participate in them because designation as an eligible institution qualifies a school or its students to take advantage of non-FSA programs or benefits, such as the American Opportunity and Lifetime Learning tax credits. In addition, only students attending eligible institutions qualify for in-school deferments of payments on their federal education loans.

A school wishing to be designated an eligible nonparticipating institution may submit an E-App to the Department at any time. The application must be materially complete.

The Department will contact the school, generally within 90 days of receiving the application, if it has additional questions. If it approves the school’s application, it will send an electronic notice to the president and financial aid officer stating that the school is eligible and that its approval

## TEACH grant eligibility

Recognized agencies for the accreditation of professional teacher education programs include the Teacher Education Accreditation Council (TEAC) and National Council for Accreditation of Teacher Education (NCATE). Note: On October 22, 2010, TEAC and NCATE agreed to merge as the Council for the Accreditation of Educator Preparation (CAEP).

GEN-08-07

34 CFR 686.2

34 CFR 686.4

## TEACH Grant Program

34 CFR Part 686

**“Enrolled” for the purpose of withdrawal rates**

Students enroll when they complete the school’s registration requirements (except payment of tuition and fees).

Correspondence students are enrolled if they have been admitted to the program and have submitted one lesson (that was completed without the assistance of a school representative).

letter and ECAR must be printed and maintained. If the Department does not approve the school’s application, it will tell the school why.

**WITHDRAWAL RATES**

Students are considered to have withdrawn if they officially withdraw, unofficially drop out, are expelled from the school, or receive a 100% refund of their tuition and fees. Those who withdraw from one or more courses or programs but do not withdraw entirely from the school (e.g., the student reduced his credit hours from 12 to 6) does not meet the definition of withdrawn. Instead, this action is considered a change in enrollment status.

New schools (those seeking to participate in an FSA program for the first time) must have an undergraduate withdrawal rate for regular students of no more than 33% during the last completed award year.

When calculating the withdrawal rate, the school must include all regular, enrolled students. The definition of enrolled does not require either payment of tuition or class attendance; therefore, the withdrawal rate calculation must include enrolled students who have not yet paid tuition or begun attending classes.

**Program Participation Agreement**

Sec. 487 of the HEA

34 CFR 668.14

20 U.S.C. 1085, 1088, 1091, 1092, 1094, 1099a-3, 1099c, and 1141

**THE PROGRAM PARTICIPATION AGREEMENT**

To participate in the FSA programs, a school must have a current Program Participation Agreement (PPA), signed by the school’s president, chief executive officer, or chancellor and an authorized representative of the Secretary of Education.

***Purpose and scope of the PPA***

Under the PPA, the school agrees to comply with the laws, regulations, and policies governing the FSA programs. After being certified for FSA program participation, the school must administer FSA program funds in a prudent and responsible manner. A PPA contains critical information: in addition to the effective date of a school’s approval, the date by which the school must reapply for participation, and the date on which the approval expires, the PPA lists the FSA programs in which the school is eligible to participate.

***Expiration or termination of the agreement***

Either the school or the Department may terminate the PPA. The agreement automatically terminates if the school loses eligibility.

A school’s Program Participation Agreement expires on the date that

- the school changes ownership that results in a change in control (see *Chapter 5*),
- the school closes or stops offering educational programs for a reason other than a normal vacation period or natural disaster that directly affects it or its students (see closure procedures in *Chapter 8*),

**Programs covered by the PPA**

An eligible school must enter into a PPA with the Department to participate in the following programs:

- Federal Pell Grant
- Iraq and Afghanistan Service Grant\*
- TEACH Grant
- Federal Supplemental Educational Opportunity Grant (FSEOG)
- Federal Work-Study (FWS)
- Federal Perkins Loan
- Federal Direct Loan Program (DL)

\* A school that is certified for Pell Grant purposes is considered to be certified for the Iraq and Afghanistan Service Grant program.

- the school ceases to meet the eligibility requirements (see *Chapter 4* and “Factors Leading to Loss of Eligibility” in this chapter),
- the school’s period of participation expires, or
- the school’s provisional certification is revoked (chapters 4, 5, and 8).

A school’s PPA no longer covers an additional location as of the date on which that location ceases to be a part of the school.

## Selected provisions of the Program Participation Agreement

Most of the provisions of the Program Participation Agreement (PPA) are discussed in detail in *Volume 2* and other volumes of the *Federal Student Aid Handbook*. In this section, we highlight some of the general school requirements in the PPA that may not be as familiar to financial aid professionals.

Note that the PPA may list additional requirements that are school-specific; schools must carefully review all of the requirements listed on their PPA.

### **General Terms & Conditions**

- The school certifies that it will comply with
  - a. Title VI of the Civil Rights Act of 1964, as amended, barring discrimination on the basis of race, color, or national origin;
  - b. Title IX of the Education Amendments of 1972, barring discrimination on the basis of sex;
  - c. The Family Rights and Privacy Act of 1974 (see *Chapter 7*);
  - d. Section 504 of the Rehabilitation Act of 1973, barring discrimination on the basis of physical handicap (34 CFR Part 104); and
  - e. The Age Discrimination Act of 1975 (34 CFR Part 110).
- The school acknowledges that the Department, states, and accrediting agencies may share information about the school without limitation.
- The school acknowledges that the school must, prior to any other legal action, submit any dispute involving the final denial, withdrawal, or termination of accreditation to initial arbitration.

### **General Provisions**

- The school will use funds received under any FSA program, as well as any interest and other earnings thereon, solely for the purposes specified for that program.
- If the school is permitted to request FSA program funds under an advance payment method, the school will time its requests for funds to meet only the school’s immediate FSA program needs (see *Volume 4, Chapter 2*).
- The school will not charge for processing or handling any application, form, or data used to determine a student’s FSA eligibility (see *Chapter 3*).
- The school will establish administrative/fiscal procedures and reports that are necessary for the proper and efficient management of FSA funds, and it will provide timely information on its administrative capability and financial responsibility to the Department and to the appropriate state, guaranty, and accrediting agencies (see *Chapter 6*).

## Selected provisions of the Program Participation Agreement, continued

- The school must acknowledge the authority of the Department and other entities to share information regarding fraud, abuse, or the school's eligibility for participation in the FSA programs (see *Chapter 8*).
- The school must, in a timely manner, complete reports, surveys, and any other data collection effort of the Department including surveys under the Integrated Postsecondary Education Data System (see *Chapter 6*).
- The school cannot penalize in any way a student who is unable to pay school costs due to compliance with the FSA program requirements or due to a delay in an FSA loan disbursement caused by the school.
- The school must comply with the program integrity requirements established by the Department, state authorizing bodies, and accrediting agencies (see *Chapter 8*).
- The school is liable for all improperly administered funds received or returned under the FSA programs, including any funds administered by a third-party servicer (see *Chapter 3*).
- If the program offered by the school is preparing students for gainful employment in a recognized occupation, the school will
  - a. demonstrate a reasonable relationship [as defined in 34 CFR 668.14(b)(26)(i)] between the length of the program and entry level requirements for the recognized occupation, and
  - b. establish the need for the training for students to obtain employment in the recognized occupation.

### **Certifications**

Three certifications are included in the PPA:

- Lobbying; Debarment, Suspension, and other responsibility matters; and Drug-Free Workplace Requirements (see *Chapter 6*).
- Drug Prevention Certification (see *Chapter 6*).
- Certification regarding Debarment, Suspension, Eligibility, and Voluntary Exclusion—lower tier covered transactions.

### **Direct Loans**

- The school will not charge any fees of any kind to student or parent borrowers for loan application, origination activities, or the provision and processing of any information needed to receive a Direct Loan.
- The note or evidence of obligation of the loan shall be the property of the Secretary.
- The school accepts responsibility and financial liability stemming from its failure to perform its functions under this Program Participation Agreement.

### **Additional requirements**

In addition to the requirements listed on the PPA, a school must meet any requirements for participation in the General Provisions (34 CFR Part 668), as well as those specific to an individual FSA program.

FEDERAL PELL GRANT PROGRAM, 20 USC 1070a et seq; 34 CFR Part 690.

FEDERAL DIRECT STUDENT LOAN PROGRAM, 20 USC 1087a et seq; 34 CFR Part 685.

FEDERAL PERKINS LOAN PROGRAM, 20 USC 1087aa et seq; 34 CFR Part 674.

FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAM,  
20 USC 1070b et seq; 34 CFR Part 676.

FEDERAL WORK-STUDY PROGRAM, 42 USC 2751 et seq; 34 CFR Part 675.

These requirements are discussed in the *Application and Verification Guide* and volumes 1–6 of this *Federal Student Aid Handbook*.

# Program Eligibility, Written Arrangements, & Distance Education

## CHAPTER 2

*Many of the program eligibility requirements are derived from the institutional definitions that we discussed in Chapter 1. However, bear in mind that institutional eligibility does not mean that all programs at the school are eligible. A financial aid office should have a process to confirm the eligibility of an educational program before paying any FSA funds to students enrolled in that program and should promptly report changes to the Department following the procedures in Chapter 5.*

### DETERMINING PROGRAM ELIGIBILITY

A school's eligibility does not necessarily extend to all its programs, so the school is responsible for ensuring that a program is eligible before awarding FSA funds to students in that program.

In addition to determining that the program meets the eligible program criteria given in this chapter, the school should make certain that the program is included under the notice of accreditation from a nationally recognized accrediting agency (unless the agency does not require that particular programs be accredited).

The school should also make certain that it is authorized by the appropriate state to offer the program (if the state licenses individual programs at postsecondary institutions). In some instances a school or program may need a general authorization as well as licensure for a specific program approval. (See the chart on eligible institutions and the discussion under *Legal Authorization By a State* in Chapter 1.)

A school's eligibility extends to all eligible programs and locations that were identified on the school's E-App, unless the School Participation Team (SPT) determines that certain programs or locations did not meet the eligibility requirements or it has not approved the expansion for purposes of FSA eligibility. In general, the school's eligible nondegree programs and locations are specifically named on the *Eligibility and Certification Approval Report* (ECAR). Additional locations and programs may be added later. Once the SPT has approved the program/location, it will notify the school and you can print out the updated ECAR.

If a program offered through distance or continuing education meets the definition of an eligible program, students enrolled in that program must be considered for FSA program assistance on the same basis as students enrolled in eligible programs offered through traditional modes. With some limitations, if a program offered through correspondence meets the definition of an eligible program, students enrolled in that program will be

### Program eligibility

34 CFR 668.8  
34 CFR 691.2(b)

### Related topics

- Eligibility requirements for specific educational programs—*Volume 1, Chapter 1*
- Types of educational programs defined for eligible institutions—*Volume 2, Chapter 1*
- Updating the E-App to change programs and locations—*Volume 2, Chapter 5*

### School, program, and student eligibility

To qualify as an eligible institution, a school must offer at least one eligible program. Not all programs at an eligible institution must be eligible, but at least one of the programs at the school must meet the eligible program requirements.

Except for students enrolled in certain preparatory or teacher certification courses, a student must be enrolled in an eligible program to receive FSA funds (for more information, see *Volume 1, Chapter 1*).



**Recognized occupation**

All non-degree programs must prepare students in that program for gainful employment in a specific recognized occupation. This requirement also applies to degree programs at proprietary schools.

A recognized occupation is one that is:

- identified by a Standard Occupational Classification (SOC) code established by the Office of Management and Budget or an Occupational Information Network O\*NET–SOC code established by the Department of Labor and available at O\*NET OnLine at [www.onetonline.org](http://www.onetonline.org) or its successor site, or
- considered by ED, in consultation with the Department of Labor, to be a recognized occupation.

If the title of the program does not clearly indicate the specific occupation that the program prepares the student for, that information must appear on the E-App.

considered eligible (see *Distance Education & Correspondence Study* in this chapter).

**BASIC TYPES OF ELIGIBLE PROGRAMS*****Eligible programs at an institution of higher education***

At a school that qualifies as a public or private nonprofit institution of higher education, the following types of programs are eligible for FSA purposes:

- a program that leads to an associate, bachelor’s, professional, or graduate degree,
- a program of at least two academic years in duration that is acceptable for full credit toward a bachelor’s degree,
- a program of at least one academic year in duration that leads to a certificate or other nondegree recognized credential and prepares students for gainful employment in a recognized occupation, or
- a certificate or diploma training program that is less than one year (if the school also meets the definition of a postsecondary vocational institution).

Note that a nondegree program at a public or private nonprofit institution is subject to the rules for a “gainful employment program” (unless the program is at least a 2-year transfer program). Gainful employment programs are explained later.

***Eligible programs at a proprietary or postsecondary vocational institution***

There are three types of eligible programs at a proprietary institution or a postsecondary vocational institution. All of these programs must have a specified number of weeks of instruction and must provide training that prepares a student for gainful employment in a recognized occupation.

**Other eligible programs**

There are additional types of eligible programs:

- a direct assessment program approved by the Department (discussed later in this chapter),
- a comprehensive transition and postsecondary program approved by the Department (discussed later in this chapter), and
- a program leading to a baccalaureate degree in liberal arts [as defined in 34 CFR 600.5(e)], at a proprietary school that is accredited by a recognized regional accrediting agency or association. (The school must have been continuously accredited by a regional accrediting agency since at least October 1, 2007, and have provided the program continuously since January 1, 2009.)

34 CFR 668.8

1. The program provides at least 600 clock hours, 16 semester or trimester hours, or 24 quarter hours of undergraduate instruction offered during a minimum of 15 weeks of instruction. The program may admit as regular students persons who have not completed the equivalent of an associate degree.
2. The program provides at least 300 clock hours, 8 semester hours, or 12 quarter hours of instruction offered during a minimum of 10 weeks of instruction. The program must be a graduate or professional program or must admit as regular students only persons who have completed the equivalent of an associate degree.
3. The program is known as a short-term program, which qualifies for the Direct Loan program only. This type of program must provide at least 300 but less than 600 clock hours of instruction offered during a minimum of 10 weeks of instruction. The program must admit as regular students some persons who have not completed the equivalent of an associate degree.



There are several additional requirements that a short-term program must meet. The program must—

- have verified completion and placement rates of at least 70% (see below),
- not be more than 50% longer than the minimum training period required by the state or federal agency, if any, for the occupation for which the program of instruction is intended, and
- have been in existence for at least one year.

## Completion & placement rates for short-term programs

For the purpose of demonstrating compliance with the standards for short-term (300–600 clock-hour) programs, a school must calculate the completion and placement rates for the award year. The independent auditor who prepares the school's compliance audit report must attest to the accuracy of the school's calculation of completion and placement rates. See 34 CFR 668.8(e), (f), and (g).

Number of regular students who earned credentials for successfully completing the program within 150% of its length

= Completion Rate

Number of regular students enrolled in the program for the award year

- number of regular students who withdrew with a 100% refund of tuition and fees
- number of regular students enrolled at the end of the award year

Number of students who obtained employment\* within 180 days of receiving credential and who are employed (or have been employed) for at least 13 weeks following receipt of credential

= Placement Rate

Number of regular students who received credential for successfully completing the program during the award year

\*in the recognized occupation for which they were trained or in a related comparable occupation

The school must document the employment of any student it includes as employed in the placement rate calculation. Examples of such documentation include but are not limited to a written statement from the employer, signed copies of state or federal income tax forms, or written evidence of payment of Social Security taxes.

The school must reasonably determine whether a related occupation is comparable. For instance, for a student who was trained as an auto mechanic, it is reasonable to determine that a job as a boat mechanic is comparable. However, for a person trained in retail sales management, a counter-service job at a fast-food restaurant is not comparable.

**Recognized occupation**

34 CFR 600.2

Note that all degree and nondegree programs at a proprietary institution are subject to the rules for a “gainful employment program,” except for the liberal arts programs described in the sidebar note on page 16. Preparatory coursework necessary for enrollment in an eligible program taken at a proprietary institution is also not subject to the “gainful employment” rules. Gainful employment programs are explained on the following pages.

**PROGRAMS LEADING TO GAINFUL EMPLOYMENT**

To be eligible for funding under the FSA programs, an educational program at an institution of higher education must lead to a degree (associate, bachelor’s, graduate, or professional) or prepare students for “gainful employment in a recognized occupation.” In addition, virtually all programs offered by postsecondary vocational institutions and those—degree and nondegree—offered by proprietary institutions of higher education must prepare students for “gainful employment in a recognized occupation” to be FSA-eligible. Collectively we refer to these programs—all nondegree educational programs offered by public and private nonprofit institutions and virtually all academic programs offered by proprietary institutions—as “gainful employment programs” (or “GE programs”). They are subject to the Department’s regulations on disclosures (see *Chapter 6*) and on the addition of new educational programs (see *Chapter 5*). Note that only Title IV-eligible programs are required to be GE programs, and only for those programs are GE data required to be disseminated.

***State requirements and program length***

If the stated objectives of an educational program are to prepare a student for gainful employment, the institution must demonstrate a reasonable relationship between the length of the program and entry level requirements for which the program prepares the student. The Secretary considers the relationship to be reasonable if the number of clock hours provided in the program does not exceed by more than 50% the minimum number of clock hours required for training in the recognized occupation for which the program prepares the student, as established by the State in which the program is offered, or as established by any federal agency (if applicable). See 34 CFR 668.14(b)(26).

***Domestic proprietary institutions & domestic postsecondary vocational institutions***

The following educational programs offered by these institutions are gainful employment programs:

- Undergraduate and graduate degree programs.
- Certificate programs. These include undergraduate, post-baccalaureate, graduate, and postgraduate certificate programs.
- Teacher certification programs that result in a certificate awarded by the institution (see the sidebar on the next page).
- Approved comprehensive transition and postsecondary programs for students with intellectual disabilities.

**Gainful employment guidance**

Gainful Employment Electronic Announcements #11 and #12 provide a series of questions that can be used to help determine if an educational program is a gainful employment program.

The following are not gainful employment programs when offered by these institutions:

- Programs that lead to a baccalaureate degree in liberal arts if the institution has been accredited by a regional accrediting agency since October 2007 and has offered the program since January 2009.
- Preparatory coursework that is necessary for enrollment in an eligible program.

### ***Domestic public and domestic private nonprofit institutions of higher education***

The following educational programs offered by these institutions are gainful employment programs:

- Nondegree programs, including all certificate programs (undergraduate, postbaccalaureate, graduate, and postgraduate). Note that awarding students one or more certificates as part of a degree program does not make the degree program a GE program.
- Teacher certification programs that result in a certificate awarded by the institution (see sidebar).
- Approved comprehensive and postsecondary transition programs for students with intellectual disabilities.

The following are not gainful employment programs when offered by these institutions:

- Programs that lead to a degree, including associate's, bachelor's, graduate, and professional degrees.
- Programs that are at least two years in length and are specifically designed to be fully transferable to the third year of a bachelor's degree program. These programs do not lead to certificates.
- Preparatory coursework that is necessary for enrollment in an eligible program.

### ***Foreign proprietary institutions***

The only programs at foreign proprietary institutions that are eligible for FSA loan funds are degree programs in medicine, nursing, and veterinary science. These are all GE programs when offered at these institutions—there are no non-GE programs at foreign proprietary institutions.

### ***Foreign public and nonprofit institutions***

Gainful employment programs at these institutions are the same as for domestic public and domestic nonprofit institutions, as explained previously. Non-GE programs are also the same as for domestic public and nonprofit institutions.

## **ADDITIONAL ELIGIBILITY REQUIREMENTS**

There are additional FSA program eligibility requirements for specific educational programs. For example, only undergraduate educational programs are eligible under the Pell Grant and FSEOG programs.

### **Teacher certification update**

Note that the description of teacher certification programs in GEN-11-10 was amended on May 20, 2011. This announcement also clarified that

- Teacher certification that consists of a collection of course work that is required for a student to receive a state professional teaching credential or certification but does NOT lead to the awarding of a degree or certificate by the institution is not a GE Program.
- However, a teacher certification program that does lead to the awarding of a certificate or other non-degree (for a for-profit institution, also a degree) credential by the institution is a GE Program, and the institution must comply with all of the GE Program regulatory requirements.

Gainful Employment Electronic Announcement #3, May 20, 2011

### **Applying for eligibility for a CTP program**

When applying to the Department for eligibility for a CTP program, a school must follow the procedures in 34 CFR 600.20 and provide the information described in 34 CFR 668.232. See the electronic announcement dated 6/21/10 on the IFAP website.

### **Definition of intellectual disability**

A student with an intellectual disability means a student

- 1) with mental retardation or a cognitive impairment characterized by significant limitations in—
  - (i) Intellectual and cognitive functioning; and
  - (ii) Adaptive behavior as expressed in conceptual, social, and practical adaptive skills; and
- (2) Who is currently, or was formerly, eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401), including a student who was determined eligible for special education or related services under the IDEA but was homeschooled or attended private school.

### **TEACH Grant program**

34 CFR Part 686

Correspondence programs are not eligible unless they meet the general requirements for an eligible program and are required for the student's regular program of study leading to a degree.

### **Programs for students with intellectual disabilities**

A student with an intellectual disability who enrolls in a comprehensive transition and postsecondary (CTP) program at a school that participates in the FSA programs is eligible for non-loan assistance (Pell Grants, FSEOG, and Federal Work-Study). As discussed in *Volume 1*, the student is exempt from some student eligibility requirements.

A CTP program is a degree, certificate, non-degree, or non-certificate program that is designed to support students with intellectual disabilities who want to continue their instruction (academic, career and technical, and independent living) at a postsecondary school to prepare for gainful employment. Schools must apply to the Department to have such a program judged eligible.

The program must be delivered to students physically attending the institution, include an advising and curriculum structure, and provide students with intellectual disabilities opportunities to participate in coursework and other activities with students without disabilities.

Such programs must require students with intellectual disabilities to have at least half of their participation in the program, as determined by the school, focus on academic components through one or more of the following activities:

- taking credit-bearing courses with students without disabilities,
- auditing, or otherwise participating in, courses the student does not receive regular academic credit for with students without disabilities,
- taking non-credit-bearing, nondegree courses with students without disabilities, and
- participating in internships or work-based training in settings with individuals without disabilities.

### **Educational programs eligible for TEACH Grants**

To qualify for TEACH Grants, an educational program must be

- designed to prepare an individual to teach as a highly qualified teacher in a high-need field and lead to a baccalaureate or master's degree (including 2-year programs of study that are acceptable for full credit toward a baccalaureate degree), or
- a postbaccalaureate program of study for students who have completed a baccalaureate degree but need to take additional state-required courses for teacher certification or licensure.

A postbaccalaureate program consists of courses required by a state for a student to receive a professional certification or licensing credential that is needed for employment as a teacher in an elementary or secondary school in that state. It must be a program that is treated as an undergraduate

program for FSA purposes and may not lead to a graduate degree. Note that the program cannot be considered a postbaccalaureate program if the school offers a baccalaureate degree in education. For TEACH grant student eligibility requirements, see *Volume 1, Chapter 6*.

### **ESL programs**

Students enrolled in a program that consists solely of English as a Second Language (ESL) instruction are eligible for FSA funds only from the Pell Grant program. An ESL program must meet the general requirements for an eligible program (for example, it must lead to a degree or other credential). Moreover, an ESL program may admit only students who need instruction in English to be able to use the knowledge, training, or skills they already have. The school must document its determination that the ESL instruction is necessary for each student enrolled.

A school that wishes to award FSA funds to students in an ESL program must request from the Department an eligibility determination for the program.

### **Direct assessment programs**

Instead of using credit hours or clock hours, an instructional program can use direct assessment to measure student learning or can recognize direct assessment by others. Examples of direct measures of learning include projects, papers, examinations, presentations, performances, and portfolios. These provide evidence that a student has command of a subject or skill or that he demonstrates an ability—creative, analytical, or synthesizing for example—associated with the subject matter of the program.

The entire program must be provided by direct assessment; those offered partially with credit or clock hours are not eligible programs. Also, the assessment must be consistent with the accreditation of the institution or program.

A direct assessment program may use learning resources (e.g., courses or portions of courses) that are provided by entities other than the school providing the direct assessment program without regard to the limitations on contracting for part of an educational program (see *Written Arrangements Between Schools* later in this chapter).

FSA funds may be awarded only for learning that results from instruction provided or overseen by the school. FSA funds cannot be awarded for any portion of the program based on study or life experience prior to enrollment in the program or based on tests of learning that are not associated with educational activities overseen by the school.

Several types of programs and coursework that might otherwise be eligible for FSA purposes are not eligible if they involve direct assessment:

- Programs at foreign schools.
- Preparatory coursework required for entry into an eligible program (see *Volume 1, Chapter 6*).

### **Program eligibility vs. student eligibility in TEACH**

The preamble to the June 23, 2008, TEACH regulations draws a distinction between *program eligibility*, where the school may identify, within the parameters of the regulations, the scope of school programs that are TEACH Grant-eligible, and *student eligibility*, where the school must adhere to the eligibility criteria in the regulations.

The preamble further states that it is up to the institution to decide, based on regulatory requirements, what programs are TEACH Grant-eligible and when a student is considered to be accepted into a TEACH Grant-eligible program.

For instance, a school can determine that only some of the programs for which it currently awards other FSA funds are also eligible for TEACH, even if some programs it does not wish to make TEACH Grant-eligible meet the regulatory definition.

### **Additional ESL considerations**

A school must define the effect of any noncredit remedial courses, including ESL courses, on a student's academic progress. See *Chapter 3*.

Awarding FSA loans to a student for too many semesters for ESL or remedial coursework could exhaust his eligibility under the aggregate loan limits before he completes his educational program. See *Volume 1, Chapter 1*.

### **Direct assessment programs**

34 CFR 668.10

For more information, including step-by-step instructions on how to apply for Title IV approval of a direct assessment program, see DCL GEN-13-10.



**Direct assessment definitions**

An **academic year** in a direct assessment program consists of a minimum of 30 weeks of instructional time, during which a full-time student is expected to complete the equivalent of at least 24 semester or trimester credit hours or 36 quarter credit hours for an undergraduate program.

A **week of instructional time** is any seven-day period in which at least one day of educational activity occurs.

**Educational activity** includes assessments, regularly scheduled learning sessions, faculty-guided independent study, consultations with a faculty mentor, and development of an academic action plan addressed to the competencies identified by the school.

**Independent study** occurs when a student follows a course of study and works with a faculty member to decide how the student will meet defined course objectives. Both agree on what the student will do (e.g., readings, research, and work products), how the student's work will be evaluated, and the time frame for completion. The student must interact with the faculty member on a regular and substantive basis to assure progress within the course or program.

A **full-time student** is one carrying a full-time academic workload, as determined by the school, that is the standard for all students in the program. For undergraduate students, the school's standard must equal or exceed the minimum requirements in the definition of full-time student in 34 CFR 668.2, based on the credit- or clock-hour equivalency for the program.

- Courses necessary for an elementary or secondary school teaching credential or certificate (*see Volume 1, Chapter 6*).
- Remedial coursework measured through direct assessment.

However, note that remedial instruction offered in credit or clock hours in conjunction with a direct assessment program is eligible for FSA funds.

A school that wishes to award FSA funds for a program using direct assessment must submit an updated E-App (at [www.eligcert.ed.gov](http://www.eligcert.ed.gov)) to the Department to apply for approval of the program. In addition to updating the E-App, the school will email to the case teams (at [CaseTeams@ed.gov](mailto:CaseTeams@ed.gov)) supporting documentation: a detailed program description (recommended length not to exceed 20 pages) and a detailed description of financial aid administration (not to exceed 5 pages). See DCL GEN-13-10 for complete instructions.

The detailed program description will be a succinct narrative clearly indicating the name of the program and how it meets the regulatory requirements of 34 CFR 668.10(b). Each requirement must be specifically identified in the narrative; for example, there must be a description of how the assessment of learning is done [668.10(b)(2)].

The detailed description of financial aid administration for the program should explain how the program meets the Title IV requirements. For example, school must provide a basis for its credit or clock hour equivalent for the program or portion thereof (the clock or credit hours will be used as the basis for the FSA award calculations described in *Volume 3, Chapter 1*).

If a school plans to change any aspect of the program, it must obtain prior approval from the Department by reapplying.

**Study-abroad programs**

A participating institution may establish study-abroad programs for which students are eligible to receive FSA funds. A study-abroad program is eligible if the home school awards academic credit for it and students in it remain concurrently enrolled at their home school.

While the study-abroad program must be considered part of the student's eligible program, it does not have to be a *required* part. However, a school must have a written agreement with the institution offering the study-abroad program or with an entity representing that institution (see the next section). Moreover, the school must mention the availability of FSA funds in the information it provides to students about the study-abroad program.

**Flight school programs**

A flight school program must maintain current valid certification by the Federal Aviation Administration to be eligible.

**Flight school program**

34 CFR 668.8(i)

**WRITTEN ARRANGEMENTS BETWEEN SCHOOLS**

Under a consortium or contractual agreement (including those for study-abroad programs), the home school must give credit for courses taken at the other schools on the same basis as if it provided the training itself. The



underlying assumption of such an agreement is that the home school has found the other school's or organization's academic standards equivalent to its own and the instruction an acceptable substitute for its own.

A home school may decline to give credit for courses in which a student earns a grade that is not acceptable at the home school even though the host school has a policy of accepting that grade for its resident students. Also, although grades received through consortium or contractual agreements do not have to be included in a student's grade point average, they must be included when calculating the quantitative component (the percentage of credits earned vs. attempted) of her satisfactory academic progress.

If not written for an individual student or group of students, agreements between schools can go on indefinitely. These agreements do not have to be renewed unless the terms of the agreement change.

A school must provide enrolled and prospective students with a description of the written arrangements it has entered into, including

- the portion of the educational program that the school that grants the degree or certificate is not providing,
- the name and location of the other schools or organizations that are providing that portion of the educational program,
- the method of delivery of that part of the educational program, and
- estimated additional costs students may incur by enrolling in an educational program provided under the written arrangement.

### ***Consortium agreement***

A consortium agreement can apply to all FSA programs. Under a consortium agreement, students may take courses at a school other than the home school and have those courses count toward the degree or certificate at the home school. A student can only receive FSA assistance for courses that are applicable to the student's certificate or degree program.

A consortium agreement can be a blanket agreement between two or more eligible schools, or it can be written for a specific student. Such an agreement is often used when a student takes related courses at neighboring schools or when a student is enrolled in an exchange program with another eligible school for a term or more. A school could have one agreement for each student, a separate agreement with each host school, or a blanket agreement with a group of schools.

In a consortium agreement there is no limit on the portion of the eligible program that may be provided by eligible schools other than the home school. Agreement contents can vary widely and will depend upon the interests of the schools involved and the accrediting or state agency standards. (See sidebar for required contents of an agreement.)

Usually the home school is responsible for disbursing funds, but if the student is enrolled for a full term or academic year at the host school, it may be easier for the host school to monitor his eligibility and make payments.

## **Written arrangements**

34 CFR 668.5

### **Definitions**

**Consortium agreement**—a written agreement between two or more eligible schools.

**Contractual agreement**—a written agreement between an eligible school and an ineligible school.

**Home school**—the school where the student is enrolled in a degree or certificate program.

**Host school**—the school where the student is taking part of his or her program requirements through either a consortium or contractual agreement.

**Two plus two program**—a partnership between a two-year and a four-year school that facilitates a student's completing the last two years of the student's four-year degree.

### **Requirement to inform students of an arrangement**

34 CFR 668.43(a)(12)

### **Contents of a consortium agreement**

The Department does not dictate the format of the agreement (which can be executed by several different offices) or where the agreement is kept. However, the following information should be included in all agreements:

- the school that will grant the degree or certificate;
- the student's tuition, fees, and room and board costs at each school;
- the student's enrollment status at each school;
- the school that will be responsible for disbursing aid and monitoring student eligibility; and
- the procedures for calculating awards, disbursing aid, monitoring satisfactory progress and other student eligibility requirements, keeping records, and returning funds when the student withdraws.

### Written arrangements between schools under same ownership or control

If the written arrangement is between two or more eligible institutions that are owned or controlled by the same individual, partnership, or corporation, the Department considers the educational program to be an eligible program if

- the educational program offered by the school that grants the degree or certificate otherwise satisfies the requirements of an eligible program (described in this chapter), and
- the school that grants the degree or certificate provides more than 50% of the educational program.

When there is a written arrangement between eligible schools, any of the schools participating in the written arrangement may make FSA calculations and disbursements without that school being considered a third-party servicer. This is true even if the student is not currently taking courses at the school that is calculating and disbursing the aid.

The school that disburses an FSA award is responsible for maintaining information on the student's eligibility, how the award was calculated, what money has been disbursed, and any other documentation associated with the award, even if some of that documentation comes from other schools. Moreover, the school paying the student must return FSA funds if required, for example, in refund/return or overpayment situations. For determining enrollment status under a consortium agreement, see *Volume 3, Chapter 3*.

### Contractual agreement

Provided the limitations in the following paragraphs are adhered to, an eligible institution may enter into a contractual agreement with an ineligible school or organization under which the ineligible school or organization provides part of the educational program of students enrolled at the eligible school.

An eligible school is prohibited from entering into a contract with an ineligible school or organization whose

- eligibility or certification to participate in the FSA programs has been terminated or revoked by the Department, or
- application for certification or recertification to participate in the FSA programs was denied by the Department.

Similarly, an eligible school is prohibited from entering into a contract with an ineligible school or organization that has voluntarily withdrawn from participation in the FSA programs under a termination, show-cause, suspension, or similar type of proceeding initiated by the school's state licensing agency, accrediting agency, or guarantor or by the Department.

Under a contractual agreement, the eligible school is always the home school. The home school performs all the aid processing and disbursement functions for its students attending the ineligible school or organization. The home school is responsible for maintaining all records necessary to document student eligibility and receipt of aid (see *Chapter 7*).

For schools in a contractual agreement, there is a limit on the portion of the program that can be offered by the ineligible school. If both the home and ineligible schools are owned or controlled by the same individual, partnership, or corporation, no more than 25% of the educational program can be provided by the ineligible school. If the two schools are separately owned or controlled, the ineligible school can provide up to 50% of the educational program. However, in the case of separately owned schools, if the contracted portion is more than 25% of the program, the home school's accrediting agency or state agency (in the case of a public postsecondary vocational institution) must determine and confirm in writing that the agreement meets its standards for contracting out education services.

### State process for complaints

Note that under 34 CFR 668.43(b) you must provide state contact information to students or prospective students for filing complaints in each state in which you operate. (See *Chapter 6* for the school consumer information requirement.)

### **Study-abroad programs**

A study-abroad program must be part of a written contractual or consortium agreement between two or more schools. The study-abroad program does not have to be a *required* part of the eligible program at the home school for the student to be eligible to receive FSA funds, but the credits earned through the study-abroad or exchange program must apply toward graduation in the student's program at the home school.

When there is a written arrangement between eligible schools, any of the schools participating in the written arrangement may make FSA program calculations and disbursements without that school being considered a third-party servicer. This is true even if the student is not taking courses at the school that is calculating and disbursing the aid.

If a study-abroad program has higher costs than the home school, those should be reflected in the student's cost of attendance. This may result in the student being eligible for additional FSA funds.

Some eligible students have had problems receiving FSA funds for study-abroad programs because neither their home school nor the school they were temporarily attending documented that they were enrolled in an eligible program of study. These circumstances have caused otherwise eligible students to be denied financial assistance at both schools. The law states that a student participating in a study-abroad program approved by his home school is eligible for FSA funds regardless of whether the program is required for his regular, eligible program of study as long as he is an eligible regular student enrolled in an eligible program at the home school, which approves the study-abroad work for academic credit. The Program Participation Agreement requires participating schools to establish procedures that ensure that students participating in study-abroad programs receive the FSA funds to which they are entitled.

### **Types of study-abroad programs**

Study-abroad program configurations include the following:

- A home school sends students to a study-abroad program at an eligible or ineligible foreign host school. The home school must have a consortium or contractual agreement with the foreign school.
- A home school has, instead of a separate agreement with each foreign school, a written arrangement with a study-abroad organization that represents one or more foreign schools. The arrangement must adequately describe the duties and responsibilities of each entity and meet the requirements of the regulations.
- A variant of the study-abroad program occurs when a home school sends faculty and students to a foreign site. This is not a consortium or contractual study-abroad program; rather, the foreign site is considered an additional location under 34 CFR 600.32.

### **Study abroad references**

Arrangements with a study-abroad organization  
34 CFR 668.5  
Student eligibility in study-abroad programs  
34 CFR 668.39

### **Foreign schools acting on behalf of other foreign schools**

An eligible U.S. school may have a written arrangement with a foreign school or organization that is acting on behalf of a foreign school, but such an arrangement is always considered to be one between an eligible domestic school where the student enrolls and an ineligible foreign school, even if the latter is otherwise Title IV-eligible. Therefore, these arrangements are considered contractual agreements that must follow the rules that apply to such. See DCL GEN-11-18 for more information about Title IV eligibility of programs offered through written arrangements between U.S. and foreign schools.

### **Accreditation for distance education**

Distance education programs must be evaluated by an accrediting agency that is recognized by ED for the purpose of evaluating distance education, just as an agency must be specifically reviewed and recognized for the evaluation of correspondence education. Dear Colleague Letter GEN-06-17 includes specific instructions on notifying ED if the school intends to seek new accreditation and updating the E-App to reflect changes to the school's accreditation.

### **Distance education & correspondence study at foreign schools**

A program offered by a foreign school in whole or in part by distance education, by correspondence, or as a direct assessment program is not an eligible program. 34 CFR 600.51(d) (Note that this regulation still mentions "telecommunications," which is the old term for distance education.)

### **Correspondence courses & institutional eligibility**

34 CFR 600.2, "Correspondence course"  
34 CFR 600.7(a)(1)(i) and (ii)  
34 CFR 602.3, "Correspondence education"  
HEA Sec. 102(a)(3)(A) and (B)

## **DISTANCE EDUCATION & CORRESPONDENCE STUDY**

Schools use distance education and correspondence courses to respond to students' needs for alternatives to the schedules and locations at which courses traditionally have been offered. A school may not refuse to provide FSA funds to a student because she is enrolled in correspondence or distance education courses unless the courses are not part of an eligible program.

Some participating institutions contract with distance education providers that are not eligible to participate in the FSA programs. These participating institutions must ensure that they do not exceed the limitations on contractual arrangements (see previous section).

### ***Distance Education***

A distance education program at a domestic school is considered an eligible FSA program if it has been accredited by an accrediting agency recognized by the Department for accreditation of distance education. It is not subject to the rules that apply to correspondence coursework, which are discussed in the next section.

Distance education means education that uses certain technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor. The interaction may be synchronous (student and instructor are in communication at the same time) or asynchronous. The technologies may include the Internet; audio conferencing; or one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices.

A course taught through video cassettes or discs is also considered a distance education course but only if one of the three technologies listed is used to support interaction between the students and the instructor.

### ***Correspondence courses***

Unlike distance education courses, which are treated the same as all other eligible programs, some restrictions apply to correspondence courses. A correspondence program at a domestic school is considered an eligible FSA program if it has been accredited by an accrediting agency recognized by the Department for accreditation of correspondence education.

A correspondence course is a home-study course for which the school provides instructional materials, including examinations on the materials, to students who are not physically attending classes at the school. Interaction between the instructor and student is limited, not regular and substantive, and primarily initiated by the student.

Correspondence courses are typically self-paced. When a student completes a portion of the instructional materials, the student takes the examinations that relate to that portion of the materials and returns the examinations to the school for grading.

If a course is part correspondence and part residential training, the course is considered to be a correspondence course.

If a school adds distance education technology, such as electronic delivery of course materials or an online discussion board, to a correspondence course, the school must ascertain the predominant method of instruction (correspondence or distance education), keeping in mind that a distance education course must use technology to support regular and substantive interaction between the students and instructor. The school must use the rules for the predominant method in administering the FSA programs.

If a school offers more than 50% of its courses by correspondence or if 50% or more of its students are enrolled in its correspondence courses, the school loses its eligibility to participate in the FSA programs (see *Chapter 1*).

Note that correspondence students enrolled in certificate programs are not eligible for FSA funds. For a full discussion of when a school may pay a student for correspondence study, see *Volume 1, Chapter 1*. Also see *Volume 3, Chapter 2* for limitations on the cost of attendance for correspondence students and *Volume 3, Chapter 1* for the timing of disbursements to correspondence students.

## CLOCK-HOUR/CREDIT-HOUR CONVERSIONS IN DETERMINING PROGRAM ELIGIBILITY

The credit hour definition and the credit/clock hour conversion rules serve two purposes: to determine program eligibility and to determine the award amount for certain FSA programs.

In this section, we discuss the first of these topics—the use of the credit- and clock-hour rules in determining if a program meets the minimum program length requirements discussed earlier in the chapter.

### ***When a school must use clock hours for FSA purposes***

A school may consider any program to be a clock-hour program. A GE program (see “Programs leading to gainful employment” earlier) must be considered clock-hour for FSA purposes if

- there is a requirement to measure student progress in clock hours when 1) receiving federal or state approval or licensure to offer the program; or 2) completing clock hours is a requirement for graduates to apply for licensure or the authorization to practice the occupation that the student is intending to pursue;
- the credit hours awarded for the program are not in compliance with the definition of a credit hour (see below); or
- the school does not provide the clock hours that are the basis for the credit hours awarded for the program or each course in the program and, except for allowable excused absences [34 CFR 668.4(e)], requires attendance in the clock hours that are the basis for the credit hours awarded.

### **A combined correspondence and residential program example**

A school offers a truck driving program, the first part of which is offered via correspondence. After completing that part of the program, the student has to attend a residential site where he learns how to drive trucks. This is a correspondence program.

### **Credit & clock hour rules**

Definition of clock hour

34 CFR 600.2

Programs considered to be clock hour

34 CFR 668.8(k)(2)

Definition of credit hour

34 CFR 600.2



### Measuring attendance in clock hours

A student's period of attendance is measured according to one of several commonly accepted academic standards. A clock hour is based on an actual hour of attendance (though each hour may include a 10-minute break). Credit hours are typically based on two hours of homework for each hour of class attendance.

A school is not permitted to count more than one clock hour per 60-minute period; in other words, a school may not schedule several hours of instruction without breaks and then count clock hours in 50-minute increments. For instance, a school could not consider seven consecutive hours of instruction to be 8.4 hours by dividing 50 minutes into 420 minutes. Seven 60-minute periods of instruction may not count for more than seven clock hours.

### Clock-credit hour conversions

34 CFR 668.8(k) & (l)

See the Program Integrity Q&As at <http://www2.ed.gov/policy/highered/reg/hearulemaking/2009/credit.html#credit>.

### Exemption if ED determines that the program offers "equivalent degree"

The regulations also stipulate that the school is exempted from using the clock-hour/credit-hour formulas if the Department determines that the program provides a degree equivalent to an associate degree, a bachelor's degree, or a professional degree. This does not permit a school to ask for a determination that a nondegree program is equivalent to a degree program.

However, these requirements do not apply to a program if there is a state or federal approval or licensure requirement that a limited component of the program must include a practicum, internship, or clinical experience component of the program that must include a minimum number of clock hours.

### Definition of a clock hour

A clock hour is defined as a period of time consisting of

- a 50- to 60-minute class, lecture, or recitation in a 60-minute period;
- a 50- to 60-minute faculty-supervised laboratory, shop training, or internship in a 60-minute period; or
- sixty minutes of preparation in a correspondence course.

### Definition of a credit hour

A credit hour is an amount of work that reasonably approximates not less than

1. One hour of classroom or direct faculty instruction and a minimum of two hours of out-of-class work each week for approximately 15 weeks for one semester or trimester hour of credit, or 10 to 12 weeks for one quarter hour of credit, or at least the equivalent amount of work over a different amount of time; or
2. At least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

The regulations make an exception to this definition in the case of programs that are subject to one of the clock-hour/credit-hour conversion formulas, as described in the following text.

### Clock-credit hour conversions in determining program eligibility

If your school offers an undergraduate educational program in credit hours that is considered a GE program, it must use one of the following conversion formulas unless

- the program is at least two academic years in length and provides an associate degree, a bachelor's degree, a professional degree, or an equivalent degree as determined by the Department; or
- each course within the program is acceptable for full credit toward that institution's associate degree, bachelor's degree, professional degree, or equivalent degree as determined by the Department, provided that 1) the school's degree requires at least two academic years of study; and 2) the school demonstrates that students enroll in, and graduate from, the degree program.

The formula will determine if after the conversion the program includes the minimum number of credit hours to qualify as an eligible program for FSA purposes.



For determining the number of credit hours in that educational program

- a semester hour must include at least 37.5 clock hours of instruction,
- a trimester hour must include at least 37.5 clock hours of instruction, and
- A quarter hour must include at least 25 clock hours of instruction.

See “Out-of-class student work” in the margin.

To determine if the program meets the FSA standard for the minimum number of credit hours for that type of program, schools must use one of the following formulas.

For a semester or trimester hour program

**Number of clock hours in the credit-hour program**

37.5

For a quarter hour program

**Number of clock hours in the credit-hour program**

25

If a school applies the appropriate formula and finds that a program is eligible, the converted credit hours are used to determine the amount of FSA funds that a student who is enrolled in the program is eligible to receive as explained in *Volume 3, Chapter 1*.

For more information on how to perform the clock-hour/credit-hour conversion, see pages 31 and 32.

### ***Credits approved by state and accrediting agencies***

When some states and accrediting agencies approve programs, they also approve the number of credits in the programs. The credits approved by states and accrediting agencies are **not** necessarily the credits for FSA purposes. For FSA purposes, the number of credits in the program will be those determined by the conversion formula, but they will never be more than those approved by a state or accrediting agency.

### ***Out-of-class student work***

The school’s minimum number of clock hours of instruction per credit may be less if its designated accrediting agency or recognized state agency for the approval of public postsecondary vocational institutions for participation in the FSA programs has not identified any deficiencies with the school’s policies and procedures for determining the credit hours that the school awards for programs and courses. In such cases student work outside of class combined with the clock hours of instruction must meet or exceed the numeric requirements (37.5 or 25), and

### **Rounding**

Because the results of these formulas determine the eligibility of a program, the resulting number of credit hours may not be rounded up. The results for each course may include the result with fractions or must be rounded down.

### **State/accrediting agency criteria for clock/credit hours**

The regulations for state and accreditation agencies explain how an agency reviews a school’s assignment of credit hours.

34 CFR 602.24 and 603.24

### **Exception example**

Although for a program to be eligible for the clock-credit hour conversion exception all of the classes must be *acceptable* for full credit toward a degree program at the school, only a majority need to actually be *accepted* into the program. For example, a school has a two-year program in plumbing and a bachelor’s degree program in construction technology. Any of the five plumbing courses taken by a student in the two-year plumbing program may be used to satisfy the plumbing requirement in construction technology. However, that requirement is only for three plumbing courses, and no more than that can be accepted toward the construction technology degree. But since all of the plumbing courses that are part of the two-year program are acceptable in the bachelor’s program and a majority (three out of five or 60%) will be accepted, the plumbing program qualifies for the exception.

- a semester hour must include at least 30 clock hours of instruction,
- a trimester hour must include at least 30 clock hours of instruction, and
- a quarter hour must include at least 20 hours of instruction.

Merely having coursework that is outside of class does not mean a school can automatically divide by 30 or 20. The minimum may be higher than 20 or 30 depending on the amount of out-of-class work that is expected in the different educational activities of a program and may vary depending on the particular activity. The case study that follows illustrates a method for accurately accounting for any out-of-class work a student may have in a course.

Also, the amount of out-of-class work in a particular course or activity in a program does not carry over to other courses or activities.

## Conversion Case Study (to semester hours)

- A program with 720 clock hours consists of—
  - 5 classroom courses with 120 clock hours each, and
  - A 120 clock-hour externship with no out-of-class student work.
- The institution determines that for—
  - The first 3 classroom courses, a student generally is required to perform 40 hours of out-of-class work for each course, and
  - The last 2 classroom courses have 8 hours of out-of-class work for each course.
- Two options
  - Default option: convert only based on clock hours and ignore any out-of-class work
  - Full formula option: take into account both clock hours and out-of-class work to determine the maximum allowable credit hours
- Four possible outcomes depending on institutional policy for option and rounding (always round down course-by-course):
  - Default option: 19.2 or 18 semester hours
  - Full formula option: 22.026 or 21 semester hours
- Default option: use the default 37.5 clock hours per semester hour, ignoring the out-of-class work (conversion must be course-by-course)
  - $$120 / 37.5 = 3.2 \text{ semester hours per course (or 3, if rounding; always round down course-by-course)}$$
  - Converted program =  $3.2 * 6 = 19.2$  semester hours (or  $3 * 6 = 18$  semester hours, if rounding)
- Full formula option
  - Illustrates:
    - Must evaluate on individual coursework components of a program
    - Total clock hours and out-of-class student work is irrelevant
    - Must meet limitation for the minimum number of clock hours per credit hour in addition to out-of-class work
    - Excess out-of-class student work per credit hour does not carry over between courses or educational activities in a program
    - Use exact calculation, including any fractions of credit hours, or round down any fraction, including a fraction equal to or greater than half
    - Rounding on individual course or educational activity, not on the total

Full formula option

	In-class clock hours		Allowable out-of-class prep hours	Total clock and prep hours	Semester hours	Semester hours (rounded)	Notes
Course #1 (40 hours of actual out-of-class student work)	120	+	$7.5 * 4 = 30$	150	4	4	(A), (C)
Course #2 (40 hours of actual out-of-class student work)	120	+	$7.5 * 4 = 30$	150	4	4	(A), (C)
Course #3 (40 hours of actual out-of-class student work)	120	+	$7.5 * 4 = 30$	150	4	4	(A), (C)
Course #4 (8 hours of actual out-of-class student work)	120	+	8	128	3.413	3	(B), (D)
Course #5 (8 hours of actual out-of-class student work)	120	+	8	128	3.413	3	(B), (D)
Externship (no out-of-class student work)	120	+	0	120	3.2	3	(E)
Total clock hours and out-of-class student work (amount not relevant)				826			
<b>Total semester hours if no rounding</b>					<b>22.026</b>		
<b>Total semester hours if rounding (must round down any fractions to ensure no overawards)</b>						<b>21</b>	

**NOTES:**

**Limitation:** the rules do not allow more than 7.5 hours of out-of-class prep for every 30 hours in class

- (A) 120 in-class hours divided by 30 hours = 4      There are 10 hours of out-of-class prep per 30 clock hours ( $40/4 = 10$ ), but cannot have more than 7.5 ( $4 * 7.5 = 30$ )
- (B) 120 in-class hours divided by 30 hours = 4      There are 7.5 or fewer hours of out-of-class prep per 30 clock hours ( $8/4 = 2$ ), so use actual hours of out-of-class prep (8)

**Semester hours per course**

- (C) 150 total clock and prep hours divided by 37.5 = 4
- (D) 128 total clock and prep hours divided by 37.5 = 3.413
- (E) 120 total clock hours divided by 37.5 = 3.2

# FSA Administrative & Related Requirements

CHAPTER

3

*This chapter describes aid-related requirements a school must meet to participate in the Federal Student Aid programs. Many of these requirements require coordination with other school offices. For instance, the requirements for adequate staffing, the incentive compensation prohibition, and hiring restrictions related to the misuse of government funds might apply to your school's human resources office. Similarly, your school's academic divisions and its business office will need to be aware of the standards for satisfactory progress policies, readmission of service members, and in-state tuition rates for service members and their families.*

## ADMINISTRATIVE REQUIREMENTS FOR THE FINANCIAL AID OFFICE

### **Consistency of information & conflicting information**

A school must have a system of identifying and resolving discrepancies in all FSA-related information received by any school office. A school must resolve discrepancies for all students, not just those selected for verification. Resolution includes determining what information is correct and documenting the school's findings in the student's file.

Such a system must include a review of :

- All student aid applications, need analysis documents, MRRs, POPs from COD, statements of educational purpose, statements of registration status, and eligibility notification documents presented by or on behalf of each applicant.
- The Student Aid Report/ISIR for a student. Even if a school has already verified the information on a student's SAR/ISIR, it must review all information on subsequent SARs/ISIRs.
- Any documents, including copies of federal tax return and tax account transcripts, that are normally collected by the school to verify information received from the student or other sources.
- Any other information submitted or normally available to the school regarding a student's citizenship, previous educational experience, or Social Security number or other factors relating to the student's eligibility for FSA funds.

For instance, if a student receives an academic scholarship through one school office, that office must notify the aid administrator of these benefits to ensure that the amounts are correctly reported on the student's aid application and are counted as estimated financial assistance for the Campus-based and Direct Loan programs.

### **Related information**

- Financial Standards, *Chapter 4*
- Consumer & Safety Information, *Chapter 6*
- Records, Electronic Processes, *Chapter 7*
- Campus Safety, Reports & Other Requirements, *Chapter 6*

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**FSA Assessments**

To assess your school's compliance with these requirements, see the FSA Assessment modules on "Automation" and "Satisfactory Academic Progress" at <http://ifap.ed.gov/qahome/fsaassessment.html>.

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**Administrative capability**

To participate in the FSA programs, a school must demonstrate that it is administratively capable of providing the education it promises and of properly managing the FSA programs. 34 CFR 668.16

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**Death of a student**

If a student dies during the award year, the school isn't required to resolve conflicting information.

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**OIG referrals**

34 CFR 668.16(g)

Other examples include:

- A school's admissions or registrar's office must provide the aid office with any information it has that might affect a student's eligibility, such as the student's enrollment in an ineligible program or in summer classes immediately preceding a fall term of enrollment.
- A school's business office must inform the aid office whenever it receives information about a student receiving an outside scholarship.

There is a distinction between how long you need to be alert for conflicting information and how long you have to actually resolve a conflict. Even if the processing year has ended, you must continue to resolve conflicting information unless

- all aid for the period of enrollment has been disbursed,
- at the time of disbursement there was no conflicting information, and
- the student is no longer enrolled at the school (and is not intending to reenroll).

You may not ignore a document in your files unless a student is no longer enrolled. If you have conflicting information in your files, you must resolve it as expeditiously as possible. If you become aware of conflicting information for a student who is no longer enrolled and there is aid to be disbursed, you must resolve the conflict before making the late or post-withdrawal disbursement.

If aid that the school was unaware of is received after the end of a period of enrollment for a student who is intending to reenroll, that aid must be treated as estimated financial assistance for either the period of enrollment just completed or for the subsequent period of enrollment. See the discussion of estimated financial assistance and packaging in *Volume 3*.

Remember, if any office at your school has information that might affect a student's eligibility for FSA funds, it must provide that information to the school's designated coordinating official (described later). That person must forward it to the financial aid office, where procedures must be in place to ensure that any conflicting information is resolved and documented before the student receives any (or any additional) FSA funds.

**OIG referrals**

A school must refer to the Department's Office of Inspector General (OIG) any credible information indicating that an applicant for federal student aid may have engaged in fraud or other criminal misconduct in connection with his or her application.

Common misconduct includes false claims of independent student status, false claims of citizenship, use of false identities, forgery of signatures of certifications, and false statements of income. Remember that fraud is the intent to deceive as opposed to a mistake. If you suspect such intent on the part of a student, report it to the OIG by phoning 1-800-MISUSED.



## Conflicting information

### Sources of conflicting information

- Tax returns or schedules
- Federal tax transcripts
- Other information provided by the student to the financial aid office
- Supplemental financial aid applications
- Other offices within the school
- Offices at other educational institutions (not just aid offices)
- ED
- Scholarships and information from outside sources
- State agencies such as scholarship and vocational rehabilitation agencies, Workforce Investment Act offices, etc.
- Tips from outside sources
- Transcripts from other colleges
- SARs or ISIRs
- Verification
- C flags
- Reject codes
- Comment codes

### Examples of conflicting information

Conflicting information may include information related to a student's eligibility such as

- citizenship status,
- accuracy of SSN,
- default or overpayment status,
- changes in student's academic status (including grade level progression),
- COA elements,
- other student financial assistance or resources, and
- inconsistent information used in calculating the student's EFC.

Conflicting information does not include such things as

- a household size that differs from the number of exemptions on a tax return;
- dependency under IRS rules vs. ED definition of dependency;
- a roster of candidates for an outside scholarship, as opposed to a list of recipients;
- privacy-protected information, such as information from professional counselors, chaplains, doctors, etc.;
- assumptions made by the Central Processing System; and
- a student who has an expired immigration document but whose secondary confirmation match is successful.

Schools must also refer to the OIG any third-party servicer who may have engaged in fraud, breach of fiduciary responsibility, or other illegal conduct involving the FSA Programs.

It is always appropriate for a financial aid administrator to consult with a school's legal counsel prior to referring suspected cases of fraud or misconduct to an agency outside of the school. Referrals to the IG are also mentioned in the *Application and Verification Guide*.

### Coordinating official

A school must designate a capable individual to be the coordinating official. This person performs a key role in demonstrating the school's administrative capability. She administers the FSA programs and coordinates the aid from those programs with that from all other sources (federal, state, school, and private). As noted earlier, all the information the school receives and any changes processed by an office of the school that might affect a student's FSA eligibility are communicated to the coordinating official and by her to the financial aid office.

For example, when aid administrators create a student's financial aid package, they must consider financial assistance (scholarships, grants, awards, etc.) the student is receiving from external and internal sources to ensure that he is not overawarded. Therefore, any information the school's admissions office or an academic department gets about financial assistance a student is receiving must be made available to the coordinating official. Another

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### Coordinating official—definition of capable individual

34 CFR 668.16(b)(1)

An individual is "capable" if he or she is certified by the state in which the school is located, if state certification is required. Other factors affecting capability include the individual's successful completion of FSA program training provided or approved by the Department and previous experience and documented success in FSA program administration.

**Separation of function**

For further guidance on the separation of functions, contact the appropriate School Participation Team (see “Contacts” on the Financial Aid Professional portal).

example is that the financial aid office must be informed of any changes in a student’s enrollment status. Therefore, whenever he adds or drops a class, changes from credit to audit, or withdraws from school, the change must be communicated to the coordinating official.

**Counseling**

Schools must provide adequate financial aid counseling to all enrolled and prospective students and their families. In addition, schools must also provide entrance and exit counseling for student borrowers in the Perkins and Direct Loan programs. For a complete discussion of loan counseling requirements, see *Chapter 6* in this volume and *Volume 6: Campus-Based Programs* (for Perkins disclosure requirements).

**Adequate staffing**

To manage a school’s aid programs effectively, the aid administrator must be supported by an adequate number of professional and clerical personnel. The number of staff that is adequate depends on the number of students aided, the number and types of programs in which the school participates, the number of applicants evaluated and processed, the amount of funds administered, and the type of financial aid delivery system the school uses. What may be adequate at one school may be insufficient at another. The Department will determine on a case-by-case basis whether a school has an adequate number of qualified persons, based on program reviews, audits, and information provided on the school’s application for approval to participate in the FSA programs.

**System of checks and balances**

In addition to having a well-organized financial aid office staffed by qualified personnel, a school must ensure that its administrative procedures for the FSA programs include an adequate system of internal checks and balances. This system, at a minimum, must separate the functions of authorizing payment and disbursing or delivering funds so that no single person or office exercises both functions for any student receiving FSA funds.

Small schools are not exempt from this requirement even though they may have limited staff. Individuals working in either authorization or disbursement may perform other functions as well but not both authorization and disbursement. These two functions must be performed by individuals who are not members of the same family and who do not together exercise substantial control over the school. If a school performs any aspect of these functions via computer, no one person may have the ability to change data that affect both authorization and disbursement.

While electronic processes enhance accuracy and efficiency, they also can blur separation of functions so the awarding and disbursement occur virtually simultaneously. Schools must set up controls that prevent an individual or an office from having the authority or the ability to perform both functions.

In addition, your system also should have controls that prevent cross-functional tampering. For example, financial aid office employees should not be able to change data elements that are entered by the registrar’s office. Finally, your system should only allow individuals with special security

**Family definition and example**

A member of a person’s family is a parent, sibling, spouse, child, spouse’s parent or sibling, or sibling’s or child’s spouse.

Example: Charlie works in the financial aid office at Krieger University, and he notices that there is an opening in the business office. He thinks of telling his daughter Sarah about the job but then realizes that because the business office disburses student aid, she would not be able to work there while he is responsible for awarding aid in the financial aid office.

34 CFR 668.15(f)(3)

classifications to make changes to the programs that determine student need and awards, and it should be able to identify the individuals who make such changes.

## OWNERSHIP, EMPLOYEES, & CONTRACTORS

### *Debarment of school owners or staff*

If one of the principals of a school is debarred or suspended by a federal agency, that person is prohibited from participating in any FSA program as long as the agency's procedures include due process protections that are equivalent to those provided by ED.

The principals of a school include its owners, directors, officers, partners, employees, and anyone else with management or supervisory responsibilities. A principal may also be someone who is not employed by the school but who has critical influence on or substantive influence over a covered transaction (such as the receipt of Pell Grant or Campus-Based funds). For example, a principal may be someone, employed by the school or not, who

- is in a position to handle federal funds;
- is in a position to influence or control the use of those funds; or
- occupies a technical or professional position capable of substantially influencing the development or outcome of an activity required to perform the covered transaction.

Schools participating in the FSA programs have a fiduciary responsibility to safeguard FSA funds and ensure those funds are used for the benefit of the students for whom they are intended. We expect participating institutions to thoroughly examine the background of individuals they employ (or are considering employing) in management or supervisory positions. If a school discovers that a person employed in a management or supervisory capacity has been suspended or debarred by a federal agency, the school must remove that person from such a position or risk losing its FSA eligibility. Moreover, a school may not enter into a relationship (and must terminate an ongoing relationship) with a lender, third-party servicer, or loan servicer the school determines has been debarred or suspended.

### *Certifying current or prospective employees or contractors*

Before a school may receive FSA funding, it must certify that neither the school nor its employees have been debarred or suspended by a federal agency. You can find this certification in the Program Participation Agreement and in the web-based FISAP package available to schools participating in the Campus-Based programs.

The certification provided by the school is a material representation of fact relied upon by the Department when it enters into a participation agreement with the school. Moreover, a school is expected to have knowledge and information normally possessed by a prudent person in the ordinary course of business dealings. Although the Department doesn't dictate how a school must ensure that its principals/employees have not been debarred or suspended by a federal agency, we do hold the school responsible for any information it could reasonably have been expected to know in the course of

### **Debarment and suspension**

To protect the public interest, it is the policy of the federal government to conduct business only with responsible individuals. To implement this policy, the government takes debarment and suspension actions against individuals whom it determines constitute a current risk to federal agencies. Executive Order 12549  
Federal Acquisition Regulations (48 CFR Part 9, Subpart 9.4)  
34 CFR Part 85

Similar debarment and suspension limitations apply to lenders, third-party servicers, loan servicers, and any individuals who provide services described in 34 CFR 668.2 or 682.200 to an FSA recipient whether or not they are employed by the school as described in 34 CFR 600.85.995(b).

### **Covered transactions**

For purposes of the debarment/suspension rules, covered transactions include:

- disbursement of FSA funds to a student or borrower,
- certification by an educational institution of eligibility for an FSA loan, and
- acquisition or exercise of any servicing responsibility for a grant, loan, or work study assistance under an FSA program.

### **Checking debarment/suspension status online**

The Excluded Parties List System (EPLS) website maintained by the General Services Administration (GSA) was where you could find which parties had been excluded from federal procurement and nonprocurement programs. The EPLS site has been incorporated into GSA's System for Award Management site at [www.sam.gov](http://www.sam.gov), where you can search for excluded entities. You should keep a copy of the search results in your records.

**Control and ownership interest**

Definition of control

34 CFR 600.31(b)

Ownership interest

34 CFR 668.15(f)

ordinary operations. In addition, we expect the school to expend a reasonable amount of effort ensuring that it and its employees are in compliance. If the Department learns that a prospective participant knowingly rendered an erroneous certification, in addition to other remedies available, the Department may terminate the participation of the institution.

**Notifying the Department of change of control**

A school must report any changes of control under which a person acquires the ability to affect substantially the actions of the school. Such changes in control trigger a review to determine if the school is financially responsible (see *Chapter 5*).

A school chooses the method and frequency for making a determination about the eligibility of its principals. This might include asking current and prospective employees and contractors, in person or in writing, about their debarment or suspension histories. In addition, a school might also examine the *List of Parties Excluded from Federal Procurement and Nonprocurement Programs* to find out if an individual or organization is debarred or suspended. A school should discuss with its attorney the procedures appropriate to its circumstances.

**Lower-tier transactions**

Examples of common lower-tier covered transactions are a school's contracts with a financial aid consultant service or with a loan collection or billing agency.

The employees who award FSA funds and those who disburse them should always be included in those whose backgrounds are examined. In addition, employees who participate in other transactions from which the regulations exclude individuals who have been debarred or suspended should be included. A school should consult with its attorney on the individuals it must certify.

The debarment or suspension of a person who is not a principal of the school and who does not work in the financial aid office will not affect the school's FSA eligibility so long as that person is not involved in any covered transactions.

**Sample certification statement from lower-tier organization**

The Department disseminated the following language in April 1989 as a model that schools may use to obtain the required certification statement from a lower-tier organization.

"The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from participating in this transaction by any Federal department or agency.

Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal."

*Federal Register*, May 26, 1988, page 19211, disseminated in Dear Colleague Letter GEN-89-21.

**Lower-tier covered transactions**

A school must not enter into lower-tier covered transactions with a debarred or suspended individual or organization. A lower-tier covered transaction is any transaction between a participant in a covered transaction (such as the school) and another individual or organization, if that transaction stems from a covered transaction. A school must obtain a certification from any lower-tier organization if the amount of the lower-tier transaction is \$25,000 or more. The lower-tier organization must inform the school in writing if the organization or its principals are debarred or suspended. Therefore, the certification does not need to be renewed from year to year.

**Crimes involving FSA program funds**

Schools are prohibited from having as principals those who have engaged in the misuse of government funds or from employing or contracting with other organizations that employ such persons. Specifically, a school must not knowingly

- employ, in a capacity that involves the administration of the FSA programs or the receipt of funds under those programs, an individual who has been convicted of, or has pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of federal, state, or local government funds, or has been administratively or judicially determined to have committed fraud or any other material violation of law involving federal, state, or local government funds;

- contract with a school or third-party servicer that has been terminated from the FSA programs for a reason involving the acquisition, use, or expenditure of federal, state, or local government funds or that has been administratively or judicially determined to have committed fraud or any other material violation of law involving federal, state, or local government funds; or
- contract with or employ any individual, agency, or organization that has been, or whose officers or employees have been:
  - (1) convicted of, or pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of federal, state, or local government funds; or
  - (2) administratively or judicially determined to have committed fraud or any other material violation of law involving federal, state, or local government funds.

**Disqualified individuals & PPA**

34 CFR 668.14(b)(18)(i)

**Code of Conduct**

If a school participates in an FSA loan program, it must publish and enforce a code of conduct that includes bans on

- revenue-sharing arrangements with any lender,
- steering borrowers to particular lenders or delaying loan certifications, and
- offers of funds for private loans to students in exchange for providing concessions or promises to the lender for a specific number of FSA loans, a specified loan volume, or a preferred lender arrangement.

The code of conduct applies to the officers, employees, and agents of the school and must also prohibit employees of the financial aid office from receiving gifts from a lender, guaranty agency, or loan servicer.

The code must also prohibit financial aid office staff (or other employees or agents with responsibilities with respect to education loans) from accepting compensation for

- any type of consulting arrangement or contract to provide services to or on behalf of a lender relating to education loans; and
- service on an advisory board, commission, or group established by lenders or guarantors, except for reimbursement for reasonable expenses.

**Compensation for serving on an advisory board**

A person employed in a financial aid office who serves on an advisory board cannot receive anything of value from the lender but can receive reimbursement for reasonable expenses associated with participation. A school must report annually to ED any such reasonable expenses paid or provided to any employee who is employed in the financial aid office or who otherwise has responsibilities with respect to education loans or other financial aid of the institution.



**Advisory board compensation**

HEOA Section 1011

Section 140 of the Truth in Lending Act  
Disclosures of Reimbursements for  
Service on Advisory Boards  
HEOA section 1011 HEA section 485(m)

The report must include

- the amount of each specific instance of reasonable expenses paid or provided;
- the name of the financial aid official, other employee, or agent to whom the expenses were paid or provided;
- the dates of the activity for which the expenses were paid or provided; and
- a brief description of the activity for which the expenses were paid or provided.

**Third-party servicer definition**

An individual or a state or a private, profit or nonprofit organization that enters into a contract with an eligible school to administer, through manual or automated processing, any aspect of the school's participation in any Title IV program.

34 CFR 668.2

**CONTRACTS WITH THIRD-PARTY SERVICERS**

Schools are permitted to contract with consultants for assistance in administering the FSA programs. However, the school ultimately is responsible for the use of FSA funds and will be held accountable if the consultant mismanages the programs or program funds.

A third-party servicer administers any aspect of the school's FSA participation. Examples of functions that third-party servicers perform are:

- processing student financial aid applications, performing need analysis, and determining student eligibility or related activities;
- certifying loans, servicing loans, or collecting loans;
- processing output documents for payment to students, and receiving, disbursing, or delivering FSA funds;
- conducting required student consumer information services;
- preparing and certifying requests for cash monitoring or reimbursement funding;
- preparing and submitting notices and applications required of eligible and participating schools, or preparing the *Fiscal Operations Report and Application to Participate* (FISAP); and
- processing enrollment verification for deferment forms or NSLDS enrollment reporting.

**Third-party servicer**

34 CFR sections 668.1, 2, 11, 14–16, 23, 25, 81–84, 86–89, and Subpart H.

See also DCL GEN-12-08, in particular for information on disbursing Title IV funds through a contractor.

**Excluded functions**

Examples of functions that are not considered administering the participation in a Title IV program:

- performing lockbox processing of loan payments;
- performing normal electronic fund transfers (EFTs) after being initiated by the school;
- acting as a Multiple Data Entry Processor (MDE);
- financial and compliance auditing;
- mailing documents prepared by a school or warehousing school records;

**Institutional liability**

A school remains liable for any and all FSA-related actions taken by the servicer on its behalf.



- participating in a written arrangement with other eligible schools to make eligibility determinations and FSA awards for certain students (see *Chapter 2*); and
- providing computer services or software.

A person or organization performing these functions is not considered to be a third-party servicer and is not subject to third-party servicer requirements.

### **Excluded entities**

An employee of a school is not a third-party servicer. For this purpose, an employee is one who: is paid directly by the school; works full or part time or on a temporary basis; performs all duties under school supervision, whether on site or remotely; is not employed by or associated with a third-party servicer; and is not a third-party servicer for any other school.

A school may not have as a third-party servicer one that

- has been limited, suspended, or terminated by the Department within the preceding five years;
- has had, during the servicer's two most recent audits, a finding that resulted in the servicer being required to repay an amount greater than five percent of the funds that the servicer administered under the Title IV programs for any year; or
- has been cited during the preceding five years for failure to submit audit reports required under Title IV in a timely fashion.

### **Requirements of a third-party servicer contract**

Under a contract with a school, a third-party servicer agrees to comply with all Title IV provisions, which includes those that refer solely to schools as well as to servicers, and to be jointly and severally liable with the school for a violation by the servicer of any of those provisions.

The servicer agrees to use any Title IV funds (and interest or earnings on them) in accordance with the regulations and, if it disburses those funds, to confirm student eligibility and make the required returns to Title IV funds (see *Volume 5*) when a student withdraws.

A third-party servicer must refer to the Department's inspector general any suspicion of crime relating to FSA program administration, including any information that there is reasonable cause to believe the school might have engaged in fraud or other criminal misconduct pertaining to the FSA programs (see the examples in the margin).

If the contract is terminated or the servicer files for bankruptcy or ceases to perform any functions prescribed under the contract, the servicer must return to the school all unexpended FSA funds and records related to the servicer's administration of the school's participation in the FSA programs.

### **Notifying ED of third-party servicer contracts**

Schools must notify the Department of new third-party servicer contracts and changes to existing contracts, as described in *Chapter 5*.

If a school has submitted information regarding its third-party servicers as part of applying for certification or recertification, no additional submission is required.

### **Referring information to OIG**

The regulations provide the following examples of criminal misconduct:

- False claims by the school for FSA program assistance;
- False claims of independent student status;
- False claims of citizenship;
- Use of false identities;
- Forgery of signatures or certifications;
- False statements of income; and
- Payment of any commission, bonus, or other incentive payment based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid to any person or entity engaged in any student recruitment or admission activity or in making decisions regarding the award of FSA program funds. See the next section on incentive compensation.

### **Annual compliance audit**

A third-party servicer must submit a compliance audit each year. If the servicer contracts with several schools, a single audit can be submitted that covers its administrative services for all those schools. For more information, see [www2.ed.gov/about/offices/list/oig/nonfed/sfa.html](http://www2.ed.gov/about/offices/list/oig/nonfed/sfa.html).

34 CFR 668.23

## Incentive compensation in the law & regulations

The prohibition of incentive compensation appears in Section 487(a)(20) of the HEA and in the Student Assistance General Provisions regulations at 34 CFR 668.14(b)(22).

On 3/22/2013 the Department published a revision to the preamble of the 10/29/10 final regulations in accordance with the remand in “Association of Private Sector Colleges and Universities v Duncan” 683F.3d 427 (D.C. Cir. 2012).

## Definitions

See Table 3 for regulatory definitions of

- Commission, bonus, or other incentive payment
- Securing enrollments or the award of financial aid
- Entity or person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid
- Enrollment

## “Safe harbors” exceptions

Regulations issued on October 29, 2010, eliminated the safe harbors effective July 1, 2011.

## Incentive compensation

On March 17, 2011, the Department issued additional guidance on incentive compensation. In addition to the tables included in this text, that Dear Colleague Letter provided examples of how the incentive compensation rules are applied, as well as guidance on “tuition sharing” and “profit sharing” and other forms of compensation. Since that time, the Department posted additional related questions and answers to address study abroad situations for Title IV-eligible students and to clarify when bundled services provided by a third party are subject to the incentive compensation ban. See GEN-11-05 and the webpage at [www2.ed.gov/policy/highered/reg/hearulemaking/2009/compensation.html](http://www2.ed.gov/policy/highered/reg/hearulemaking/2009/compensation.html).

## INCENTIVE COMPENSATION PROHIBITION

Schools may not provide any commission, bonus, or other incentive payment based directly or indirectly on success in securing enrollments or financial aid to any individual or entity engaged in recruiting or admission activities or in making decisions about awarding FSA program funds.

As stated previously, only two types of activities are subject to the incentive compensation ban: securing enrollment (recruitment) and securing financial aid. No other activities are subject to the ban.

The incentive compensation prohibition applies to all individuals with responsibility for recruitment or admission of students or making decisions about awarding FSA funds. As shown in Table 1, the Department draws a distinction between recruitment activities that involve working with individual students and policy-level determinations that affect recruitment, admission, or the awarding of FSA funds. The Department expects that employees who have titles such as enrollment counselors, recruitment specialists, recruiters, and enrollment managers have sufficiently direct involvement in recruitment that the incentive compensation ban applies to them. Senior managers and executive level employees who are only involved in the development of policy and do not engage in individual student contact or the other covered activities listed in Table 1 will not generally be subject to the incentive compensation ban.

When other activities are coupled with recruitment or securing financial aid, a school must consider how they compensate persons or entities to avoid payments that are prohibited. Table 1 illustrates how these principles would be applied to activities that schools carry out in support of recruitment and financial aid. Payments to persons or entities that undertake or have responsibility for recruitment and decisions related to securing financial aid are subject to the incentive compensation ban even if their work also includes other activities.

Schools may use factors such as seniority or length of employment as a basis for compensating employees covered by the incentive compensation prohibition. Many other qualitative factors may also be used so long as they are not related to the employee’s success in securing student enrollments or the award of financial aid. These factors may include such things as job knowledge and professionalism; skills such as analytic ability, initiative in work improvement, clarity in communications, and use and understanding of technology; traits such as accuracy, thoroughness, dependability, punctuality, and adaptability; peer rankings; student evaluations; and interpersonal relations.

Table 1 : Activities covered by prohibition on incentive compensation	
Covered Activities	Exempt Activities
<i>Activities that are ALWAYS subject to the ban on incentive compensation</i>	<i>Activities NOT subject to the ban on incentive compensation include the following, unless the activities of the employee or entity also involve a covered activity</i>
Recruitment activities, including: <ul style="list-style-type: none"> <li>• Targeted information dissemination to individuals;</li> <li>• Solicitations to individuals;</li> <li>• Contacting potential enrollment applicants; aiding students in filling out enrollment application information</li> </ul>	Marketing activities, including: <ul style="list-style-type: none"> <li>• Broad information dissemination;</li> <li>• Advertising programs that disseminate information to groups of potential students;</li> <li>• Collecting contact information;</li> <li>• Screening preenrollment information to determine whether a prospective student meets the requirements that an institution has established for enrollment in an academic program;</li> <li>• Determining whether an enrollment application is materially complete, as long as the enrollment decision remains with the institution</li> </ul>
Services related to securing financial aid, including completing financial aid applications on behalf of prospective applicants (including activities that are authorized by the Department, such as the FAA Access tool, which can be used to enter, correct, verify, or analyze financial aid application data)	Student support services offered after the point at which financial aid is allowed to be disbursed for a payment period, including: <ul style="list-style-type: none"> <li>• General student counseling;</li> <li>• Career counseling;</li> <li>• Financial aid counseling, including loan management;</li> <li>• Online course support—both professional services and computer hardware and software;</li> <li>• Academic support services, including tutoring, aimed at student retention, whether that support is provided prior to attendance in classes or after attendance has begun.</li> </ul>
	Policy decisions made by senior executives and managers related to the manner in which recruitment, enrollment, or financial aid will be pursued or provided, such as decisions to admit only high school graduates

**Two-part test to evaluate if a payment is incentive compensation**

1. Is the payment a commission, bonus, or other incentive payment, defined as an award of a sum of money or something of value paid to or given to a person or entity for services rendered?
2. Is the commission, bonus, or other incentive payment provided to any person based, in any part directly or indirectly, upon success in securing enrollments or the award of financial aid?

If the answer to each question is “yes,” the payment would be prohibited.

See *Session 25: General Provisions and Non-Loan Program Issues—Institutional*, FSA Conference, December 2010.

Table 2 : Types of payments covered by prohibition on incentive compensation	
Types of payments that are direct or indirect payment of incentive compensation	Types of payments that are not direct or indirect payment of incentive compensation
“Tuition sharing” as a measure of compensation when based on a formula that relates the amount payable to the entity to the number of students enrolled as a result of the activity of the entity	Tuition as a source of revenue from which compensation is paid to an unrelated third party for a variety of bundled services (Example 2-B in GEN-11-05)
Profit sharing plans from which distributions are made to individuals based on the number of students enrolled by virtue of covered activities by the recipient [668.14(b)(22)(ii)(B)]	Profit sharing plans, including 401(k) type plans, from which distributions are made to individuals on a basis that is neutral with respect to the role the recipient plays in student recruitment or the securing of financial aid
Salary adjustments that take the form of incentive payments based directly or indirectly on success in securing enrollments or financial aid	Employee benefits plans offered to all employees on a basis that is neutral with respect to the role the recipient plays in student recruitment or the securing of financial aid
Payments based on the application of an admissions policy	Cost of living adjustments (COLAs)
Bonus or other payments based on success in securing enrollments or financial aid	Compensation adjustments based upon seniority
	Payments to faculty based upon student class size or academic achievement
	Payments to senior executives with responsibility for the development of policies that affect recruitment, enrollment, or financial aid
	Payments based upon securing student housing or other student services, including career counseling
	Volume-driven arrangements based on services that are not recruitment or securing of financial aid

Table 3 : Definitions

<p><b>Commission, bonus, or other incentive payment</b> A sum of money or something of value, other than a fixed salary or wages, paid to or given to a person or an entity for services rendered.</p> <p><b>Securing enrollments or the award of financial aid</b> Activities that a person or entity engages in at any point in time through completion of an educational program for the purpose of the admission or matriculation of students for any period of time or the award of financial aid to students.</p> <p>( 1 ) These activities include contact in any form with a prospective student, such as, but not limited to, contact through preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution, attendance at such an appointment, or involvement in a prospective student’s signing of an enrollment agreement or financial aid application.</p> <p>( 2 ) These activities do not include making a payment to a third party for the provision of student contact information for prospective students provided that such payment is not based on</p> <p>( i ) Any additional conduct or action by the third party or the prospective students, such as participation in preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution or attendance at such an appointment, or the signing, or being involved in the signing, of a prospective student’s enrollment agreement or financial aid application; or</p> <p>( ii ) The number of students (calculated at any point in time of an educational program) who apply for enrollment, are awarded financial aid, or are enrolled for any period of time, including through completion of an educational program.</p>	<p><b>Entity or person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid</b> ( 1 ) With respect to an entity engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any institution or organization that undertakes the recruiting or the admitting of students or that makes decisions about and awards FSA funds; and</p> <p>( 2 ) With respect to a person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any employee who undertakes recruiting or admitting of students or who makes decisions about and awards FSA funds, and any higher level employee with responsibility for recruitment or admission of students, or making decisions about awarding FSA funds.</p> <p><b>Enrollment</b> The admission or matriculation of a student into an eligible institution.</p>
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**Electronic processes**

34 CFR 668.16 (o)

DCL GEN-04-08, September 2004

*Federal Register*, 9/14/04, 55418–55420**Systems help**

For help with questions about specific systems, such as application processing and software (CPS/SAIG), COD, and NSLDS, see the “Help” link on the Information for Financial Aid Professionals site: [www.ifap.ed.gov](http://www.ifap.ed.gov).

**Two-factor authentication (TFA)**

For greater security FSA systems use TFA, which employs a token to generate single-use passwords. For questions about TFA and tokens, you can contact the CPS/SAIG Technical Support and the TFA Support Center at (800) 330-5947 or by email at [TFASupport@ed.gov](mailto:TFASupport@ed.gov). See the 7/7/14 electronic announcement.

**REQUIRED ELECTRONIC PROCESSES**

Schools must be able to use the FSA electronic processes to be considered administratively capable of participating in the FSA programs.

For a school to exchange data with the FSA systems, it must have Internet access through its network or through an Internet service provider. Your school will also need to enroll in the Student Aid Internet Gateway (SAIG) and establish a data mailbox. (Doing this and other tasks related to electronic processing is the most frequent duty for third-party servicers.) Most schools prepare student data records in a software package such as EDExpress and transmit the records as batch files to the SAIG mailbox. The Department’s systems send edited records back to the SAIG mailbox, where the school downloads the records and uses its software to update the records in its own database.

Schools must use COD’s common record format, complying with the published schema for the corresponding award year, to send and receive origination and disbursement data for Pell Grants, TEACH Grants, and Direct Loans. This format uses Extensible Markup Language (XML).

**Summary of required electronic processes**

To be in compliance with the administrative capability requirements of 34 CFR 668.16(o), a school must

- use the E-App to submit and update the school’s eligibility information: [www.eligcert.ed.gov](http://www.eligcert.ed.gov)
- enroll in the Student Aid Internet Gateway (SAIG): <https://fsawebenroll.ed.gov/>
- use *FAA Access* or its SAIG mailbox to exchange FAFSA or ISIR data with the Department’s Central Processing System: <https://faaaccess.ed.gov/FOTWebApp/faa/faa.jsp> or [www.saigportal.ed.gov](http://www.saigportal.ed.gov)
- use the COD website or its SAIG mailbox to exchange award and disbursement data for Pell Grants, TEACH grants, and Direct Loans: <http://cod.ed.gov> or [www.saigportal.ed.gov](http://www.saigportal.ed.gov)
- use the eCampus-Based (eCB) System to file the FISAP application and report (see *Volume 6*): [www.cbfisap.ed.gov](http://www.cbfisap.ed.gov)
- submit to the National Student Loan Data System (NSLDS) the school’s Federal Perkins Loan data, student enrollment records, FSA program overpayments, NSLDS transfer student monitoring records, and Gainful Employment program records (if applicable): <https://www.nslsdfap.ed.gov>
- electronically submit the school’s annual compliance and financial statement audits and any other required audits: [www.ezaudit.ed.gov](http://www.ezaudit.ed.gov)
- use the Default Management website to receive its draft and official cohort default rate data electronically: [ifap.ed.gov/DefaultManagement](http://ifap.ed.gov/DefaultManagement)
- use the Information for Financial Aid Professionals (IFAP) website to review Dear Colleague Letters, announcements, or Federal Registers: [ifap.ed.gov](http://ifap.ed.gov)

Several of Federal Student Aid’s systems, such as COD, eCB, and NSLDS, are located behind the Access and Identity Management System (AIMS), for which users have a single ID and password. Effective March 7, 2014, an ID that has not been used within 90 days will be suspended or, after 365 days, deactivated. See the electronic announcement from 1/24/14 for more information and instructions how to reinstate a suspended or deactivated user ID.



To create and edit student records, your school may use the Department's EDEXpress software, develop its own software, or rely on a third-party software vendor. If you are not using EDEXpress software to prepare your records, it is your responsibility to ensure that the software you use is capable of generating COD records in XML format.

As an alternative, you can now create and edit student records directly on many of our websites, such as COD, CPS, and NSLDS. When creating and editing records on the Web, you do not use PC software and you do not have to transmit the changes through your SAIG mailbox.

### **Information for Financial Aid Professionals (IFAP)**

Program information is communicated through our IFAP website ([ifap.ed.gov](http://ifap.ed.gov)) in the form of electronic announcements, Dear Colleague letters, and Federal Registers. One of the most useful features of this website is its notification service, which sends you daily or weekly emails that summarize recent postings to IFAP. (Go to "My IFAP" on the website and select "New User Registration.")

Even if you use a third-party servicer to manage your student aid activities, you are responsible for knowing about all new statutory, regulatory, and procedural requirements. The IFAP website is a convenient and comprehensive place to get that information.

The IFAP site also has links to all major FSA websites and services and a "Help" link that includes contact information for FSA call centers and customer service offices.

### **Minimum system requirements**

In the past ED has issued the minimum system requirements schools must meet to participate in the Department's electronic processes. (The most recent issuance was for 2005–2006 and gave an optimal configuration of a 2.8 GHz/333 MHz processor and 80 GB hard drive with a high-speed Internet connection.) When reviewing your office's computer needs, you should be aware that its system requirements (processor speed, RAM, hard-drive storage, etc.) will depend on which FSA functions the school uses, the number of records processed, and school database interfaces.

## **SHARING INFORMATION WITH NSLDS, FEDERAL LOAN SERVICERS, & GUARANTORS**

### **Reporting student enrollment data to NSLDS**

All schools participating or approved to participate in the FSA programs must have some arrangement to report student enrollment data to the National Student Loan Data System (NSLDS) through an enrollment roster file and have online enrollment access.

Student enrollment information is extremely important. It is used to determine if the student is still considered in school, must be moved into repayment, or is eligible for an in-school deferment. For students moving into repayment, the out-of-school status effective date determines when the grace period begins and how soon a student must begin repaying loan funds. You're required to report changes in the student's enrollment status, the

### **Enrollment reporting**

34 CFR 682.610 FFEL

34 CFR 685.309(b) Direct Loans

DCLs GEN-12-06 and GEN-14-07

Go to iLibrary > NSLDS Reference

Materials on the [ifap.ed.gov](http://ifap.ed.gov) website

for NSLDS newsletters, updates, and other information. Click on NSLDS User Documentation to get the *Enrollment Reporting Guide*, which has more on reporting enrollment information to NSLDS, including record layouts, error codes, etc.

### **Reach FSA**

We established a new phone number that simplifies access to FSA's contact centers for schools. You can now call a single toll-free number, 1-855-FSA-4-FAA (1-855-372-4322), to reach centers such as CPS/SAIG technical support, the COD School Relations Center, and the NSLDS Customer Support Center.

At this single number you can get more information about the various call centers or connect directly to the center you need. The existing phone numbers for all the centers will remain, and you can continue to use those to call the centers directly. See the 11/15/13 electronic announcement.

### **Receiving roster files**

A school or its servicer must sign up to receive roster files through the SAIG Enrollment site:

<https://fsaweбенroll.ed.gov/>.

### **Updating enrollment information on the Web**

You can create or update student enrollment status by using the "Enroll" tab on the NSLDS Professional Access site:

<https://www.nslsdfap.ed.gov/>

Support: 1-800-999-8219

**Enrollment status codes**

These codes are used for enrollment reporting and are listed in the *Enrollment Reporting Guide*:

F = Full time  
 Q = At least three-quarter time but less than full time  
 H = At least half time but less than three-quarter time  
 L = Less than half time  
 G = Graduated  
 W = Withdrawn (voluntary or involuntary)  
 A = Approved Leave of Absence  
 D = Deceased  
 X = Never attended  
 Z = Record not found

**Privacy: sharing student records with lenders**

A student authorizes his school to release information to lenders by signing the promissory note as part of the loan application process. This authorization covers information relevant to the student's or parent's eligibility to borrow as well as locating the borrower. Examples of such information are enrollment status, financial assistance, and employment records. See *Chapter 7* for more information about recordkeeping and privacy.

**Loan information from the guarantor**

Upon request, the guarantor must inform the school of students in default on FFELs.  
 34 CFR 682.401(b)(24)

If the lender requests preclaims assistance, the guarantor must inform the school of this request if the school has requested such notification.  
 34 CFR 682.404(a)(4)  
 Sec. 428(c)(2)(H) of the HEA

The guarantor must notify the school when a loan made at that school changes hands if the school requests such information.  
 Sec. 428(b)(2)(F) of the HEA  
 34 CFR 682.401(b)(25)

effective date of the status, and an anticipated completion date. Changes in enrollment to less than half-time, graduated, or withdrawn must be reported within 30 days.

Beginning July 1, 2014, NSLDS will send a roster file electronically to your school or its designated servicer every 60 days (or more frequently depending on your schedule) through its SAIG mailbox. The file includes all of the school's students who are identified in NSLDS as Stafford (Direct and FFEL) Loan borrowers or the beneficiaries of a PLUS loan. The file is not necessarily connected to loans made at your school—it may also report information for students who received some or all of their FSA loans at other schools but are currently attending your school.

Your school or servicer must certify the information and return the roster file within 15 days of receiving it. You may also go to [www.nsldsfa.gov](http://www.nsldsfa.gov) and update information for your students online. As already noted, you must report enrollment changes within 30 days; however, if a roster file is expected within 60 days, you may provide the updated data on that roster file.

In 2014 new enrollment reporting file layouts were implemented for both batch reports and submissions via the NSLDS site. Your school must begin to use these new layouts by October 1, 2014, though you can begin using them before then. Also, you will be required to report additional information for students, including their enrollment status at the program (not just school) level. See DCL GEN-14-07 for more details.

If the roster file that you are returning contains records that don't pass the NSLDS enrollment reporting edits, you will receive a response file with the records that didn't pass. Within 10 days you'll need to make the necessary corrections to these records and resubmit them. If you are using a servicer, you may need to assist the servicer in correcting these errors. Please remember that your school is ultimately responsible for notifying NSLDS of student enrollment changes.

When your school reports enrollment data to the NSLDS, it does not have to complete enrollment reporting rosters received directly from guaranty agencies. Additionally, your school may request that a lender confirm a borrower's enrollment status using NSLDS rather than completing an in-school deferment form.

**Updating borrower information at separation**

Schools that conduct their own exit counseling rather than have students complete it on [studentloans.gov](http://studentloans.gov) must, within 60 days after the exit counseling session, provide the appropriate federal loan servicer or the guaranty agency for FFEL that is listed in the borrower's student aid records any updated information about: the borrower's name, address, references, future permanent address, Social Security number, the identity and address of the borrower's expected employer, the address of the borrower's next of kin, and the borrower's driver's license number and state of issuance. This notification may be accomplished by uploading the information using NSLDS Exit Counseling Submittal available from [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov). NSLDS will then provide the data to the appropriate loan holders.

**Sharing information about delinquent/defaulted borrowers**

To promote loan repayment, schools are encouraged to notify the appropriate Direct Loan servicer with new information about a delinquent borrower's location or employment and to work with defaulted borrowers to bring their loans out of default.

The Direct Loan servicers send electronic reports to participating schools listing all delinquent and defaulted Direct Loan borrowers who took out loans while attending the school. The report, which contains the borrowers' names, addresses, and phone numbers, is organized by the number of days past due so that schools can contact and counsel borrowers to avoid default. Schools can also request delinquency reports through NSLDS (viewable online or for delivery to their TG mailbox) for all their borrowers with any of the DL servicers.

A former FFEL school may agree to provide the holders of delinquent loans information about delinquent borrowers' location or employment. The school may also try to contact borrowers and counsel them to avoid default.

Former FFEL schools may ask a guaranty agency to provide information about students who were enrolled at the school who have defaulted on their Stafford loans. The guarantor may not charge for this information. The school may also ask the guarantor to notify the school whenever a lender requests default aversion assistance on a loan made at your school, and provide the borrower's name, address, and Social Security number. The guaranty agency may charge a reasonable fee for this service. Your school may only use the information to remind the borrower to repay her loan(s).

If you've requested it, the guaranty agency must also notify your school when loans to its students are sold, transferred, or assigned to another holder. The notification must include the address and telephone number of the new loan holder. This notification requirement only applies to loans that are in the grace period or repayment and only if your school was the last the borrower attended before the loan entered repayment. For instance, if a student received Stafford Loans earning a bachelor's degree at your school but pursued a master's degree at another school before those loans entered repayment, the guarantor is not required to notify you if the loans are sold.

**Financial aid history & transfer monitoring**

A school must consider a student's financial aid history in making FSA program awards. The regulations require that schools use NSLDS data to obtain information about a student's financial aid history.

To receive a student's financial aid history, your school must register for the Transfer Student Monitoring Process. Through this process, NSLDS will monitor a transfer student's financial aid history and alert you to any relevant changes—other than the default and overpayment information reported in the postscreening process—that may affect the student's current award(s).

You must send NSLDS identifying information (or enter it online) for students transferring to your school so that NSLDS can use transfer monitoring to notify you of changes to their financial aid history. You may

**Financial aid history**

34 CFR 668.19

DCL GEN-00-12

DCL GEN-01-09, July 2001 (including July 16, 2001, update)

**Transfer student monitoring**

You must verify the eligibility of transfer students for FSA funds. You may either check the student's financial aid history on the NSLDS Professional Access site or wait seven days after you've submitted the student's information for monitoring to receive a response from NSLDS.

To begin using the "inform" feature, you must designate a contact on the "School Transfer Profile" page at [www.nslsdfap.ed.gov](http://www.nslsdfap.ed.gov).

**Satisfactory academic progress**

School policy:

34 CFR 668.16(e)

Student eligibility:

34 CFR 668.32(f)

34 CFR 668.34

send information for students who have expressed an interest in attending your school even if they have not yet formally applied for admission.

You can find a complete discussion of this requirement and the transfer student monitoring process in *Volume 1, Chapter 3*.

**SATISFACTORY ACADEMIC PROGRESS (SAP)**

To be considered administratively capable, a school must have a satisfactory academic progress policy that is the same as or more strict for an FSA recipient as the school's standards for a student enrolled in the same educational program who is not receiving FSA funds.

Because satisfactory progress issues are most often raised in specific student eligibility cases, we discuss the details of satisfactory progress standards in *Volume 1, Chapter 1* of the FSA Handbook. You should carefully review the discussion in *Volume 1* if your school is developing or amending its SAP policy.

**Basic elements of an SAP policy**

As discussed in *Volume 1*, a school's policy must include evaluations at least annually for programs longer than one year and every payment period for programs of one year or less. There must be a qualitative component consisting of a minimum grade point average or comparable factor that is measurable against a norm. For programs longer than two academic years, the policy must stipulate that a student must have at the end of the second year a GPA of at least a "C" or its equivalent or have an academic standing consistent with the school's requirements for graduation. There must also be a quantitative component that consists of a maximum time frame in which a student must complete her educational program and a pace of completion that ensures she will complete the program within the time frame.

In addition, your school's policy must explain:

- the effect of ESL and remedial courses on progress,
- how progress is measured if a student changes majors or seeks to earn additional degrees,
- how course repetitions are handled,
- whether you have appeals for an adverse SAP determination and the procedures for any such appeals, and
- the procedures for otherwise re-establishing satisfactory progress.

The policy must include provisions for consistent application of the standards to all students within categories (e.g., full-time, part-time, undergraduate, and graduate students) and educational programs established by the school. Generally, the quantitative and qualitative standards used to judge academic progress include all periods of the student's enrollment. Even periods in which the student did not receive FSA funds must be counted.

**Definitions for tuition rates for military families**

**Armed Forces**—the U.S. Army, Navy, Air Force, Marine Corps, and Coast Guard.

**Active duty**—full-time duty in the active military service of the United States. Such term includes full-time training duty, annual training duty, and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the military department concerned. Such term does not include full-time National Guard duty.

**Active duty for a period of more than 30 days**—active duty under a call or order that does not specify a period of 30 days or less.

20 USC 1015d



## PROVISIONS FOR U.S. ARMED FORCES MEMBERS & FAMILY

### *In-state tuition rates for active duty service members & family attending public institutions*

A public postsecondary school may not charge a member of the armed forces who is on active duty for a period of more than 30 days more than the school's tuition rate for residents of the state. Similarly, the service member's spouse and dependent children are entitled to the in-state tuition rate.

In addition, if the service member, spouse, or dependent child pays the in-state tuition rate, the public institution must allow the person to continue to pay such a rate as long as the individual is continuously enrolled, even if there is a subsequent change in the permanent duty station of the service member to a location outside of the state.

### *Readmission of service members*

A school must promptly readmit a service member with the same academic status as he had when last attending the school or accepted for admission to the school. This requirement applies to any student who cannot attend school due to military service (see the definition in the margin).

The student must notify the school of his military service and intention to return to school as follows:

- *Notification of military service.* The student (or an appropriate officer of the armed forces or official of the Department of Defense) must give oral or written notice of such service to the school as far in advance as is reasonable under the circumstances. This notice does not have to indicate whether the student intends to return to the school and may not be subject to any rule of timeliness. (Timeliness must be determined by the facts in each case.) Alternatively, at the time of readmission, the student may submit an attestation of military service that necessitated the student's absence from the school. No notice is required if precluded by military necessity, such as service in operations that are classified or would be compromised by such notice.
- *Notification of intent to return to school.* The student must also give oral or written notice of her intent to return to the school within three years after the completion of the period of service. A student who is hospitalized or convalescing due to an illness or injury incurred or aggravated during the performance of service must notify the school within two years after the end of the period needed for recovery from the illness or injury. A student who fails to apply for readmission within these periods does not automatically forfeit eligibility for readmission but is subject to the school's established leave of absence policy and general practices.

A school must designate one or more offices that a student may contact to provide notification of service and notification of intent to return. The school may not require that these notices follow any particular format.

### **Definitions for readmission**

For purposes of this discussion—  
**Military service (or service in the uniformed services)**—service, whether voluntary or involuntary, in the armed forces, including service by a member of the National Guard or Reserve on active duty, active duty for training, or full-time National Guard duty under federal authority, for a period of more than 30 consecutive days under a call or order to active duty of more than 30 consecutive days. This does not include National Guard service under state authority.

**Service member**—someone who is a member of, applies to be a member of, performs, has performed, applies to perform, or has an obligation to perform, service in the uniformed services on the basis of that membership, application for membership, performance of service, application for service, or obligation to perform service.

**Appropriate officer**—A warrant, commissioned, or noncommissioned officer authorized to give such notice by the military service concerned.

**Termination for bad conduct**

A student's readmission rights terminate in the case of a dishonorable or bad conduct discharge, general court-martial, federal or state prison sentence, or other reasons as described in 34 CFR 668.18(h).

The school must promptly readmit the student into the next class or classes in the program beginning after he provides notice of intent to reenroll, unless he requests a later date or unusual circumstances require the school to admit him at a later date. This requirement supersedes state law—for example, a school must readmit a qualifying service member to the next class even if that class is at the maximum enrollment level set by the state.

The school must admit the student with the same academic status, which means:

- to the same program to which the student was last admitted or, if that exact program is no longer offered, the program that is most similar to that program, unless she chooses a different program;
- at the same enrollment status, unless the student wants to enroll at a different enrollment status;
- with the same number of credit hours or clock hours previously completed, unless the student is readmitted to a different program to which the completed credit hours or clock hours are not transferable, and
- with the same academic standing (e.g., with the same satisfactory academic progress status) the student previously had.

**Reasonable efforts to help prepare student**

If the school determines that the student is not prepared to resume the program with the same academic status at the point where she left off or will not be able to complete the program, the school must make reasonable efforts at no extra cost to help her become prepared or to enable her to complete the program. This includes providing refresher courses and allowing the student to retake a pretest at no extra cost.

The school is not required to readmit the student if it determines

- that there are no reasonable efforts it can take to prepare her to resume the program at the point where she left off or to enable her to complete the program, or
- that after it makes reasonable efforts (those that do not place an undue hardship on the institution), the student is not prepared to resume or complete the program.

“Undue hardship” means an action requiring significant difficulty or expense when considered in light of the overall financial resources of the institution and the impact otherwise of such action on the operation of the institution.

The school has the burden to prove by a preponderance of the evidence that the student is not prepared to resume the program with the same academic status at the point where she left off or that she will not be able to complete the program.

If the student is readmitted to the same program, for the first academic year in which he returns, the school must assess the tuition and fee charges that he was or would have been assessed for the academic year during which he left the school. However, if his veterans education benefits or other service member education benefits will pay the higher tuition and fee charges that other students in the program are paying for the year, the school may assess those charges to the student as well.

If the student is admitted to a different program, and for subsequent academic years for a student admitted to the same program, the school must assess no more than the tuition and fee charges that other students in the program are assessed for that academic year.

The cumulative length of the absence and of all previous absences from the school for military service may not exceed five years. Only the time the student spends actually performing service is counted. See the next page for additional rules pertaining to cumulative length of absence.

***Executive Order 13607: Principles of Excellence***

On April 27, 2012, the White House issued EO 13607, which created the Principles of Excellence for Educational Institutions Serving Service Members, Veterans, Spouses, and Other Family Members. The principles apply to all postsecondary schools that receive funding from federal military and veterans educational benefits programs. They strengthen consumer protections for students who receive these benefits and provide access to information to help them make informed choices about their college education. Adoption of the principles is voluntary but encouraged.



## Readmission for servicemembers—additional information

### 34 CFR 668.18 (a) General

\* \* \*

(3) This section applies to an institution that has continued in operation since the student ceased attending or was last admitted to the institution but did not begin attendance, notwithstanding any changes of ownership of the institution since the student ceased attendance.

(4) The requirements of this section supersede any State law (including any local law or ordinance), contract, agreement, policy, plan, practice, or other matter that reduces, limits, or eliminates in any manner any right or benefit provided by this section for the period of enrollment during which the student resumes attendance, and continuing so long as the institution is unable to comply with such requirements through other means.

### 668.18 (e) Cumulative length of absence.

For purposes of paragraph (c)(1)(ii) of this section, a student's cumulative length of absence from an institution does not include any service—

- (1) That is required, beyond five years, to complete an initial period of obligated service;
- (2) During which the student was unable to obtain orders releasing the student from a period of service in the uniformed services before the expiration of the five-year period and such inability was through no fault of the student; or
- (3) Performed by a member of the Armed Forces (including the National Guard and Reserves) who is—
  - (i) Ordered to or retained on active duty under—
    - (A) 10 U.S.C. 688 (involuntary active duty by a military retiree);
    - (B) 10 U.S.C. 12301(a) (involuntary active duty in wartime);
    - (C) 10 U.S.C. 12301(g) (retention on active duty while in captive status);
    - (D) 10 U.S.C. 12302 (involuntary active duty during a national emergency for up to 24 months);
    - (E) 10 U.S.C. 12304 (involuntary active duty for an operational mission for up to 270 days);
    - (F) 10 U.S.C. 12305 (involuntary retention on active duty of a critical person during time of crisis or other specific conditions);
    - (G) 14 U.S.C. 331 (involuntary active duty by retired Coast Guard officer);
    - (H) 14 U.S.C. 332 (voluntary active duty by retired Coast Guard officer);
    - (I) 14 U.S.C. 359 (involuntary active duty by retired Coast Guard enlisted member);
    - (J) 14 U.S.C. 360 (voluntary active duty by retired Coast Guard enlisted member);
    - (K) 14 U.S.C. 367 (involuntary retention of Coast Guard enlisted member on active duty); or
    - (L) 14 U.S.C. 712 (involuntary active duty by Coast Guard Reserve member for natural or man-made disasters);

(ii) Ordered to or retained on active duty (other than for training) under any provision of law because of a war or national emergency declared by the President or the Congress, as determined by the Secretary concerned;

(iii) Ordered to active duty (other than for training) in support, as determined by the Secretary concerned, of an operational mission for which personnel have been ordered to active duty under section 12304 of title 10, United States Code;

(iv) Ordered to active duty in support, as determined by the Secretary concerned, of a critical mission or requirement of the Armed Forces (including the National Guard or Reserve); or

(v) Called into Federal service as a member of the National Guard under chapter 15 of title 10, United States Code, or section 12406 of title 10, United States Code (i.e., called to respond to an invasion, danger of invasion, rebellion, danger of rebellion, insurrection, or the inability of the President with regular forces to execute the laws of the United States).

### 668.18 (g) Documentation.

(1) A student who submits an application for readmission to an institution under paragraph (c)(1)(iii) of this section shall provide to the institution documentation to establish that—

- (i) The student has not exceeded the service limitation in paragraph (c)(1)(ii) of this section; and
- (ii) The student's eligibility for readmission has not been terminated due to an exception in paragraph (h) of this section.

(2)(i) Documents that satisfy the requirements of paragraph (g)(1) of this section include, but are not limited to, the following:

- (A) DD (Department of Defense) 214 Certificate of Release or Discharge from Active Duty.
  - (B) Copy of duty orders prepared by the facility where the orders were fulfilled carrying an endorsement indicating completion of the described service.
  - (C) Letter from the commanding officer of a Personnel Support Activity or someone of comparable authority.
  - (D) Certificate of completion from military training school.
  - (E) Discharge certificate showing character of service.
  - (F) Copy of extracts from payroll documents showing periods of service.
  - (G) Letter from National Disaster Medical System (NDMS) Team Leader or Administrative Officer verifying dates and times of NDMS training or Federal activation.
  - (ii) The types of documents that are necessary to establish eligibility for readmission will vary from case to case. Not all of these documents are available or necessary in every instance to establish readmission eligibility.
- (3) An institution may not delay or attempt to avoid a readmission of a student under this section by demanding documentation that does not exist, or is not readily available, at the time of readmission.

**Executive Order 13607**

For the text of the executive order, see [www.whitehouse.gov/the-press-office/2012/04/27/executive-order-establishing-principles-excellence-educational-instituti](http://www.whitehouse.gov/the-press-office/2012/04/27/executive-order-establishing-principles-excellence-educational-instituti).

See also DCLs GEN-12-10, 12-12, 12-17, and 13-05 and the electronic announcements issued 9/11/12 and 1/18/13.

The principles describe requirements in the following key areas: (1) providing a standardized cost form, (2) providing federal aid information, (3) aggressive and fraudulent recruiting, (4) state authorization, (5) misrepresentation, (6) incentive compensation, (7) accreditation, (8) readmission, (9) refunds, (10) individual education plans, and (11) academic and financial counseling points of contact.

Title IV schools are likely already complying with many of the principles through their participation in the Title IV programs (for example, the refund requirement). One principle requires institutions to provide affected students with a personalized and standardized form describing the students' educational costs and how those may be covered by financial aid. The Financial Aid Shopping Sheet, released by the Department in July 2012, helps institutions satisfy that principle.

# Audits, Financial Standards, Limitations, & Cohort Default Rates

CHAPTER

4

*Schools that participate in the FSA programs are generally required to have annual compliance and financial statement audits. This chapter will discuss the audit requirement and the financial standards and limitations that apply to a school's FSA eligibility. In addition, we will discuss the annual calculation of a school's cohort default rate.*

## FSA AUDIT REQUIREMENTS FOR SCHOOLS

A school that participates in any FSA program, including a participating foreign school, generally must have an independent auditor conduct an annual audit of the school's compliance with the laws and regulations that are applicable to the FSA programs in which the school participates (a compliance audit) and an audit of the school's financial statements (a financial statement audit).

While a compliance audit covers the school's administration of the FSA programs, a financial statement audit provides the Department with information necessary to evaluate a school's status *vis-a-vis* the financial standards that are discussed later in this chapter.

The type of compliance audit a school or servicer must undergo depends on its type of control: public, for-profit, or nonprofit.

- All for-profit schools must have an FSA compliance audit conducted under the Inspector General's *Audit Guide* (for FSA school audits), which is available on the IFAP website.
- Public and nonprofit schools must comply with the Single Audit Act. The Single Audit Act requires these schools to have an audit conducted in accordance with the Office of Management and Budget's (OMB) Circular A-133, Audits of States, Local Governments, and Nonprofit Organizations. (Circular A-133 allows an FSA compliance audit under the criteria of the *Audit Guide* under limited circumstances.)

The Office of Inspector General (OIG) also conducts audits, usually in cases where there is concern over a school's administration of the FSA programs. An OIG or other federal audit does not satisfy the requirement that a school have annual compliance and financial statement audits performed by an independent public accountant.

Note that audit requirements also apply to third-party servicers. However, a school may never use a third-party servicer's audit in place of its own required audit because the school is ultimately liable for its own violations as well as those incurred by its third-party servicers.

## Related information

- Administrative requirements, *Chapter 3*
- Program reviews, *Chapter 8*

## School participation teams

For information regarding accounting and compliance issues, a school should contact the School Participation Team for its region. See the contact information on the IFAP website ([ifap.ed.gov](http://ifap.ed.gov)).

## Audit requirements & waiver

HEA: Sec. 487(c)  
20 USC 1094  
34 CFR 668.23(a)(1) to (5)  
Waiver: 34 CFR 668.27

**Independent CPA/auditor**

An independent certified public accountant or government auditor, except that a government auditor must meet the Government Auditing Standards qualification and independence standard, including standards related to organizational independence.

**Opportunity to send comments to Small Business Ombudsman**

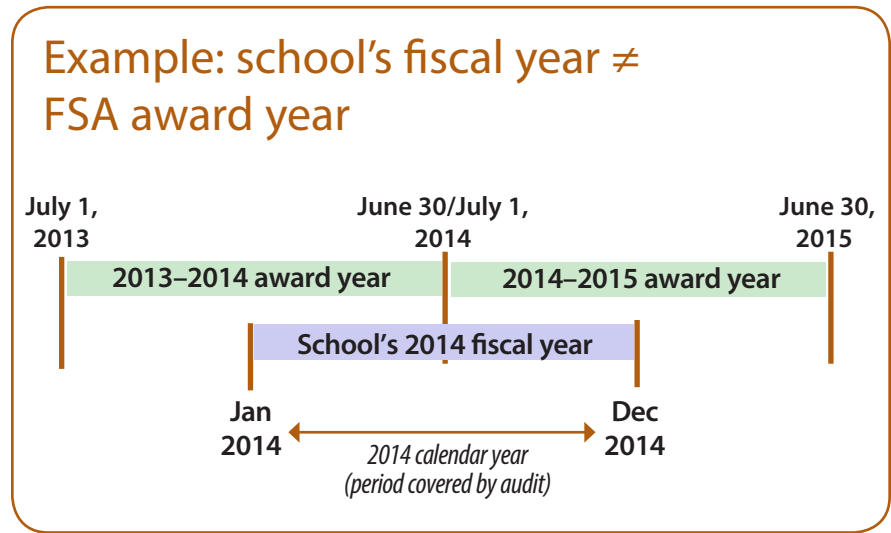
The Small Business and Agriculture Regulatory Enforcement Ombudsman and 10 Regional Fairness Boards were established to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually will evaluate the enforcement activities and rate each agency’s responsiveness to small business. If you wish to comment on the enforcement actions of the Department of Education, call 1-888-REG-Fair (1-888-734-3247).

**TIMING OF AUDIT SUBMISSIONS**

***Simultaneous FSA audit submissions***

A school that has an audit performed under the *Audit Guide* for FSA schools must submit both the compliance audit and the audited financial statements within six months of the end of the school’s fiscal year. Both audits must be prepared by an independent public accountant in accordance with the Generally Accepted Accounting Principles (GAAP) and audited in accordance with the Generally Accepted Government Auditing Standards (GAGAS). The compliance audit and financial statement audit may be performed by different auditors. However, the audits must be submitted as one package.

Both the compliance audit and the financial statement audit must be performed on a fiscal-year basis. In cases where the school’s fiscal year does not coincide with an award year, the school’s compliance audit will cover parts of two award years (see example).



**Fiscal year for 2014–2015**

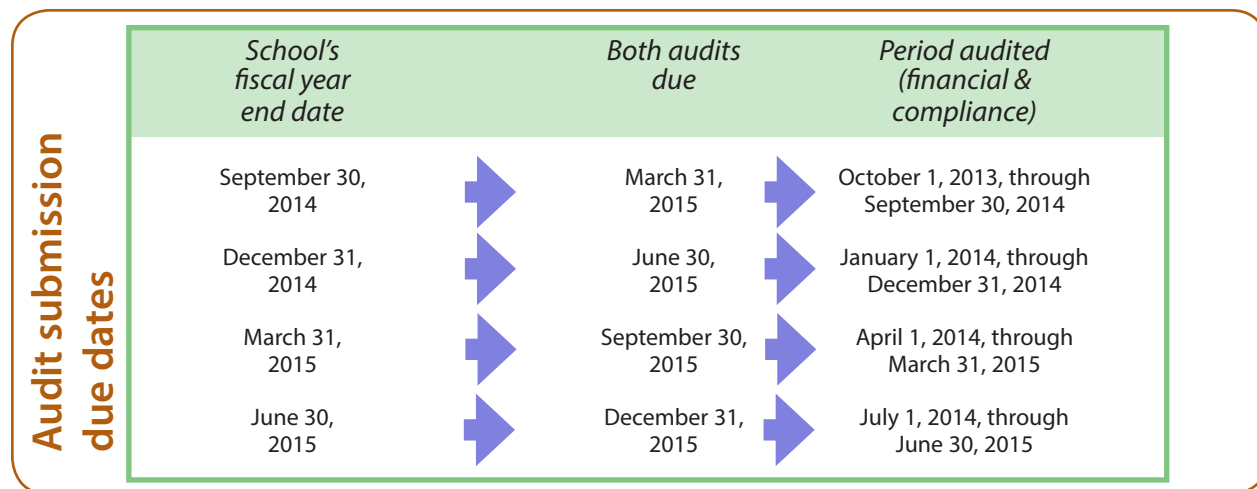
For schools using a calendar year as their fiscal year, their most recently completed fiscal year is the one that ends on December 31, 2014. For those schools using the award year as their fiscal year, their most recently completed fiscal year will be the one that ends on June 30, 2015.

***Submission dates for FSA audits***

A school’s or servicer’s annual compliance and financial statements audits performed under the *Audit Guide* must be based upon the fiscal year and submitted to the Department within six months after the end of the school’s or servicer’s fiscal year. (These requirements do not apply to audits performed under the Single Audit Act that are due as specified in OMB Circular A-133.)

The chart on the next page lists audit due dates and the period the audit must cover. (The chart provides information for the most common institutional fiscal-year-end dates.)

Generally, a school’s first audit performed under these requirements must cover the entire period of time since the school began to participate in the FSA programs. Each subsequent audit must cover the period since the end of the period covered by the preceding audit that is accepted by the Department.



### Waivers of requirement for an annual FSA audit

A school may request a waiver of the requirement for an annual audit for up to three years. A proprietary school must have disbursed less than \$200,000 in each of the two most recently completed award years to be eligible for the waiver, and the school must also meet the other regulatory conditions in 34 CFR 668.27. A public or private nonprofit institution that expends less than \$500,000 in federal funds in a fiscal year is exempt from filing compliance audits after the school gains initial eligibility.

If a waiver is approved, at the end of the waiver period, the school must submit a compliance audit covering each individual fiscal year in the waiver period and a financial statement audit for the last year of the waiver period.

This exception to the annual audit requirement may not be granted for the award year preceding a school's required recertification.

If the Department grants the waiver, the school does not have to submit its compliance or audited financial statement until six months after

- the end of the third fiscal year following the fiscal year for which the school last submitted a compliance audit and audited financial statement, or
- the end of the second fiscal year following the fiscal year for which the school last submitted compliance and financial statement audits if the award year in which the school will apply for recertification is part of the third fiscal year.

A school's waiver request may include the fiscal year in which that request is made, plus the next two fiscal years.

A school remains liable for repaying any FSA funds it improperly expends during the waiver period. A compliance audit is the vehicle for discovering improper expenditures. Therefore, a school will be required to pay any liabilities when the school eventually submits a compliance audit for the fiscal years in which it made improper expenditures.

### Audits required at end of waiver period

The regulations do not waive the requirement that a school audit its administration of the FSA programs; they waive the requirement that these audits be submitted on an annual basis. Therefore, if a school is granted a waiver for three years, when the waiver period expires and the school must submit its next compliance audit, that audit must cover the school's administration of the FSA programs since the end of the period covered by its last submitted compliance audit.

The auditor for a proprietary school must audit, and attest to, the school's annual 90/10 determination for each individual year in the waiver period (in accordance with 34 CFR 668.23(d)(4)).

### Rescinding the waiver

The Department rescinds a waiver if the school:

- disburses \$200,000 or more of FSA program funds for an award year;
- undergoes a change in ownership resulting in a change of control; or
- becomes the subject of an emergency action or a limitation suspension, fine, or termination action initiated by the Department or a guaranty agency.

## Qualifying for waiver

To qualify for a waiver, a school must demonstrate that it:

- is not a foreign school;
- disbursed less than \$200,000 in FSA program funds during each of the two completed award years prior to the audit period;
- agrees to keep records relating to each award year in the unaudited period for two years after the end of the regular record retention period for the award year;
- has participated in the FSA programs under the same ownership for at least three award years preceding the school's waiver request;
- is financially responsible under the general requirements of financial responsibility and does not rely on the alternative standards and requirements of exceptions to participate in the FSA programs;
- is not receiving funds under the reimbursement or cash monitoring system of payment;
- has not been the subject of a limitation, suspension, fine, or termination proceeding, or emergency action initiated by the Department or a guaranty agency in the three years preceding the school's waiver request;
- has submitted its compliance audits and audited financial statements for the previous two fiscal years, and no individual audit disclosed liabilities in excess of \$10,000; and
- submits a letter of credit in the amount as determined below, which must remain in effect until the Department has resolved the audit covering the award years subject to the waiver. For purposes of this section, the letter of credit amount is 10% of the total FSA program funds the school disbursed to or on behalf of its students during the award year preceding the school's waiver request.

## Examples of effects of waivers

Example 1: The school is still required to have its administration of the FSA programs audited for the waiver period. If a school is granted a waiver for three years, when the waiver period expires, the next audit must cover the school's administration of the FSA programs since the end of the period covered by its last submitted compliance audit. For example, if a school's fiscal year coincides with an award year (July 1–June 30), it submits a compliance audit for its fiscal year that ends on June 30, 2012, and then receives a waiver so that its next compliance audit is due six months after the end of its 2014–2015 fiscal year. When it submits that audit, it must cover the 2012–2013, 2013–2014, and 2014–2015 fiscal years.

Example 2: If a school's fiscal year ends June 30, 2012, and the school receives a waiver on May 1, 2012, the next compliance audit is due six months after the end of the school's 2014–2015 fiscal year.



## STANDARDS & GUIDELINES FOR FSA AUDITS

### ***Audited financial statement requirement***

A school's audited financial statement must cover the school's most recently completed fiscal year. The Department uses the information in a school's audited financial statement to evaluate the school's status *vis-a-vis* the financial standards discussed in this chapter. In addition to a school's audited financial statement, the Department may require that the school submit additional information. For example, the Department may require a school to submit or provide access to the auditor's work papers. Also, if the Department finds it necessary to evaluate a particular school's financial condition, the Department can require a school to submit audited financial statements more frequently than once a year.

### ***FSA compliance audits***

Compliance audits must be conducted in accordance with the general standards and the standards for compliance audits contained in the U.S. General Accountability Office's (GAO's) Government Auditing Standards. In addition, the auditor should use the following guidance, based on school type:

- OMB Circular A-133 for public and private nonprofit schools audited under the Single Audit Act
- the latest *Audit Guide* for the FSA programs (see sidebar) for for-profit schools, foreign schools, and third-party servicers

In conducting an audit, the auditor may also find it useful to consult the accounting and record keeping manual for the FSA programs (known as *The Blue Book*) and the *G5 Users Guide*, as applicable.

A school (or third-party servicer) may use the same independent auditor or auditing firm for its required nonfederal audit as the one that usually audits its fiscal transactions. To produce unbiased conclusions, the auditor must be independent of those authorizing the expenditure of FSA funds.

The Department may require a school to provide a copy of its compliance audit report to guaranty agencies, lenders, state agencies, other federal agencies, or accrediting agencies.

### ***Single Audit Act (A-133 audit) guidelines***

Nonprofit and public schools are required to have audits performed under the guidelines of the Single Audit Act. (These audits are also known as "A-133 audits" because the audit guidelines are established in OMB Circular A-133). A-133 audits satisfy the Department's audit requirements.

A-133 audits have distinct auditing and submission requirements and must be submitted to the Federal Audit Clearinghouse. (A copy of the audit must also be submitted to the Department through the eZ-Audit website.) A school submitting an audit under the guidelines of the Single Audit Act must use the submission deadlines established by the Single Audit Act.

### **Audit guide (for FSA programs)**

The official title of the Inspector General's audit guide for the FSA programs is *Audits of Federal Student Financial Assistance Programs at Participating Institutions and Institution Servicers*.

The audit guide and the "Blue Book" are available on the IFAP website ([ifap.ed.gov](http://ifap.ed.gov)) under "Publications."

The G5 Users Guide is available at [www.g5.gov/](http://www.g5.gov/).

### **Financial statements must use accrual basis & GAAP standards**

Financial statements must be prepared on an accrual basis in accordance with generally accepted accounting principles (GAAP) and audited by an independent auditor in accordance with GAGAS and other guidance contained in OMB Circular A-133, or in the Department's *Audit Guide* (for FSA school audits).

### **Circular A-133 & the Single Audit Act**

Office of Management and Budget (OMB) Circular A-133 was issued pursuant to the Single Audit Act of 1984. The Single Audit Act was amended in 1996—the current requirements are found in Chapter 75 of title 31, U.S. Code.

Circular A-133 is titled "Audits of States, Local Governments, and Nonprofit Organizations" and is applicable to nonprofit postsecondary schools, states, local governments, and Indian tribal governments. For many schools, this is a combined audit of all the federal programs at that school. OMB circular A-133 is available through the OMB homepage at [www.whitehouse.gov/omb/circulars/index.html](http://www.whitehouse.gov/omb/circulars/index.html).

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**Submitting A-133 audits**

The Form SF-SAC and the Single Audit Reporting packages for fiscal periods ending on or after January 1, 2008, must be submitted online to the Federal Audit Clearinghouse.

<http://harvester.census.gov/sac/>

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**Annual financial statement**

Section 487(c) of the HEA provides that all schools participating in the Federal Student Aid programs must submit *annual financial statements* to the Department. This applies to all schools, including non-profit schools that are otherwise exempt from submitting annual audited financial statements under the A-133 standards.

**Exemptions**

A school that expends less than \$500,000 of federal funds during a fiscal year is exempt from submitting an annual A-133 audit. However, a school that spends less than \$500,000 in all federal funds is still required to submit a financial statement to the Department within six months after the close of its fiscal year. The financial statement does not have to be audited by a CPA and may be created as compiled or reviewed statements. If the school has prepared a set of audited financial statements for its own use or for another entity, the school must submit those audited financial statements to the Department no later than six months after the end of the institution's fiscal year.

Circular A-133 permits the submission of program-specific audits if an entity expends funds in only one federal program *and* the program's regulations do not require a financial statement audit. The FSA program regulations require a financial statement audit. Therefore, a school may not submit a program-specific audit to satisfy the Department's audit submission requirements.

Circular A-133 also now allows an independent auditor to use professional judgment to determine whether certain federal programs must be included in the scope of an audit. An independent auditor can exclude certain program components, such as FSA program funds, if they fall below a predetermined dollar and risk threshold.

The independent auditor must make an annual assessment of the dollar and risk conditions and determine whether such exclusions are appropriate and whether any FSA programs must be included within the scope of the audit. You can find additional information on this topic in the latest Compliance Supplement to Circular A-133.

**FSA consolidated statements**

In some cases, a school's relationship with another entity may cause the Department to require a school to submit additional financial statements both of the school and the entity, such as audited consolidated financial statements; audited full consolidated financial statements; audited combined financial statements; or, under certain circumstances, audited financial statements of one or more related parties. This occurs when the Department determines that the activities or financial health of another entity may impact the school's total financial health. So that the Department can make this determination, a school must include in its audited financial statements a detailed description of related entities based on the definition of a related entity in the *Statement of Financial Accounting Standards No. 57*. In addition, the description must include all related parties and a level of detail that would enable the Department to easily identify them. This information may include but is not limited to the name, location, and description of the related entity, including the nature and amount of any transaction between the entity and the school, financial or otherwise, regardless of when it occurred.

## 90/10 REVENUE TEST

A proprietary school must disclose the percentage of its revenues derived from the FSA programs that the school received during the fiscal year covered by the audit as a footnote to its audited financial statements. The school must also report in the footnote the dollar amount of the numerator and denominator of its 90/10 ratio as well as the individual revenue amounts identified in section 2 of appendix C to subpart B of part 668 (see sidebar).

A school that converts from a for-profit to a nonprofit status must report its compliance with the 90/10 revenue test for the first year after its conversion. A school changing from for-profit to nonprofit must continue to file this report for the first year of its nonprofit status.

To be eligible for FSA participation, a proprietary school must derive at least 10% of its revenues for each fiscal year from sources other than the FSA programs, or be subject to sanctions. The calculation of this percentage and the funds included must be arrived at using the cash basis of accounting. A school must determine its revenue percentages using the formula described on the following pages each fiscal year.

Proprietary schools have 45 days after their most recent fiscal year has ended to report to the Department if they did not satisfy the 90/10 Rule for that period.

- If a school fails to satisfy the 90/10 rule for any fiscal year, it becomes provisionally certified for up to two fiscal years after the fiscal year it failed to satisfy the revenue requirement. (Among other factors, the provisional certification is limited by the expiration date of the school's program participation agreement.)
- If a school fails to satisfy the 90/10 rule for two consecutive fiscal years, it loses its eligibility to participate in the FSA programs for at least two fiscal years.

If the school loses eligibility, it must immediately stop awarding FSA funds and follow the closeout procedures described in *Chapter 8*.

## 90/10 Rule

Guidance on footnote disclosures can be found in the *FSA Audit Guide*, in 34 CFR 668.23(d)(4), and in appropriate accounting references. See DCL GEN-08-12 for changes made by the *Higher Education Opportunity Act of 2008* (section 493), moving 90/10 rule to the Program Participation Agreement (from the definition of a proprietary institution of higher education). Earlier guidance on 90/10 and institutional loans and scholarships can be found in Dear Partner Letter GEN-99-33 and Dear CPA Letters CPA-99-01 and CPA-99-02. HEA section 487  
34 CFR 668.14(b)(16)  
34 CFR 668.28

## Notifying ED—90/10

A school must send notice of its failure to satisfy the 90/10 Rule to the Department by U.S. mail or commercial overnight to the following address:

U.S. Department of Education,  
Federal Student Aid  
School Eligibility Service Group  
830 First Street, NE  
Washington, DC 20202-5403

General e-mail: [Caseteams@ed.gov](mailto:Caseteams@ed.gov)  
Contact phone numbers for the teams are provided at [www.eligcert.ed.gov/](http://www.eligcert.ed.gov/).

## Counting revenues for the 90/10 rule

Section 668.28(a) of the Student Assistance General Provisions provides the following explanation of how to count revenue from FSA vs. non-FSA sources: See Appendix C of Subpart B of the Student Assistance General Provisions for calculation procedures.

### (3) Revenue generated from programs and activities.

The institution must consider as revenue only those funds it generates from—

- (i) Tuition, fees, and other institutional charges for students enrolled in eligible programs as defined in §668.8;
- (ii) Activities conducted by the institution that are necessary for the education and training of its students provided those activities are—
  - (A) Conducted on campus or at a facility under the institution's control;
  - (B) Performed under the supervision of a member of the institution's faculty; and
  - (C) Required to be performed by all students in a specific educational program at the institution; and
- (iii) Funds paid by a student, or on behalf of a student by a party other than the institution, for an education or training program that is not eligible under §668.8 if the program—
  - (A) Is approved or licensed by the appropriate state agency;
  - (B) Is accredited by an accrediting agency recognized by the Secretary under 34 CFR part 602;
  - (C) Provides an industry-recognized credential or certification, or prepares students to take an examination for an industry-recognized credential or certification issued by an independent third party;
  - (D) Provides training needed for students to maintain state licensing requirements; or
  - (E) Provides training needed for students to meet additional licensing requirements for specialized training for practitioners that already meet the general licensing requirements in that field.

### (4) Application of funds.

The institution must presume that any Title IV, HEA program funds it disburses, or delivers, to or on behalf of a student will be used to pay the student's tuition, fees, or institutional charges, regardless of whether the institution credits the funds to the student's account or pays the funds directly to the student, except to the extent that the student's tuition, fees, or other charges are satisfied by—

- (i) Grant funds provided by non-federal public agencies or private sources independent of the institution;
- (ii) Funds provided under a contractual arrangement with a federal, state, or local government agency for the purpose of providing job training to low-income individuals who need that training;
- (iii) Funds used by a student from a savings plan for educational expenses established by or on behalf of the student if the saving plan qualifies for special tax treatment under the Internal Revenue Code of 1986; or
- (iv) Institutional scholarships that meet the requirements in paragraph (a)(5)(iv) of this section.

### (5) Revenue generated from institutional aid.

The institution must include the following institutional aid as revenue:

- (i) For loans made to students and credited in full to the students' accounts at the institution on or after July 1, 2008, and prior to July 1, 2012, include as revenue the net present value of the loans made to students during the fiscal year, as calculated under paragraph (b) of this section, if the loans—
  - (A) Are bona fide as evidenced by standalone repayment agreements between the students and the institution that are enforceable promissory notes;
  - (B) Are issued at intervals related to the institution's enrollment periods;
  - (C) Are subject to regular loan repayments and collections by the institution; and
  - (D) Are separate from the enrollment contracts signed by the students.

[For rules on calculating the Net Present Value of the these loans, see 34 CFR 668.28(b) and the Appendix C to Subpart B]

- (ii) For loans made to students before July 1, 2008, include as revenue only the amount of payments made on those loans that the institution received during the fiscal year.
- (iii) For loans made to students on or after July 1, 2012, include as revenue only the amount of payments made on those loans that the institution received during the fiscal year.
- (iv) For scholarships provided by the institution in the form of monetary aid or tuition discount and based on the academic achievement or financial need of its students, include as revenue the amount disbursed to students during the fiscal year. The scholarships must be disbursed from an established restricted account and only to the extent that the funds in that account represent designated funds from an outside source or income earned on those funds.

### (6) Revenue generated from loan funds in excess of loan limits prior to the Ensuring Continued Access to Student Loans Act of 2008 (ECASLA).

For each student who receives an unsubsidized loan under the FFEL or Direct Loan programs on or after July 1, 2008, and prior to July 1, 2011, the amount of the loan disbursement for a payment period that exceeds the disbursement for which the student would have been eligible for that payment period under the loan limit in effect on the day prior to enactment of the ECASLA is included and deemed to be revenue from a source other than Title IV, HEA program funds but only to the extent that the excess amount pays for tuition, fees, or institutional charges remaining on the student's account after other Title IV, HEA program funds are applied.

### (7) Funds excluded from revenues.

For the fiscal year, the institution does not include—

- (i) The amount of Federal Work-Study (FWS) wages paid directly to the student. However, if the institution credits the student's



account with FWS funds, those funds are included as revenue;

(ii) The amount of funds received by the institution from a state under the LEAP, SLEAP, or GAP programs;

(iii) The amount of institutional funds used to match Title IV, HEA program funds;

(iv) The amount of Title IV, HEA program funds refunded or returned under §668.22. If any funds from the loan disbursement used in the return calculation under §668.22 were counted as non-title IV revenue under paragraph (a) (6) of this section, the amount of Title IV, HEA program funds refunded or returned under §668.22 is considered to consist of pre-ECASLA loan amounts and loan amounts in excess of the loan limits prior to ECASLA in the same proportion to the loan disbursement; or

(v) The amount the student is charged for books, supplies, and equipment unless the institution includes that amount as tuition, fees, or other institutional charges.

## Other 90/10 guidance

### Cash basis of accounting

Except for institutional loans made to students under 34 CFR 668.28(a)(5)(i), a proprietary school must use the cash basis of accounting in calculating its revenue percentage under the 90/10 Rule. Under the cash basis of accounting, revenue is recognized when received rather than when it is earned.

### Revenue

For the purpose of calculating the qualifying percentages under the 90/10 Rule, revenue is an inflow or other enhancement of assets to an entity, or a reduction of its liabilities resulting from the delivery or production of goods or services. A school may recognize revenue only when the school receives cash, i.e., when there is an inflow of cash. As a result, in order for a school to recognize revenue under the cash basis of accounting, that revenue must represent cash received from a source outside the institution.

### Tuition waivers

Institutional grants in the form of tuition waivers do not count as revenue because no new revenue is generated. Similarly, internal transfers of cash among accounts are not considered revenue because they do not represent an inflow of cash to the institution. Institutional scholarships are not revenues generated by the school (unless they are donated by an unrelated or outside third party). An exception is permitted for schools to use donations from a related party to create restricted accounts for institutional scholarships, but only the amount earned on the restricted account and used for scholarships would count as revenue in the denominator of the calculation.

Funds held as credit balances in institutional accounts cannot be counted in the 90/10 formula. However, once funds held as credit balances are used to satisfy institutional charges, they would be counted in both the numerator and the denominator of the formula.

### Revenues from loans

When a school makes a loan to a student, it does not receive

cash from an outside source. Accordingly, cash revenue from institutional loans is recognized only when those loans are repaid, because that is when there is an inflow of cash from an outside source. Loan proceeds from institutional loans that were disbursed to students may not be counted in the denominator of the fraction, because these proceeds neither generate nor represent actual inflows of cash. The school may include only loan repayments it received during the appropriate fiscal year for previously disbursed institutional loans.

Loans made by a private lender that are in any manner guaranteed by the school are known as recourse loans. The proceeds from recourse loans may be included in the denominator of an institution's 90/10 calculation for the fiscal year in which the revenues were received, provided that the institution's reported revenues are also reduced by the amount of recourse loan payments made to recourse loan holders during that fiscal year. Note that recourse loan payments may be for recourse loans that were made in a prior fiscal year. Under the cash basis of accounting, the reductions to total revenues in the denominator of the 90/10 calculation are reported in the fiscal year when the payments are made.

The nonrecourse portion of a partial recourse loan may be included in a 90/10 calculation. In order to include a partial recourse loan in a 90/10 calculation, the contract must identify the percentage of the sale that is nonrecourse; only that percentage may be included. Furthermore, no after-the-fact adjustments may be provided for. Revenue generated from the sale of nonrecourse institutional loans to an unrelated third party may be counted as revenue in the denominator of the 90/10 calculation to the extent that the revenues represent actual proceeds from the sale.

The sale of institutional loan receivables is distinguishable from the sale of a school's other assets because receivables from institutional loans are produced by transactions that generate tuition revenue. Tuition revenue represents income from the major service provided by a school. That would not be true in the case of the sale of other school assets.

### Counting LEAP funds

Note that the LEAP Program is not funded beyond July 1, 2011, so the following guidance applies to LEAP grants funded before that date.

If a state agency specifies the exact amount or percentage of LEAP funds included in an individual student's state grant, only the specified amount or percentage of the student's state grant up to \$5,000 (the statutory maximum LEAP award) is considered LEAP funds.

If the state agency identifies a specific student's state grant as containing LEAP funds but does not provide an exact amount or percentage, the entire amount of the grant up to \$5,000 is considered LEAP funds. State grant funds that are not LEAP/SLEAP are included in the denominator.

If the state agency does not specify the amount of LEAP funds included in a student's individual grant but does specify the percentage of LEAP funds in the entire amount of state grant funds provided to the school and the student meets the FSA student eligibility requirements, the school must apply this percentage to the individual student's total state grant to determine the amount of the grant up to \$5,000 to be considered LEAP funds.

**Use of eZ-Audit required**

Schools are required to submit their compliance audits, audited financial statements, and letters confirming their status as public schools through the Department's eZ-Audit Electronic Financial Reporting System. This requirement applies to any compliance audits or financial statements required under 34 CFR 600.20(a) or (b) to begin or continue participating in the FSA programs, any financial statements required due to a change in ownership resulting in a change in control as provided under 34 CFR 600.20(g), any compliance audits and financial statements required annually under 34 CFR 668.23, and any compliance audits and financial statements required when a school ceases to participate in the FSA programs as provided under 34 CFR 668.26(b).

**Information about eZ-audit**

Website: [www.ezaudit.ed.gov](http://www.ezaudit.ed.gov)

E-mail contact: [fsaezaudit@ed.gov](mailto:fsaezaudit@ed.gov)

eZ-Audit Help Desk: 1-877-263-0780

**Cooperation with audit & review process**

Throughout the audit process, and for other examinations such as program reviews and state reviews, the school or servicer is required to cooperate fully with its independent auditor, the Department and its Inspector General, the Comptroller General of the United States, its accrediting agency, and the appropriate guaranty agency.

**AUDIT & AUDIT REVIEW PROCESS*****Having the audit performed***

The school or servicer must make its program and fiscal records, as well as individual student records, available to the auditor. (Required recordkeeping is discussed in *Chapter 7*.) Both the financial aid and business offices should be aware of the dates the auditors will be at the school, and make sure that someone is on hand to provide requested documents and answer questions during that period.

At the end of the on-site review, the auditor conducts an exit interview. At a school, this exit interview is usually conducted with the personnel from the school's financial aid and other relevant offices. The exit interview is not only an opportunity for the auditor to suggest improvements in procedures, but it also gives the school or servicer a chance to discuss the draft report and review any discrepancies cited in the report. The exit interview is a good time to resolve any disagreements before the final report is prepared.

The final report is prepared by the auditor and submitted to the school or servicer.

***Review of FSA audit submissions***

The Department reviews the audit report for format and completeness and to ensure that it complies with the government's auditing standards.

We will use the general information to make an initial determination of whether the audits are materially complete and conducted in accordance with applicable accounting standards. Based on the financial data, we will also make a preliminary determination as to whether your school is financially responsible with respect to the financial responsibility ratios, or in the case of a change in ownership resulting in a change in control, whether the school satisfies the financial ratio requirements (discussed later in this chapter). Later, the Department will review submissions to determine whether the school must provide additional information or ED should take further action.

Based on the audit findings and the school's or servicer's written explanation, the Department will determine if any funds were spent improperly. Unless the school or servicer has properly appealed the decision, the school or servicer must repay any improperly spent funds within 45 days.

***Access to records***

Once the audit is complete, the school or servicer must give the Department and the OIG access to all records and documents needed to review the audit. A school that uses a third-party servicer must give the Department and the OIG access to all records and documents needed to review a third-party servicer's compliance or financial statement audit. In addition, the school's or servicer's contract with the auditor must specify that the auditor will give the Department and the OIG access to the records and documents related to the audit, including work papers. Cooperation includes providing timely and reasonable access to records (including computer records) for examination and copying and to personnel for the purpose of obtaining relevant information.



## eZ-Audit

The eZ-Audit website provides a paperless single point of submission for financial statements and audits (i.e., compliance reports). eZ-Audit provides automatic error checking as you enter the data and before submission. In addition, it gives you instant acknowledgment of receipt.

All schools that participate in the FSA programs must use eZ-Audit to submit financial statements and compliance audits (including copies of the A-133 reports that nonprofit and public institutions file with the Federal Audit Clearinghouse).

Nonprofit and public institutions are still required to submit their A-133 audits in writing to the federal clearinghouse.

## The eZ-Audit process

To access the eZ-Audit website, you must be a registered user. Each school must select an eZ-Audit institution administrator who will be responsible for managing your school's access to the eZ-Audit website. This institution administrator will receive the user name and password necessary for your school's access and will be responsible for granting access to others you name as additional users.

Each registered user must sign and retain the eZ-Audit rules of behavior. (For registration instructions and to download the rules of behavior, please visit [www.ezaudit.ed.gov](http://www.ezaudit.ed.gov)).

Once you have obtained your school ID, you will access the appropriate page on the audit website and

1. enter general information about your school's compliance audit and financial statement,
2. enter specific financial data directly from the audited financial statement, and
3. attach authentic electronic copies of the audit originals.

After you have entered the required information, you must attach a copy of the audit prepared and signed by the independent auditor. The copy must be in a non-editable, portable document format (PDF) created using Adobe Acrobat version 5.0 or higher.

**Third-party servicers**

Guidance for audits of third-party servicers is found in the January 2000 Department of Education’s “Audit Guide, Audits of Federal Student Aid Programs at Participating Institutions and Institution Servicers.”  
34 CFR 668.23(a)(3) and (c)  
34 CFR 668.23(d)(4)

**AUDITS FOR THIRD-PARTY SERVICERS**

Audit requirements also apply to third-party servicers. If a servicer contracts with several FSA schools, a single compliance audit can be performed that covers its administrative services for all schools. If a servicer contracts with only one FSA school and that school’s own audit sufficiently covers the functions performed by the servicer, the servicer does not have to submit a compliance audit. A servicer must submit its compliance audit within six months after the last day of the servicer’s fiscal year. The Department may require a servicer to provide a copy of its compliance audit report to guaranty agencies, lenders, state agencies, the Department of Veterans Affairs, or accrediting agencies.

In addition to submitting a compliance audit, a servicer that enters into a contract with a lender or guaranty agency to administer any aspect of the lender’s or guaranty agency’s programs must submit annually audited financial statements. The financial statements must be prepared on an accrual basis in accordance with GAAP and audited by an independent auditor in accordance with GAGAS and any other guidance contained in audit guides issued by the Department’s Office of the Inspector General.

If the Department determines that, based on audit findings and responses, a third-party servicer owes a liability for its administration of the FSA programs, the servicer must notify each school with which it has a contract of the liability. Generally, unless they submit an appeal, schools and servicers owing liabilities must repay those liabilities within 45 days of being notified by the Department.

As noted earlier, a school may never use a third-party servicer’s audit in place of its own required audit because the school is ultimately liable for its own violations as well as those incurred by its third-party servicers. (See *Chapter 3* for more information on third-party servicers.)

## DEMONSTRATING FINANCIAL RESPONSIBILITY

To participate in the FSA programs, a school must demonstrate that it is financially responsible. To provide the Department with the information necessary to evaluate a school's financial responsibility, schools are required to submit financial information to the Department every year. A school must provide this financial information in the form of an audited financial statement as part of a combined submission that also includes the school's compliance audit. For-profit schools have six months from the end of the schools' fiscal year to provide the combined submission; other schools have nine months.

What follows is an overview of the financial responsibility standards. Schools should refer to Subpart L of the Student Assistance General Provisions for complete information.

The Department determines whether a school is financially responsible based on the school's ability to provide the services described in its official publications and statements, properly administer the FSA programs in which the school participates, and meet all of its financial obligations.

The financial responsibility standards can be divided into two categories: (1) general standards, which are the basic standards used to evaluate a school's financial health, and (2) performance and affiliation standards, which are standards used to evaluate a school's past performance and to evaluate individuals affiliated with the school.

### ***Financial responsibility for public schools***

A public school is financially responsible if its debts and liabilities are backed by the full faith and credit of the state or another government entity. The Department considers a public school to have that backing if the school notifies the Department that it is designated as a public school by the state, local, or municipal government entity, tribal authority, or other government entity that has the legal authority to make that designation. The school must also provide the Department with a letter from an official of the appropriate government entity confirming the school's status as a public school. A letter from a government entity may include a confirmation of public school status for more than one school under that government's purview. The letter is a onetime submission and should be submitted as a separate document.

Public schools also must meet the past performance and affiliation standards discussed later and must submit financial statements prepared in accordance with generally accepted accounting principles (GAAP) and prepared on the accrual basis.

### ***Financial responsibility for proprietary or private nonprofit schools***

A proprietary or private nonprofit school is financially responsible if the Department determines that

- the school has a composite score of at least 1.5;
- the school has sufficient cash reserves to make the required refunds, including the return of Title IV funds (these requirements are known as the refund reserve standards);

### **Financial responsibility**

Sec. 498(c) of the Higher Education Act  
34 CFR 668 Subpart L

### **Change in ownership**

When a change in ownership occurs, the Department applies the standards in 34 CFR 668.15.

**Financial responsibility**

Treatment of long-term debt

DCL GEN 03-08, July 2003

34 CFR 668, Subpart L, Appendices A &amp; B

Ratios

34 CFR 668.172

Refund reserve standards

34 CFR 668.173

Returning funds in a timely manner

34 CFR 668.22

- the school is meeting all of its financial obligations, including making required refunds, including the return of Title IV funds and making repayments to cover FSA program debts and liabilities; and
- the school is current in its debt payments.

These requirements are discussed in more detail in the next section.

Even if a school meets all of the general requirements, the Department does not consider the school to be financially responsible if—

- in the school’s audited financial statement the opinion expressed by the auditor was adverse, qualified, or disclaimed, or the auditor expressed doubt about the continued existence of the school as a going concern (unless the Department determines that a qualified or disclaimed opinion does not have a significant bearing on the school’s financial condition), or
- the school violated one of the past performance requirements discussed later in this chapter.

**STANDARDS FOR FINANCIAL RESPONSIBILITY****Additional information on composite scores**

For complete information on the calculation of the composite score, schools should refer to Appendices A and B of Subpart L in the General Provisions regulations.

The Department issued guidance on the treatment of long-term and other debt in calculating these ratios in DCL GEN-01-02, which was subsequently replaced by DCL GEN-03-08.

**Composite score**

The composite score standard combines different measures of fundamental elements of financial health to yield a single measure of a school’s overall financial health. This method allows financial strength in one area to make up for financial weakness in another area and gives an equitable measure of the financial health of schools of different sizes.

The composite score methodology takes into account the differences between proprietary schools and private nonprofit schools. The variance takes into account the accounting differences between these sectors of postsecondary schools. However, the basic steps used to arrive at the composite score are the same. These steps are described later in this section.

**Refund reserve standards**

One of the standards that a school must satisfy to be considered financially responsible is that it must have sufficient cash reserves to return FSA funds when a student withdraws. A school is considered to have sufficient cash reserves if it

- is located in a state that has an ED-approved tuition recovery fund and the school contributes to that fund, or
- for its two most recently completed fiscal years, the school made all required returns in a timely manner (see *Volume 5, Chapter 2* for more information on returns, including timely payment).

**Returning funds in a timely manner**

Unearned funds must be returned no later than 45 days after the date of the school’s determination that the student withdrew. ED considers the school to have returned funds, depending upon the method it uses to return them. Specifically, the regulations provide that a school has returned funds when it has

**Tuition recovery funds**

When a state submits a tuition recovery fund for approval by the Department, the Department will consider the extent to which the recovery fund:

- provides returns to both in-state and out-of-state students;
- complies with FSA requirements for the order of return of funds to sources of assistance; and
- is replenished if any claims arise that deplete the fund.

## Calculating a composite score

The first step in calculating a school's composite score is to determine the school's primary reserve, equity, and net income ratios by using information from the school's audited financial statement. These ratios take into account the total financial resources of the school. The Primary Reserve Ratio represents a measure of a school's viability and liquidity. The Equity Ratio represents a measure of a school's capital resources and its ability to borrow. The Net Income Ratio represents a measure of a school's profitability.

Upon review, some items from a school's audited financial statement may be excluded from the calculation of the ratios. For example, the Department may exclude the effects of questionable accounting treatments, such as excessive capitalization of marketing costs, from the ratio calculations. (See the regulatory exclusions below.)

All long-term debt obtained for the school's purposes may be included for purposes of the Primary Reserve Ratio calculation. However, it is important to note that the overall level of debt obtained for long-term purposes that can be included in the numerator of the Primary Reserve Ratio is limited under the regulations. It cannot exceed the amount of the school's net property, plant, and equipment.

A strength factor score is then calculated for each ratio using equations established by the Department. A strength factor score reflects a school's relative strength or weakness in a fundamental element

of financial health, as measured by the ratios. Specifically, the strength factor scores reflect the extent to which a school has the financial resources to: 1) replace existing technology with newer technology; 2) replace physical capital that wears out over time; 3) recruit, retain, and retrain faculty and staff (human capital); and 4) develop new programs.

A weighting percentage is applied to each strength factor score to obtain a weighted score for each ratio. The weighting percentages reflect the relative importance that each fundamental element has for a school in a particular sector (proprietary or private nonprofit).

The sum of the weighted scores equals the school's composite score. Because the weighted scores reflect the strengths and weaknesses represented by the ratios and take into account the importance of those strengths and weaknesses, a strength in the weighted score of one ratio may compensate for a weakness in the weighted score of another ratio.

Once a composite score is calculated, it is measured along a common scale from negative 1.0 to positive 3.0 as indicated in the diagram on page 72. This scale reflects the probability a school will be able to continue operations and meet its obligations to students and the Department.

## Exclusions

Excluded items. In calculating an institution's ratios, the Secretary—

- (1) Generally excludes extraordinary gains or losses, income or losses from discontinued operations, prior period adjustments, the cumulative effect of changes in accounting principles, and the effect of changes in accounting estimates;
- (2) May include or exclude the effects of questionable accounting treatments, such as excessive capitalization of marketing costs;
- (3) Excludes all unsecured or uncollateralized related-party receivables;
- (4) Excludes all intangible assets defined as intangible in accordance with generally accepted accounting principles; and

(5) Excludes from the ratio calculations federal funds provided to an institution by the Secretary under program authorized by the HEA only if—

- (i) In the notes to the institution's audited financial statement, or as a separate attestation, the auditor discloses by name and Catalog of Federal Domestic Assistance (CFDA) number the amount of HEA program funds reported as expenses in the Statement of Activities for the fiscal year covered by that audit or attestation; and
- (ii) The institution's composite score, as determined by the Secretary, is less than 1.5 before the reported expenses arising from those HEA funds are excluded from the ratio calculations.

34 CFR 172(c)

**Deposit to operating account or separate federal bank account**

A school that maintains a separate federal bank account must deposit to that account, or transfer from its operating account to its federal account, the amount of unearned program funds, as determined under the Return of Title IV funds regulations. The date the school makes that deposit or transfer is the date used to determine whether the school returned the funds within the 45-day time frame permitted in the regulations.

Unless the Department requires a school to use a separate account, the school may use its operating account for FSA purposes. In this case the school must designate that account as its federal bank account and have an auditable system of records showing that the funds have been allocated properly and returned in a timely manner. If there is no clear audit trail, the Department can require the school to begin maintaining FSA funds in a separate bank account.

34 CFR 668.163(a)

- deposited or transferred the funds into the bank account it maintains for federal funds (see sidebar) no later than 45 days after the date it determines that the student withdrew,
- initiated an electronic funds transfer (EFT) no later than 45 days after the date it determines that the student withdrew, or
- issued a check no later than 45 days (as supported by the school's records) after the date it determines that the student withdrew.

If a check is used to return unearned funds, the Department requires that the check be endorsed by ED no later than 60 days after the school's determination that a student withdrew to be considered a timely return.

**Compliance thresholds for timely return of funds**

The Department provides for a small margin of error in determining that a school has paid all required refunds and returns on time. The Department considers a school to have paid returns in a timely manner if—

- there is less than a 5% error rate in a sample of returns (composed of students for whom the school was required to return unearned funds) examined in a compliance audit, an audit conducted by the Office of the Inspector General (OIG), or a program review conducted by the Department or guaranty agency, or
- there are no more than two late returns in the sample (regardless of the number or percentage of late returns in the sample).

In addition, if the reviewer or auditor finds a material weakness or reportable condition in the school's report on internal controls relating to the return of unearned Title IV aid, the Department considers the school to have not paid returns in a timely manner.

**Letter of credit required when funds are not returned in timely manner**

Public schools and schools covered by a state tuition recovery fund that has been approved by the Department are not subject to the letter of credit requirements. If any other school exceeds the compliance thresholds in either of its two most recently completed fiscal years, the school must submit an irrevocable letter of credit acceptable and payable to the Department. The letter of credit must be equal to 25% of the returns the school made or should have made during its most recently completed fiscal year.

A school that is required to submit a letter of credit must do so no later than 30 days after the earlier of the date that:

- the school is required to submit its compliance audit;
- the OIG issues a final audit report;
- the designated department official issues a final program review determination;
- the Department issues a preliminary program review report or draft audit report, or a guaranty agency issues a preliminary report showing that the school did not return unearned funds for more than 10% of the sampled students; or

**Return of Title IV funds**

The requirements for return of Title IV funds for students who withdraw from the educational program are described in *Volume 5*.



- ED sends a written notice to the school requesting the letter of credit that explains why the school has failed to return unearned funds in a timely manner.

If the finding in the preliminary report is that the school did not return unearned funds in a timely manner for 10% or fewer of the sampled students, a school would generally be required to submit the letter of credit only if the final report shows that the school did not return unearned funds in a timely manner for 5% or more of all the students in the sample. If the final report indicates that a letter of credit is required, the school would have to submit it no later than 30 days after the final report is issued.

### ***Exceptions to the letter of credit requirement***

A school is not required to submit a letter of credit of less than \$5,000. However, to meet the reserve requirement, such a school would need to demonstrate that it has available at all times cash reserves of at least \$5,000 to make required returns.

In addition, a school may delay submitting a letter of credit while it asks for reconsideration of a finding that it failed to return unearned FSA funds in a timely manner. A school may request that the Department reconsider its finding if the school submits documents showing that

- the unearned FSA funds were not returned in a timely manner solely because of exceptional circumstances beyond the school's control and that the school would not have exceeded the applicable threshold had it not been for the exceptional circumstances; or
- it did not fail to make timely returns.

A school that submits an appeal, together with all required supporting documents, by the date the letter of credit would be due is not required to submit a letter of credit unless the Department notifies the school that its request has been denied.

### ***Current in debt payments***

A school is not current in its debt payments if

- it is in violation of any existing loan agreement at its fiscal year end, as disclosed in a note to its audited financial statements or audit opinion, or
- it fails to make a payment in accordance with existing debt obligations for more than 120 days, and at least one creditor has filed suit to recover funds under those obligations.

## **ALTERNATIVES TO THE GENERAL FINANCIAL STANDARDS**

If a school does not meet the general standards for financial responsibility, the Department may still consider the school to be financially responsible or may allow the school to participate under provisional certification if the school qualifies for an alternative standard.

### **Making new awards with returned funds**

After a school has returned unearned funds to its federal account, provided those funds were originally received from the Department or from an FFEL lender under a process that allows the school to reuse the unearned funds, the school can use the funds to make disbursements to other eligible students.

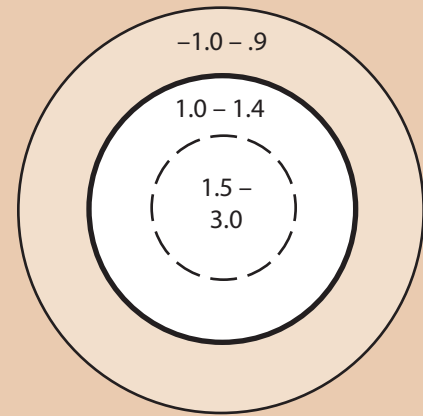
### **Address for Letters of Credit**

Letters of credit are submitted to:

Director  
Performance Improvement &  
Procedures  
U.S. Department of Education  
Federal Student Aid  
830 First Street, NE  
UCP-3, MS 5435  
Washington, DC 20002-8019

## Composite score scale

- 1.5 to 3.0** Financially responsible without further oversight.
- 1.0 to 1.4** In the “Zone.” The school is considered financially responsible, but additional oversight is required.
- 1.0 to .9** Not financially responsible. The school must submit a letter of credit of at least 50% of its FSA funding. The school may be permitted to participate under provisional certification with a smaller letter of credit—with a minimum of 10% of its FSA funding and additional oversight.



## Example: Calculation of a composite score for a proprietary institution\*

### Calculation of Ratios

$$\text{Primary Reserve Ratio} = \frac{\text{Adjusted equity}}{\text{Total expenses}} = \frac{\$760,000}{\$9,500,000} = 0.0800$$

$$\text{Equity Ratio} = \frac{\text{Modified equity}}{\text{Modified expenses}} = \frac{\$810,000}{\$2,440,000} = 0.3320$$

$$\text{Net Income Ratio} = \frac{\text{Income before taxes}}{\text{Total revenues}} = \frac{\$510,000}{\$10,010,000} = 0.0509$$

### Calculation of Strength Factor Score

$$\text{Primary Reserve Strength Factor Score} = 20 \times \text{Primary Reserve Ratio} \\ 20 \times 0.0800 = 1.6000$$

$$\text{Equity Strength Factor Score} = 6 \times \text{Equity Ratio} \\ 6 \times 0.3320 = 1.9920$$

$$\text{Net Income Strength Factor Score} = 1 + (33.3 \times \text{Net Income Ratio}) \\ 1 + (33.3 \times 0.0509) = 2.6950$$

### Calculation of Weighted Score

$$\text{Primary Reserve Weighted Score} = 30\% \times \text{Primary Reserve Strength Factor Score} \\ 0.30 \times 1.6000 = 0.4800$$

$$\text{Equity Weighted Score} = 40\% \times \text{Equity Strength Factor Score} \\ 0.40 \times 1.9920 = 0.7968$$

$$\text{Net Income Weighted Score} = 30\% \times \text{Net Income Strength Factor Score} \\ 0.30 \times 2.698 = 0.8094$$

### Composite Score

$$\text{Sum of All Weighted Scores} \quad 0.4800 + 0.7968 + 0.8094 = 2.0862 \quad \text{rounded to 2.1}$$

\* The definition of terms used in the ratios and the applicable strength factor algorithms and weighting percentages are found in the Student Assistance General Provisions (regulations) (34 CFR 668) Subpart L, Appendix A for proprietary schools and Appendix B for private nonprofit schools.

If the Department determines that a school that does not meet one or more of the general standards and does not qualify for an alternative, the Department may initiate a limitation, suspension, or termination action against the school (see *Chapter 8* for more information on corrective actions and sanctions).

### **Letter of credit alternative for new school**

A new school (a school that seeks to participate in the FSA programs for the first time) that does not meet the composite score standard (i.e., has a composite score of less than 1.5) but meets all other standards may demonstrate financial responsibility by submitting an irrevocable letter of credit to the Department. The letter of credit must be acceptable and payable to the Department and equal to at least 50% of the FSA program funds that the Department determines that the school will receive during its initial year of participation.

### **Letter of credit alternative for participating school**

A participating proprietary or private nonprofit school that fails to meet one or more of the general standards or is not financially responsible because it has an adverse audit opinion may demonstrate financial responsibility by submitting an irrevocable letter of credit to the Department. The letter must be acceptable and payable to the Department and equal to at least 50% of the FSA program funds the school received during its most recently completed fiscal year. The school is then considered to be financially responsible.

### **Zone alternative**

A participating school that fails to meet the composite score standard (i.e., has a composite score of less than 1.5) but meets all other standards may demonstrate financial responsibility for up to three consecutive fiscal years if the Department determines that the school's composite score is equal to 1.0 to 1.4 for each of those years and the school meets specific monitoring requirements.

This alternative gives a school the opportunity to improve its financial condition over time without requiring the school to post a letter of credit or participate under provisional certification. Under the zone alternative, a school's operations, including its administration of the FSA programs, are monitored more closely. If a school does not score at least 1.0 in one of the three subsequent fiscal years or does not improve its financial condition to attain a composite score of at least 1.5 by the end of the three-year period, the school must satisfy another alternative standard to continue participating. In addition, if a school fails to comply with the information reporting or payment method requirements, the Department may determine that the school no longer qualifies under this alternative.

Under the zone alternative, a school

- must request and receive funds under the cash monitoring or reimbursement payment methods, as specified by the Department (see *Volume 4, Chapter 2*);
- must provide timely information regarding certain oversight and financial events (see the sidebar);

### **Alternative standards and requirements**

34 CFR 668.175

### **Information to be provided under the zone alternative**

The school must provide timely information regarding any of the following oversight and financial events:

- Any adverse action, including a probation or similar action, taken against the school by its accrediting agency;
- Any event that causes the school, or related entity as defined in the *Statement of Financial Accounting Standards No. 57*, to realize any liability that was noted as a contingent liability in the institution's or related entity's most recent audited financial statement;
- Any violation by the school of any loan agreement;
- Any failure of the school to make a payment in accordance with its debt obligations that results in a creditor filing suit to recover funds under those obligations;
- Any withdrawal of owner's equity from the school by any means, including declaring a dividend; or
- Any extraordinary losses, as defined according to Accounting Principles Board (APB) Opinion No. 30.

The school may also be required to:

- submit its financial statement and compliance audits earlier than the time specified under 34 CFR 668.23(a)(4); and
- provide information about its current operations and future plans.

34 CFR 668.175(d)(2)

- may be required to submit its financial statement and compliance audit earlier than normally required (see the discussion of audit submission deadlines earlier in this chapter); and
- may be required to provide information about its current operations and future plans.

The school must also require its auditor to express an opinion, as part of the school's compliance audit, on the school's compliance with the requirements of the zone alternative, including the school's administration of the payment method under which the school received and disbursed FSA program funds.

### ***Provisional certification for school not meeting standards***

The Department may permit a participating proprietary or private nonprofit school to participate under provisional certification for up to three years if the school is not financially responsible because it does not satisfy one or more of the general standards, has an unacceptable audit opinion, or has a past performance problem that has been resolved.

If the Department permits a school to participate under provisional certification, it will require the school

- to submit a letter of credit, payable and acceptable to the Department, for a percentage (10%–100%) of the FSA program funds received by the school during its most recent fiscal year; and
- to demonstrate that it has met all of its financial obligations and was current on debt payments for its two most recent fiscal years.

Moreover, the school must comply with the requirement under the zone alternative that it provide timely information regarding certain oversight and financial events. Finally, a school that is required to post a letter of credit will be placed on heightened cash monitoring or reimbursement.

If a school is still not financially responsible at the end of a period of provisional certification, the Department may again permit provisional certification. However, the Department may require the school or persons or entities that exercise substantial control over the school to submit financial guarantees to the Department to satisfy any potential liabilities arising from the school's FSA program participation. The same persons may be required to agree to be jointly and severally liable for any FSA program liabilities.

The Department is not required to offer provisional certification to a school. It is an alternative that the Department may choose to offer in exceptional circumstances.

### ***Provisional certification for school where persons or entities owe liabilities***

If a school is not financially responsible because the persons or entities that exercise substantial control over the school owe an FSA program liability, the Department may permit the school to participate under provisional certification if:

- the persons or entities that owe the liability repay or enter into an agreement with the Department to repay the liability (or the school assumes the liability and repays or enters into an agreement to repay the liability);
- the school meets all the general standards of financial responsibility and demonstrates that it has met all of its financial obligations and was current on its debt payments for its two most recent fiscal years; and
- the school submits to the Department a letter of credit, payable and acceptable to the Department, for an amount determined by the Department (at least 10% of the FSA program funds received by the school during its most recent fiscal year).

The school also must comply with the requirements under the zone alternative.

In addition, the Department may require the school or persons or entities that exercise substantial control over the school to submit financial guarantees to the Department to satisfy any potential liabilities arising from the school's FSA program participation. The same persons may be required to agree to be jointly and severally liable for any FSA program liabilities.

### **PAST PERFORMANCE & AFFILIATION STANDARDS**

In addition to meeting the numeric standards of financial responsibility and fulfilling all its financial obligations, a school must demonstrate that it properly administers the FSA programs in which it participates. Past actions of the school or individuals affiliated with the school may reveal mismanagement of FSA program funds, thereby demonstrating that a school is not financially responsible. Therefore, in evaluating the way a school administers the FSA programs, the Department considers the past performance of both the school and individuals affiliated with the school.

#### ***Past performance of a school***

A school is not financially responsible if it

- in the last five years, has been subject to a limitation, suspension, or termination action or has entered into an agreement to resolve a limitation, suspension, or termination action initiated by the Department or a guaranty agency;
- in either of its two most recent FSA program reviews or audits, has had findings for the current fiscal year or two preceding fiscal years that required repayment of more than 5% of the FSA program funds received by the school;
- has been cited during the last five years for failing to submit audits as required; or
- has failed to satisfactorily resolve any compliance issues identified in program reviews or audit reports, upheld in a final decision of the Department.

**Past performance**

34 CFR 668.174

**Notifying the Department of change of control**

A school must report any changes of control under which a person acquires the ability to affect substantially the actions of the school. Such changes in control trigger a review to determine if the school is financially responsible (see *Chapter 5*).

***Past performance of persons affiliated with a school***

A school is not financially responsible if any person who exercises substantial control over the school (or any members of the person's family alone or together) owes a liability for an FSA program violation or has ever exercised substantial control over another school (or a third-party servicer) that owes a liability for an FSA program violation, unless that person, family member, school, or servicer demonstrates that the liability is being repaid in accordance with an agreement with the Department.

The Department may consider a school that does not meet this requirement to be financially responsible if the school

- notifies the Department that the individual repaid to the Department an acceptable portion of the liability, in accordance with the regulations;
- notifies the Department that the liability is currently being repaid in accordance with a written agreement with the Department; or
- demonstrates to the satisfaction of the Department: (1) why the person who exercises substantial control should nevertheless be considered to lack that control, or (2) why the person who exercises substantial control and each member of that person's family does not or did not exercise substantial control over the school or servicer that owes the liability.

**LIMITATIONS**

An otherwise eligible institution becomes an ineligible institution if the school exceeds

- the 50% limit on students without a high school diploma or equivalent,
- the incarcerated student limitation (25%), or
- the correspondence course limitation (50%) or the correspondence student limitation (50%).

A school must calculate these percentages to demonstrate compliance with a requirement or to demonstrate eligibility for a limitation waiver. For each of the tests, the calculation performed by the school must be attested to by the independent auditor who prepares the school's audited financial statement or its FSA compliance audit. If a school's initial or previous calculation was in error, the auditor's report must be part of the audit workpapers and must include a recalculation. The auditor's attestation report must indicate whether the school's determinations (including any relevant waiver or exception) are accurate.

For each of the limitation requirements, the school must notify the Department (via Section G of the E-App) of the school's failure to meet a requirement, its falling within a prohibited limitation, or its ineligibility for a continued waiver, as applicable. The school's notification must occur by July 31 following the end of an award year. A school that fails to meet any of these requirements loses its eligibility to participate in any FSA program as of the

**Conditions of institutional ineligibility**

34 CFR 600.7

In addition to the limitations discussed in this chapter, a school is not eligible if it (or its owner) files for bankruptcy or if the school, its owner, or its CEO is responsible for a crime involving FSA program funds. See chapters 1 and 3. A school that becomes ineligible because of one of these factors must immediately stop awarding FSA funds and must follow the requirements for a school that has lost its FSA participation (see *Chapter 8*).



last day of the most recent award year for which the school failed to meet the requirement.

If a school loses its eligibility because it failed to meet one or more of the limitation requirements, the school cannot regain eligibility until it can demonstrate that it was in compliance with all of the limitation requirements for the most recently completed award year. Once this has occurred, the school may apply to regain its eligibility. In addition, it must also show how its administrative practices and policies have been changed to ensure that it will not fall within prohibited limits in the future.

### ***Limitation on students admitted without a high school diploma or equivalent***

A school that does not provide a 4-year bachelor's degree program or a 2-year associate degree program is ineligible if, for its latest complete award year, more than 50% of its regular enrolled students had neither a high school diploma nor its equivalent.

If a public or private nonprofit institution exceeds the 50% limit because it serves significant numbers of these students through contracts with federal, state, or local government agencies, the Department may waive the limitation.

The waiver will only be granted if no more than 40% of the public or private nonprofit regular students not served through contracts with federal, state, or local government agencies to provide job training do not have a high school diploma or its equivalent. If granted, the waiver may be extended in each year the public or private nonprofit school continues to meet the requirements. The public or private nonprofit school's calculation must be attested to by an independent auditor.

### ***Incarcerated student limitation and waiver***

A school is ineligible if, in its latest complete award year, more than 25% of its regular students are incarcerated. For information on the eligibility of incarcerated students for FSA, see *Volume 1, Chapter 1*.

A public or private nonprofit school can ask the Department to waive this limitation. If granted, the waiver is effective as long as the school continues to meet the waiver requirements each award year. For a school offering only 2-year or 4-year programs that lead to associate or bachelor's degrees, the waiver applies to all programs at the school. But if the school offers other types of programs, the waiver would apply to any of the school's 2-year associate degree programs or 4-year bachelor's degree programs and also to any other programs in which the incarcerated regular students enrolled have a 50% or greater completion rate. The calculation of this completion rate is specified in 34 CFR 600.7(e)(2) of the institutional eligibility regulations and must be attested to by an independent auditor.

A public or private nonprofit school may request the waiver using the E-App ([www.eligcert.ed.gov](http://www.eligcert.ed.gov)) by answering the questions in Section G and explaining in question 69.

### **Incarcerated student definition**

A student who is serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, or other similar correctional institution (this does not include detention in a halfway house, home detention, or weekend-only sentences).

### **Limitations on incarcerated students & correspondence study**

Incarcerated students  
34 CFR 600.7(a)(1)(iii) and 600.7(c)  
Correspondence study  
Sec. 102(a)(3)(A) and (B) of the HEA  
34 CFR 600.7(a)(1)(i) and (ii) and  
600.7(b)(2)(i) and (ii)

### Correspondence student eligibility

For information about a student's eligibility for FSA funds while enrolled in a correspondence course and cost of attendance information for correspondence courses, see *Volume 1, Chapter 1* and *Volume 3, Chapter 2*.

### A school is the sum only of its eligible programs

Some postsecondary institutions offer programs that are eligible for FSA as well as programs that are not FSA-eligible. For FSA program purposes, we consider an eligible institution is the sum of its eligible programs.

To minimize the effect on its institutional eligibility of offering programs solely by correspondence that do not lead to a degree, a school might choose to identify those programs as not part of its FSA-eligible programs. A program (and students enrolled therein) that was so identified would not be considered part of the school in these two formulas.

### Notifying ED when limit is exceeded

34 CFR 600.7(h)

If there is a change to any of a school's answers to the Yes/No questions in Section G of a submitted Electronic Application (E-App) (which deal with enrollment thresholds in these areas), the school must notify the Department via the E-App (see *Chapter 5*). The Department will advise the school of its options, including whether it might be eligible for a waiver. (Waivers are available for the limitations for correspondence students, incarcerated students, and students without a high school diploma or equivalent.)

**Carl D. Perkins Career and Technical Education Act of 2006**  
20 U.S.C. 2301

### Correspondence course & correspondence student limitation

In general, a school is ineligible if for the latest complete award year

- more than 50% of the school's courses were correspondence courses (correspondence course limitation) or
- 50% or more of the school's regular students were enrolled in correspondence courses (correspondence student limitation). This limitation may be waived for a school that offers a 2-year associate degree or 4-year baccalaureate degree program if the school demonstrates to the Department that in that award year, the students enrolled in its correspondence courses receive no more than 5% of the total FSA program funds received by all of the school's students.

Note that the correspondence course and student limitations do not apply to a school that exclusively or mainly provides vocational adult education or job training as defined under Sec. 3(3)(C) of the Carl D. Perkins Career and Technical Education Act of 2006.

Also note that the 50% limits apply to the school, not to its individual programs. An educational program composed entirely of correspondence courses could still be an eligible program if no more than 50% of the school's courses were offered through correspondence and the program met other eligibility requirements.

The school's correspondence course calculation and correspondence student calculation must be attested to by an independent auditor.

For additional information on correspondence study in the context of program eligibility, see *Chapter 2*.

### COHORT DEFAULT RATES

A school's eligibility for the FSA programs can be affected by a high cohort default rate (CDR). The Department calculates a school's CDR based on information from guaranty agencies and federal loan servicers.

The Department sends draft default rates to participating schools in February to allow each school an opportunity to review and correct the data that will be used to calculate its official cohort default rates. In September of each year, the Department issues the official cohort default rates. These rates are electronically delivered to schools and posted on the NSLDS Professional Access website. Your school must be enrolled in the eCDR process for electronic delivery of the rates (see sidebar note for instructions and appeal procedures).

### Change to three-year time frame for cohort default rates

Beginning in 2014 with the release of the three-year cohort default rates from FY 2011, the transition from two- to three-year rates has ended, so schools will no longer receive both two- and three-year rates. Cohort default rates will now be calculated as the percentage of borrowers in the cohort who default before the end of the second fiscal year following the fiscal year in which they entered repayment.

## Calculating the percentage of correspondence courses

- If a school offers a course both by correspondence and residential training, the course counts twice, as a correspondence course and as a residential course. Thus, it would count as one in the numerator and as two in the denominator.
- Regardless of how many sections of a course or program are offered during the award year (as a residential or as a correspondence course), the course is counted only once under each type.
- A program not offered in courses or modules counts as one correspondence course.

Using the latest complete award year, the formula for determining the percentage of correspondence courses is as follows:

$$\frac{\text{number of school's correspondence courses}}{\text{total number of school's courses}} = \% \text{ of correspondence courses}$$

## Calculating the percentage of correspondence students

- All enrolled regular students must be counted. (A regular student is “a person enrolled for the purpose of obtaining a degree, certificate, or other recognized educational credential offered by the school.”)
- A school must use a straight head count of enrolled students, including full-time and part-time students and students who don’t receive aid as well as FSA recipients.
- If a student withdrew from the school and received a full refund, the student is not counted.

Using the latest complete award year, the formula for determining the percentage of enrolled students is as follows:

$$\frac{\text{number of regular students enrolled in the school's correspondence courses}}{\text{number of regular students enrolled in all of the school's courses}} = \% \text{ of correspondence students}$$

**The eCDR process**

ED sends the draft and official cohort default rates electronically to all schools participating in the FSA Programs. You must enroll in the eCDR process to receive your rates.

If your school is not enrolled, go to <https://fsawebenroll.ed.gov/>. On that page choose “Enroll” and then select the radio button for “Modify Existing Services for a Destination Point.”

**Default rates on the Web**

Searchable default rates for all schools participating in the FSA programs are posted on the Web at [www.ed.gov/FSA/defaultmanagement](http://www.ed.gov/FSA/defaultmanagement).

The Department also publishes *Budget Lifetime Default Rates* and *Cumulative Lifetime Default Rates* for the FFEL and Direct Loan Programs. These rates, which include additional defaults in years after the close of the CDR “default window,” do not affect a school’s eligibility.

**Default rates and suspension**

34 CFR Part 668

- Calculation of rates
  - Subpart M Two-Year Cohort Default Rates
  - Subpart N Cohort Default Rates
- Consequences of default rates
  - 34 CFR 668.16(m)

CDR calculation and sanctions in the law

HEA: Sec. 435(m)

20 U.S.C. 1082, 1085, 1094, 1099c

**Time frames for cohort default rates**

A school’s annual CDR is based on a “cohort” of students who received FFEL or Direct Loans at your school and entered repayment in a single fiscal year. The fiscal year that is used is the federal fiscal year (October 1–September 30).

For instance, your school’s FY 2011 CDR is based on the cohort of students who received FFEL or Direct Loans at your school and entered repayment on those loans between October 1, 2010, and September 30, 2011. This number becomes the denominator (the lower part of the fraction) in the CDR calculation.

X

**Total borrowers who enter repayment during FY2011**

The Department tracks this group of students during the fiscal year in which they enter repayment and through the end of the second following fiscal year. The number of students who default on their loans (or meet other related conditions) during those three fiscal years becomes the numerator (top part of the fraction) in the CDR calculation.

**Total borrowers who entered repayment in FY2011 and defaulted in FY2011, 2012, and 2013****Total borrowers who entered repayment during FY2011**

Because it takes three years to track the outcomes, the initial FY 2011 CDR for your school is not released until three years later, at the beginning of 2014. This is one of the reasons that your school should closely monitor student borrowing and implement effective default prevention procedures as soon as possible. The steps you take to help your students this year may reduce the number of defaults in your school’s CDR three years from now.

The terminology, criteria, calculations, and exceptions for the rates are described in more detail in the *Cohort Default Rate Guide*.

**Default prevention & management plan**

If your school’s cohort default rate is equal to or greater than 30%, it must establish a default prevention task force that prepares a plan that

- identifies the factors causing your cohort default rate to exceed the threshold,
- establishes measurable objectives and the steps your school will take to improve your cohort default rate, and
- specifies the actions your school will take to improve student loan repayment, including counseling students on repayment options.

You must submit your default prevention plan to your School Participation Team for review (see the sidebar). If your cohort default rate is equal to or greater than 30% for two consecutive fiscal years, you must revise your default prevention plan and submit it to us for review.

**Effect of cohort default rates**

A school is not considered to be administratively capable when

- the cohort default rate for Perkins loans made to students for attendance at the school exceeds 15% (see *Volume 6* for details), or
- the cohort default rate for Federal Stafford/SLS loans or for Direct Subsidized/Unsubsidized Loans made to students for attendance at the school equals or exceeds 30% for the three most recent fiscal years or if the most recent cohort default rate is greater than 40%.

When a high default rate demonstrates a lack of administrative capability, a school may become ineligible to participate in the Direct Loan, Pell Grant, or Perkins programs. The Department may choose to provisionally certify such a school. For detailed information on default requirements and challenges and appeals to default rates, refer to the *Cohort Default Rate Guide* (posted on the IFAP site—see the sidebar).

**Default prevention & management plan for new schools**

New schools are required to implement a default prevention and management plan prior to certification. In addition, a school that undergoes a change in ownership that results in a change in control or a school that changes its status as a main campus, branch campus, or additional location must implement a default management plan.

A school applying to participate is exempt from submitting a default plan if the school, including its main campus and any branch campus, does not have a cohort default rate greater than 10% and the new owner of the school does not own and has not owned any other school that had a cohort default rate greater than 10% during the owner's tenure.

**Cohort Default Rate Guide**

For more technical information on default rates and procedures for challenges, adjustments, and appeals, please refer to the *Cohort Default Rate Guide*.

[www.ifap.ed.gov/DefaultManagement/finalcdrg.html](http://www.ifap.ed.gov/DefaultManagement/finalcdrg.html)

**School Participation Team contacts**

You can locate the School Participation Team for your region by going to the "Help" menu on the IFAP website and choosing *Contact Information > Federal Student Aid Offices*.

**Contacting the default office**

The Operations Performance Division in Federal Student Aid responds to questions about FFEL/DL cohort default rates, and reviews FFEL/DL cohort default rate challenges, adjustments, and appeals. It also provides technical assistance and outreach to schools to assist them in lowering their default rates.

Web: [www.ifap.ed.gov/DefaultManagement](http://www.ifap.ed.gov/DefaultManagement)  
 Hotline: 202-377-4259  
 FAX: 202-275-0913  
 Email: [fsa.schools.default.management@ed.gov](mailto:fsa.schools.default.management@ed.gov)

**Default prevention and management plan and sample**

34 CFR 668.217

See [www.ifap.ed.gov/DefaultPreventionResourceInfo/index.html](http://www.ifap.ed.gov/DefaultPreventionResourceInfo/index.html) for more information.

See the "Sample Default Prevention and Management Plan" that was issued as an attachment to GEN-05-14.





# Updating Application Information

## CHAPTER 5

*This chapter describes the regular recertification of schools, as well as changes that can affect a school's participation and how and when to report these changes to the Department on the E-App.*

### RECERTIFICATION

A school may be certified to participate for up to six years. Recertification is the process through which a school that is presently certified to participate in the FSA programs applies to have its participation extended beyond the expiration date of its current **Program Participation Agreement (PPA)**. The Department will notify a school six months prior to the expiration of the school's PPA. The school must submit a materially complete application before the expiration date listed in its PPA.

If a school that is currently certified submits its materially complete application to the Department no later than 90 calendar days before its PPA expires, its PPA remains valid, and its eligibility to participate in the FSA programs continues until its application is either approved or not approved. This is true even if the Department does not complete its evaluation of the application before the PPA's expiration date. (For example, if a school's PPA expires on June 30 and it submits its application by March 31, the school remains certified during the Department's review period—even if the review period extends beyond June 30.) If the 90th day before the PPA's expiration falls on a weekend or a federal holiday and the school submits its application (E-App) no later than the next business day, the Department considers the application to be submitted 90 days before the PPA expires.

If the school's application is not received at least 90 days before the PPA expires or is not materially complete, the school's PPA will expire on the scheduled expiration date and the FSA program funding will cease. If a school's eligibility lapses, the school may not continue to disburse FSA funds until it receives the Department's notification that the school is again eligible to participate in the programs.

Following submission of an application, the School Participation Team will contact the school if it has questions about the application. Generally, this will be within 90 days of the Department receiving an application. If a school's application has been approved, the Department will send an electronic notice to the president and financial aid officer notifying them that the school's PPA is available to print, review, sign, and return. If the school's application is not approved, ED will notify the school and explain why.

### FSA Assessment modules

To assess your compliance with the provisions of this chapter see "Recertification," at [www.ifap.ed.gov/qahome/qaassessments/institutionalelig.html](http://www.ifap.ed.gov/qahome/qaassessments/institutionalelig.html).

### Recertification

Sec 498(g) and (h) of the HEA  
34 CFR 600.20(b) and (f)

### Eligible nonparticipating school

Nonparticipating eligible schools are only required to renew their eligibility when the Department requests it. Their eligibility status continues indefinitely as long as they continue to meet the institutional eligibility requirements. If a school wants to be certified to participate in the FSA programs, it must submit an application and supporting documentation (see *Chapter 1*).  
34 CFR 600.20(b)(1)

**Changes in ownership**

Sec. 498(i) of the HEA  
 34 CFR 600.31  
 Family defined  
 34 CFR 600.21(f)  
 Excluded Transactions  
 34 CFR 600.31(e)(1) and (2)  
 Change in ownership—publicly traded corporation  
 34 CFR 600.31(c)(2)

**Electronic submission required**

Changes to previous applications, including changes in ownership, reporting, expanding eligibility, and certification, must be submitted to the Department through the E-App at <http://www.eligcert.ed.gov>.

**Mailing address for supporting documents**

U.S. Department of Education  
 Federal Student Aid  
 School Eligibility Service Group  
 830 First Street, NE  
 Washington, DC 20002-5403

Contact: [caseteams@ed.gov](mailto:caseteams@ed.gov)  
 Phone (to verify receipt only):  
 202-377-3161

**Partnership or sole proprietorship**

A change in ownership and control occurs when a person who has or acquires an ownership interest acquires or loses control as described in this section.

**Parent corporation**

An institution that is a wholly-owned subsidiary changes ownership and control when the parent corporation changes ownership and control as described in this section.

**CHANGE IN OWNERSHIP*****Changes at public institutions***

The Department does not consider that a public institution has undergone a change in ownership that results in a change of control if there is a change in governance, and the institution after the change remains a public institution, provided

- the new governing authority is in the same state as included in the institution’s program participation agreement; and
- the new governing authority has acknowledged the public institution’s continued responsibilities under its program participation agreement (PPA).

Within 10 days of undergoing a change in governance, however, a public institution must report that change to the Department. The institution must also explicitly acknowledge its continued responsibilities under its PPA. If the documentation transferring control of a public institution to another in-state entity does not specifically acknowledge the aforementioned responsibilities, the institution must acknowledge them in a separate letter or notice.

***Change in ownership that results in a change of control, structure, or governance***

A change in ownership and control occurs when a person or corporation obtains new authority to control a school’s actions, whether the school is a proprietorship, partnership, or corporation. A change in ownership that results in a change in control includes any change through which a person or corporation

- acquires an ownership interest in the entity that owns the school or the parent corporation of that entity, or
- who owns or acquires an ownership interest attains or loses the ability to control the school.

The most common example of this change in controlling interest is when the school is sold to a new owner. Other kinds of “covered transactions” include

- the transfer of the controlling interest of stock of the school or its parent corporation;
- the merger of two or more eligible schools;
- the division of one school into two or more schools;
- the transfer of the liabilities of a school to its parent corporation;
- a transfer of assets that comprise a substantial portion of the educational business of the school, except if it is exclusively in the granting of a security interest in those assets; or
- a conversion of the school from a for-profit to a nonprofit school or a nonprofit to a for-profit.

**Change in ownership for closely-held corporations**

A *closely-held corporation* (including the term *close corporation*) is

- A corporation that qualifies under the law of the state of its incorporation as a closely-held corporation; or
- If the state of incorporation has no definition of closely-held corporation, a corporation whose stock is held by no more than 30 persons and has not been and is not planned to be publicly offered.

For a closely-held corporation, a change in ownership and control occurs when

- A person acquires more than 50% of the total outstanding voting stock of the corporation;
- A person who holds an ownership interest in the corporation acquires control of more than 50% of the outstanding voting stock of the corporation; or
- A person who holds or controls 50% or more of the total outstanding stock of the corporation ceases to hold or control that proportion of the stock of the corporation.

**Change in ownership for publicly traded corporations**

For *publicly traded corporations*, a change in ownership and control occurs when

- a person acquires ownership and control of the corporation such that the corporation is required to file a Form 8K with the Securities and Exchange Commission notifying that agency of the change in control; or
- a person who is a controlling shareholder of the corporation ceases to be a controlling shareholder.

A controlling shareholder is a shareholder who holds or controls through agreement *both* 25% or more of the total outstanding voting stock of the corporation and more shares of voting stock than any other shareholder. A controlling shareholder for this purpose does not include a shareholder whose sole stock ownership is held as a U.S. institutional investor, held in mutual funds, held through a profit-sharing plan, or held in an Employee Stock Ownership Plan.

For a publicly traded corporation, when a change of ownership occurs, instead of a same-day balance sheet, the school may submit its most recent quarterly financial statement as filed with the Securities and Exchange Commission (SEC). Together with its quarterly financial statement, the school must submit copies of all other SEC filings made after the close of the fiscal year for which a compliance audit has been submitted to ED.

Consider a publicly traded school that is provisionally certified because of a change in ownership that experiences another change of ownership. If any controlling shareholder on the newer change of ownership application was listed on the ownership application for which the provisional approval

**Excluded transactions—transfers to family members**

Changes of ownership do not include a transfer of ownership and control to a member of the owner's family (whether or not the family member works at the school) that includes:

- parent, stepparent, sibling, step-sibling, spouse, child or stepchild, grandchild or step-grandchild;
- spouse's parent or stepparent, sibling, step-sibling, child or stepchild, or grandchild or step-grandchild;
- child's spouse; and
- sibling's spouse.

Nor does it include a transfer of ownership and control, upon the retirement or death of the owner, to a person (who is not a family member) with an ownership interest in the school who has been involved in management of the school for at least two years preceding the transfer and who has established and retained the ownership interest for at least two years prior to the transfer.

These are known as excluded transactions, and they apply only to the transfer of the entire portion of the owner's interest.

34 CFR 600.21(f)

34 CFR 600.31(e)

**Training requirement after a change in ownership or control**

If a school undergoes a change in ownership, the school's chief financial aid administrator and its chief administrator (or a high-level school official designated by the chief administrator) must attend *Fundamentals of Title IV Training*.

If the financial aid administrator and/or the chief administrator have not changed, the school may request a waiver of the training requirement from its School Participation Team. ED may grant or deny the waiver for the required individual, require another official to take the training, or require alternative training.

**Default management plan after change in ownership or status**

A school that changes ownership or changes its status as a parent or subordinate institution must adopt the Sample Default Prevention Plan or develop its own default management plan that is approved by the Department. The school must implement the plan for at least two years.

A school is exempt from submitting a default management plan if

- the parent school and the subordinate school both have a cohort default rate of 10% or less, and
- the new owner of the parent or subordinate school does not own, and has not owned, any other school with a cohort default rate over 10%.

was granted, the expiration date for the original provisional certification remains unchanged if the newer application is approved.

***Change in ownership for corporations that are not closely held or registered with the SEC***

A change in ownership and control of a corporation that is neither closely held nor required to be registered with the SEC occurs when a person who has or acquires an ownership interest acquires both control of at least 25% of the total outstanding voting stock of the corporation and managing control of the corporation.

**CHANGES IN OWNERSHIP INTEREST & 25% THRESHOLD**

Ownership or ownership interest means a legal or beneficial interest in a school or its corporate parent or a right to share in the profits derived from the operation of a school or its corporate parent. The school must report any change in ownership interests whenever

- an owner acquires a total interest of 25% or greater;
- an owner who held a 25% or greater interest reduces his or her interest to less than 25%; or
- an owner of a 25% or greater interest increases or reduces his or her interest but remains the holder of at least a 25% ownership interest.

**Preacquisition review**

Schools may submit an E-App marked “preacquisition review” before a change in ownership takes place. The purpose of this review is to determine whether the school has answered all the questions completely and accurately. A preacquisition review application must be submitted at least 45 days prior to the expected date of the transaction.

The SPT will notify the school of the results of the review. However, the school will not be given a decision whether or not its application would be approved as a result of this preacquisition review. Please note that a preacquisition review is not required; it is an option.

If the potential owner decides not to purchase the school, he or she must notify the School Participation Team of the decision to withdraw the application.

If the potential owner considering the change in ownership decides to go through with the purchase and wants to participate in the FSA programs, he or she must

- notify the Department within 10 days of the date the change in ownership actually took place (if this date falls on a weekend or a federal holiday, the notification may be no later than the next business day); and
- submit the supporting documents required for a materially complete application. (Refer to section “M” of the E-App for the list of specific forms to submit.)

Because of these reporting requirements, even though transferring ownership interest through death or retirement may be excluded from being considered a change in ownership resulting in a change of control, the resulting change in percentages of ownership interests must be reported to the Department.

A school must report any changes that result in an individual or owner (including a corporation or unincorporated business entity) acquiring the ability to substantially affect the actions of the school. Such a change must be reported within 10 days of the change. A school owned by a publicly traded corporation must report the change within 10 days after the corporation learns of the change. Adherence to these requirements is enforced during the institutional participation approval process, program reviews, and audit process. All schools are bound by these reporting requirements, and substantial penalties may be imposed on schools that fail to comply with them.

An individual or corporation has the ability to substantially affect the school's actions when he, she, or it

- personally holds, or holds in partnership with one or more family members, at least a 25% ownership interest in the school;
- personally represents (with voting trust, power of attorney, or proxy authority), or represents in partnership with one or more family members, any individual or group holding at least a 25% ownership interest in the school;
- is the school's general partner, chief executive officer (or other executive officer), chief financial officer, individual designated as the lead program administrator for the FSA programs at the school, or a member of the school's board of directors; or
- is the chief executive officer (or other officer) for any entity that holds at least a 25% ownership interest in the school or is a member of the board of directors for such an entity.

To ensure that its FSA program participation isn't jeopardized, a school must report to the Department an ownership change (including the names of persons involved). On receiving the notification, the Department will investigate and notify the school whether a change in ownership resulting in a change of control has occurred that will require the school to submit a materially complete application.

## STEPS TO BE TAKEN DURING A CHANGE IN OWNERSHIP

### *Steps to be taken by former owners*

If a school is changing control, the former owners must notify the Department about the change and the date it occurs, and provide any supporting information the Department requests. This must be at the same time that the owner notifies the school's accrediting agency but no later than 10 days after the change occurs. (If the former owner fails to notify the Department, the prospective owner is responsible for doing so.) The current owner also must notify the state agency that licenses or approves the school.

### **25% Threshold**

34 CFR 600.31(c)(2)(ii)(A)

### **Ownership interest**

Ownership or ownership interest does not include an ownership interest held by:

1. a mutual fund that is regularly and publicly traded;
2. a U.S. institutional investor as defined by the Securities and Exchange Commission;
3. a profit-sharing plan of the school or its corporate parent (provided that all full-time permanent employees of the school or corporate parent are included in the plan); or
4. an Employee Stock Ownership Plan (ESOP).



**Audits and closeout procedures**

Although a separate financial aid compliance audit is not required when there is a change in ownership, structure, or governance, the prospective owner may choose to have the accounts audited before they are closed out. Questions about FSA accounts or closeout procedures should be addressed to the appropriate School Participation Team (see the “Contacts” listing on the IFAP website at [www.ifap.ed.gov](http://www.ifap.ed.gov)).

**Steps to be taken by prospective owners**

The prospective owner should ask the former owner for copies of the school’s Eligibility and Certification Approval Report (ECAR), refund policy, return of FSA funds policy, any required default management plan, program reviews, audited financial statements (for at least the two most recently completed fiscal years), and compliance audits. The prospective owner will need this information to receive approval to participate.

Accompanying the application must be audited financial statements for the school’s two most recently completed fiscal years (if the school has not yet submitted statements for those years), an audited balance sheet showing the financial condition of the school at the time of the change, and a default management plan (if required). Each participating school must demonstrate financial responsibility independently. If the entity that has acquired the school is an ongoing entity (partnership or corporation), the school must also submit completed audited financial statements of the acquiring entity for the last two consecutive fiscal years. For information on financial responsibility and submitting audited financial statements see *Chapter 4*.

The school also must submit proof that its accreditation is continued under the new ownership or control, along with a photocopy of its state legal authorization under the new ownership.

The school may not award FSA program funds until it receives a new PPA signed on behalf of the Secretary.

**Accepting liabilities and responsibility for return of funds**

If new owners acquire a school or if a school is the result of the merger of two or more schools that formerly were operating separately, the new owner is liable for any debts that accrued from the former owner’s FSA program administration. A new owner accepts liability for any federal funds that were given to the school but that were improperly spent before the date the change in ownership, structure, or governance became effective. A new owner must also abide by the school’s refund and the FSA Return of Funds policy for students enrolled before the date the change became effective, and must honor all student enrollment contracts signed before the date of the change.

**Payments to eligible students**

Before the change in ownership, structure, or governance takes place, the former owner should make sure that all students receive any FSA payments already due them for the current payment period and that all records are current and comply with federal regulations. If the school needs additional funds for its students for the current payment period, it should request them and disburse them to all eligible students before the change takes place.

The school loses its approval to participate in the FSA programs when the change takes place. Generally, a school may

- use Pell or TEACH Grant or Campus-Based funds that it has received or request additional Pell Grant or Campus-Based funds from the Department to satisfy any unpaid commitment made to a student from the date the school’s participation ended until the scheduled completion date of the payment period; and



- credit a student’s account with the proceeds of a second or subsequent disbursement of a Direct Loan to satisfy any unpaid commitment made to the student under the Direct Loan Program from the date participation ends until the scheduled completion of that period of enrollment. (The proceeds of the first disbursement of the loan must have been delivered to the student or credited to the student’s account prior to the end of the participation.)

The school must notify all new students that no federal aid funds can be disbursed until the school’s eligibility is established and a new PPA signed by the Department is received.

Beginning on the date that the change becomes effective, the school may no longer award FSA funds. If the school’s prospective owners wish the school to participate in one or more of the FSA programs, the school must submit a materially complete application to the Department.

The school can apply for preacquisition review (described in the previous section) and temporary provisional approval after the change in ownership (described in the next section).

## TEMPORARY APPROVAL FOR CONTINUED PARTICIPATION

The Department, at its discretion, may permit a school undergoing a change in ownership that results in a change in control to continue to participate in the FSA programs on a provisional basis if the school meets the following specific requirement.

The school must submit a materially complete application that must be received by the Department no later than 10 business days after the change becomes effective. A materially complete application for the purpose of applying for a temporary approval must include

- a completed application form;
- a copy of the school’s state license or equivalent that was in effect on the day before the change in ownership took place;
- a copy of the accrediting agency’s approval (in effect on the day before the change in ownership) that granted the school accreditation status including an approval of the nondegree programs it offers;
- financial statements of the school’s two most recently completed fiscal years that are prepared and audited in accordance with the requirements of the Generally Accepted Accounting Principles (GAAP), published by the Financial Accounting Standards Board, and the Generally Accepted Governmental Auditing Standards (GAGAS) published by the U.S. General Accounting Office (submitted via eZ-Audit at [www.ezaudit.ed.gov](http://www.ezaudit.ed.gov));

### Definition of commitment

A commitment under the Pell and TEACH Grant programs occurs when a student is enrolled and attending the school and has submitted a valid student aid report to the school or when a school has received a valid institutional student information report.

A commitment under the Campus-Based Programs occurs when a student is enrolled and attending the school and has received a notice from the school of the amount that he or she can expect to receive and how and when that amount will be paid.

34 CFR 668.26(e)(1)

**Temporary approval**

Temporary approval  
 Sec. 498(i)(4) of the HEA  
 34 CFR 600.20(g) and (h)  
 Audits  
 34 CFR 668.23

- audited financial statements for the school’s new owner’s two most recently completed fiscal years that are prepared and audited in accordance with GAAP and GAGAS, or acceptable equivalent information for that owner (submitted via eZ-Audit at [www.ezaudit.ed.gov](http://www.ezaudit.ed.gov)); and
- a completed signature page, Section L.

If the application is approved, the School Participation Team will send the school a Temporary Provisional Program Participation Agreement (Temporary PPA). The Temporary PPA extends the terms and conditions of the PPA that were in effect for the school before its change of ownership.

The Temporary PPA expires on the earliest of the

- date that the Department signs a new program participation agreement;
- date that the Department notifies the school that its application is denied; or
- last day of the month following the month in which the change of ownership occurred unless the school provides the necessary documents described as follows.

The Department can automatically extend the Temporary PPA on a month-to-month extension if, prior to the expiration date, the school submits

- a same day balance sheet showing the school’s financial position on the day the ownership changed, prepared in accordance with GAAP and audited in accordance with GAGAS;
- approval of the change of ownership from the school’s state agency that legally authorizes postsecondary education in that state (if not already provided);
- approval of the change of ownership from the school’s accrediting agency (if not already provided); and
- a default management plan that follows examples provided by the Department or notification that it is using ED’s plan or is exempt from providing a plan.

**REPORTING SUBSTANTIVE CHANGES**

A school is required to report changes to certain information on its approved application, as listed on the following pages. A school may also wish to expand its FSA eligibility and certification. Some of these changes require the Department’s written approval before the school may disburse the FSA program funds; others do not.

If a change occurs in an E-App item not listed on the following pages, the school must update the information when it applies for recertification.

When the Department is notified of a change, if further action is needed, it will tell the school how to proceed, including what materials and what additional completed sections of the E-App need to be submitted. If a school has questions about changes and procedures, it should contact the appropriate School Participation Team.

After receiving the required materials (and depending on the circumstances), the Department will evaluate the changes, approve or deny them, and notify the school.

### **Approval required from accreditor & state agency**

For a change requiring written approval from the Department (unless otherwise noted) and for some changes that do not require written approval from the Department, a school must obtain approval from the appropriate accrediting agency and state authorizing agency.

### **Notification of school closure or bankruptcy**

If a school closes or files for bankruptcy, the school must notify the Department within 10 calendar days of either event by sending a letter on the school's letterhead that indicates the date the school closed or plans to close, or the date the school filed for bankruptcy, as appropriate.

## **CHANGES TO LOCATION, BRANCH, OR CAMPUS**

The ECAR that the Department sends to the school lists the educational programs and locations that are eligible. (The eligibility of a school and its programs does not automatically include separate locations and extensions.) If, after receipt of the ECAR, a school wishes to add a location at which at least 50% of an educational program is offered, it must notify the Department.

### **Eligibility of additional locations**

For purposes of qualifying as an eligible location, an additional location is not required to satisfy the two-year requirement unless

- the location was a facility of another school that has closed or ceased to provide educational programs for a reason other than a normal vacation period or a natural disaster that directly affects the school or the school's students;
- the applicant school acquired, either directly from the school that closed or ceased to provide educational programs, or through an intermediary, the assets at the location; and
- the school from which the applicant school acquired the assets of the location is not making payments in accordance with an agreement to repay a liability for a violation of FSA program requirements.

An additional location that falls into one of the aforementioned categories is not required to satisfy the two-year rule (see *Chapter 1*) if the applicant school agrees:

### **Electronic submission required**

Changes to previous applications, including changes in ownership, reporting, expanding eligibility, and certification, must be submitted to the Department through the E-App (<http://www.eligcert.ed.gov>).

### **Teach-outs at closed school locations**

A school that conducts a teach-out at a site of a closed school may apply to have that site approved as an additional location if the closed school ceased operations and the Department has taken a limitation, suspension, termination, or emergency action, regardless of whether the Department took that action before or after the school closed. The teach-out must be approved by the school's accrediting agency.

The school that conducts the teach-out may establish a permanent additional location at the closed school without having to satisfy the 2-year requirement and without assuming the liabilities and cohort default rate of the closed institution, provided the schools are not commonly owned or managed. See 34 CFR 600.32(d), as amended on October 29, 2009, for further details. HEOA 2008, §496, HEA §498 Effective date: August 14, 2008

### Notifying ED if school exceeds limitations on types of students

If there is a change to any of a school's answers to the Yes/No questions in Section G of a submitted application (limitations on students who are enrolled without a high school diploma or equivalent, incarcerated students, and correspondence study), the school must notify ED via the E-App. ED will advise the school of its options, including whether the school might be eligible for a waiver. (See *Chapter 4* for additional information.)

- to be liable for all improperly expended or unspent FSA funds received by the school that has closed or ceased to provide educational programs,
- to be liable for all unpaid refunds owed to students who received FSA funds, and
- to abide by the policy of the school that has closed or ceased to provide educational programs regarding refunds of institutional charges to students in effect before the date of the acquisition of the assets of the additional location for the students who were enrolled before that date.

Each site must be legally authorized. To apply for eligibility for an added location, the school must submit an E-App to the Department with the required application sections completed, a copy of the accrediting agency's notice certifying that the new location is included in the school's accredited status, and a copy of the state legal authorization from the state in which the additional site is physically located.

### Reporting a new location

All schools are required to report (using the E-App) to the Department when adding an additional accredited and licensed location where they will be offering 50% or more of an eligible program if the school wants to disburse FSA program funds to students enrolled at that location.

Schools must not disburse FSA program funds to students at a new location before the school has reported that location and submitted any required supporting documents to the Department. Once it has reported a new licensed **and** accredited location, unless it is a school that is required to apply for approval for a new location (see below), a school may disburse FSA program funds to students enrolled at that location.

### Applying for approval of a new location

If a school meets one or more of the following criteria, it must apply for *and wait for approval* before disbursing FSA funds at an additional location where it will be offering 50% or more of an eligible program:

- The school is provisionally certified.
- The school is on the cash monitoring or reimbursement system of payment.
- The school has acquired the assets of another school that provided educational programs at that location during the preceding year, and the other school participated in the FSA programs during that year.
- The school would be subject to a loss of eligibility under the cohort default rate regulations if it adds that location.
- The school was previously notified by the Department that it must apply for approval of an additional location.

### Regulations

Reporting

34 CFR 600.21

Approval required

34 CFR 600.20(c)(1)

Disbursing prohibited

34 CFR 600.20(f)(3)

34 CFR 600.21(d)

### Liability for disbursements if change not approved

If a school does not obtain ED approval for a new location, branch, program, or increase in program offering, the school is liable for all FSA funds it disburses to students enrolled at that location or branch or in that program.

## Changes requiring written approval from ED

All schools must report and wait for written approval from the U.S. Department of Education before disbursing funds when the following occur (the number in parentheses refers to the number of the question on the E-App):

1. a change in accrediting agency (notify the Department when you begin making any change that deals with your school's institution-wide accreditation) (#15);
2. a change in state authorizing agency (#17);
3. a change in institutional structure (#18);
4. an increase in the level of educational programs beyond the scope of current approval (#26);
5. the addition of accredited and licensed nondegree programs beyond the current approval (#27);
6. the addition of short-term (300–599 clock-hour) programs (#27);
7. changes to the FSA programs for which the school is approved\* (Approvals from your accrediting agency and state authorizing agency are not required for this change.) (#37);
8. a change in the type of ownership (#22–24);
9. a change in ownership (#24); and
10. the addition of an accredited and licensed location (#30) and when a school
  - a. is provisionally certified; or
  - b. is on the cash monitoring or reimbursement system of payment; or
  - c. has acquired the assets of another school that provided educational programs at that location during the preceding year, and the other school participated in the FSA programs during that year; or
  - d. would be subject to a loss of eligibility under the cohort default rate regulations (34 CFR 668.188) if it adds that location; or
  - e. has been advised by the Department that the Department must approve any new location before the school may begin disbursing FSA funds.

When one of the changes that requires the Department's written approval occurs, a school must notify the Department. The school must apply to the Department for approval of the change via the E-App within 10 calendar days of the change (in the case of a change in ownership, 10 *business* days). As soon as the school has received approvals for the change from its accrediting agency and state authorizing agency, it must send to the Department:

- copies of the approval for the change,
- any required documentation, and
- Section L of the E-App containing the original signature of the appropriate person.

\* For TEACH Grants, select "Add TEACH Grants" and then use question 69 to explain the eligibility criteria that your school meets for TEACH participation. See DCL GEN 08-07.

## Changes that do not require ED's written approval

Though they need not wait for the Department's approval before disbursing funds, all schools must **report** the following information to the Department.

1. change to name of the school\* (#2)
2. change to the name of a CEO, president, or chancellor (#10)
3. change to the name of the chief fiscal officer or chief financial officer (#11)
4. change in the individual designated as the lead program administrator (financial aid administrator) for the FSA programs (#12)
5. change in governance of a public institution (#24)
6. a decrease in the level of program offering (e.g., the school drops all its graduate programs) (#26)
7. change from or to clock hours or credit hours (#27)
8. address change for a principal location\* (#29)
9. name or address change for other locations\* (#30)
10. the closure of a branch campus or additional location that the school was required to report (#30)
11. the addition of an accredited and licensed location under certain conditions (34 CFR 600.20(c)(1)) (#30)
12. change to the school's third-party servicers that deal with the FSA program funds (#58)

When one of these changes occurs, a school must notify the Department by reporting the change and the date of the change to the Department via the E-App within 10 calendar days of the change. In addition, a school must mail to the School Eligibility Service Group (see address on second page of chapter):

- any required supporting documentation, and
- Section L of the E-App containing the original signature of the appropriate person.

## Foreign school reporting on the E-App

In addition to—or, where appropriate, instead of—the information listed above, a foreign school must report changes to its postsecondary authorization (#42), degree authorization (#43), program equivalence (#44), program criteria (#45), or to its U.S. administrative or recruiting office (#46).

A foreign medical school must report changes to the facility at which it provides instruction (#47), its authorizing entity (#48), the approval of its authorizing entity (#49), the length of its program (#50), or the clinical or medical instruction that it provides in the U.S. (#51). It must report and wait for approval of an added location that offers all or a portion of the core clinical training or required clinical rotations unless the location is accredited by the Liaison Committee on Medical Education (LCME) or American Osteopathic Association (AOA). A foreign medical school must report, but is not required to wait for approval of, an added location that offers all or a portion of the clinical rotations that are not required; reporting of such a location is not required if the location is accredited by the LCME or AOA or if it is not used regularly but is chosen by students who take no more than two electives at the location for no more than a total of eight weeks.

A foreign veterinary school must report changes to the clinical instruction that it provides in the U.S. (#57).

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\* As soon as it has received approvals for the change from its accrediting agency and state authorization agency, a school must send the Department copies of the approvals for change.



## Other changes reported on the E-App

- Change to address for FSA mailings to an address different than the legal street address (#13)
- Change to address for FSA mailings to an additional location that is different than the legal street address (#30)
- Change of taxpayer identification number (TIN) (#6a)
- Change of DUNS number (#6b)
- Change in board members (#20)
- Reporting foreign gifts (see *Chapter 12*) (#71)
- Change to institution's website address (#9)
- Change of phone/fax/email of CEO, president, or chancellor (#10)
- Change of phone/fax/email of CFO (#11)
- Change of phone/fax/email of financial aid administrator (#12)

The Department will review the information and will evaluate the school's financial responsibility, administrative capability, and eligibility. Depending upon the circumstances, the Department may conduct an on-site review. If it approves the additional location, a revised ECAR and Approval Letter will be issued. The location is eligible as of the date of the Department's determination.

### ***Changing the status of a campus or branch***

If a school wishes to seek approval for a branch campus, the school must submit a completed application with the required supplemental documentation (see the following list) on (1) the main campus and (2) the proposed branch campus.

A branch campus of an eligible proprietary institution of higher education or postsecondary vocational school must be in existence for at least two years (after it is certified in writing by the Department as a branch campus) before seeking to be designated as a main campus or a freestanding school.

## CHANGES TO EDUCATIONAL PROGRAMS

### ***Adding a program—when a school may make eligibility determinations***

If a school adds an educational program after receiving its ECAR, there are three cases in which the school itself may determine the program's eligibility, unless ED has provisionally certified the school or has notified the school that its growth has been restricted. The three cases are when

- the added program leads to an associate, bachelor's, professional, or graduate degree (and the school has already been approved to offer programs at that level),
- the added program is a graduate program or an undergraduate program that requires enrolling students to have an associate degree or higher, and provides at least a 10-week (of instructional time) program of 8 semester hours or 12 quarter hours of instruction, and prepares students for gainful employment in the same or related

### **Branch campus defined**

A location of an institution that is geographically apart and independent of the main campus of the institution.

ED considers a location of an institution to be independent of the main campus if the location

- 1) is permanent in nature;
- 2) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential;
- 3) has its own faculty and administrative or supervisory organization; and
- 4) has its own budgetary and hiring authority.

34 CFR 600.2

### **Gainful employment programs**

"Gainful employment" refers to certain programs offered at public, private nonprofit, and proprietary institutions, as defined in *Chapter 2*.

### Requirements for gainful employment programs

Disclosure (student information); see *Chapter 6*.

recognized occupation as an educational program that ED already has designated as an eligible program at the school, or

- the added program is an undergraduate program that may admit students who have not completed the equivalent of an associate degree, and provides at least a 15-week (of instructional time) program of 16 semester hours, 24 quarter hours, or 600 clock hours, and prepares students for gainful employment in the same or related recognized occupation as an educational program that ED already has designated as an eligible program at the school.

### CIP codes

Classification of Instructional Programs (CIP) codes are developed by the U.S. Department of Education's National Center for Education Statistics.  
<http://nces.ed.gov/ipeds/cipcode>

Before the school may determine these programs to be eligible and disburse funds to enrolled students, the school must have received both the required state and accrediting agency approvals. The school must include any "self-certified" programs on its next recertification application, and provide copies of the state and accreditor approvals.

### *ED must approve all other added programs*

In all other cases, the eligibility of an added educational program must be determined by the Department before FSA program funds can be awarded. The school must submit an E-App with the appropriate sections completed and copies of the approval of the new program from its accrediting agency and state authorizing agency. The Department will evaluate the new program and the school. If the Department approves the additional program, a revised ECAR and Approval Letter is issued for the school, and the school is eligible as of the date of the Department's determination. Only after receiving an Approval Letter may the school begin disbursing FSA funds to students enrolled in the program. For more on program eligibility, see *Chapter 2*.

### Effects of closure of branch or additional location

A school that is considering adding a branch or an additional location should include in its deliberations the effect that a closure of a branch or additional location might have on the school's financial condition.

### *Updating a program*

The school must update information about its educational programs when completing its recertification application. This includes updating CIP Codes, program names, and program lengths. A substantive change to a program may result in the creation of a new program.

If a branch or additional location of an institution closes and borrowers who attended the school obtain loan discharges by reason of the closure of the branch or location (or improper loan certifications), the Department will pursue recovery against the larger institution, its affiliates, and its principals.

HEA 437(c)(1)

## CHANGES IN ACCREDITATION

If a school decides to change its accrediting agency, it must notify the school participation team (SPT) when it begins the process of obtaining accreditation from the second agency. As part of this notice, the school must submit materials relating to its current accreditation and materials demonstrating a reasonable cause for changing its accrediting agency. If a school fails to properly notify the Department, the Department will no longer recognize the school's existing accreditation.

If a school decides to become accredited by more than one accrediting agency, it must submit to the SPT (and to its current and prospective agency) the reasons for accreditation by more than one agency. This submission must be made when the school begins the process of obtaining the additional accreditation. If a school obtains additional accreditation and fails to properly submit to the Department its reasons for the additional accreditation, the Department will not recognize the school's accredited status with either agency.

## Documentation required for approval of a branch campus

The following required supplemental documentation must be submitted for the School Participation Team to make a determination as to whether a non-main campus educational site is an eligible branch campus:

- A statement listing the distance between the main institution and the applicant non-main campus educational site.
- State authorization of the quasi-independent status of the non-main campus educational site from the main institution in any of the following forms: applicable state law, state charter, university system organization document, or state department of education or state board or regents' regulations or documentation.
- State authorization (in any of the four forms above) for the non-main educational site to have its own faculty and administrative staff, its own operating budget, and its own authority to hire and fire faculty and staff.
- An official statement from the school describing the hiring authority of the non-main educational site.
- A statement from the main institution's primary accrediting agency indicating that it has accredited both the main institution and the non-main educational site through separate on-site visitations and that the non-main educational site's accreditation is distinct yet dependent upon the main institution.
- A specific description of the relationship between the main campus of an institution of higher education and all of its branches, including a description of the student aid processing that is performed by the main campus and that is performed at its branches.
- The operating budget of the non-main campus educational site for the current year and the two prior fiscal years.
- Consolidated financial statements for the prior two years showing a breakdown of the applicant's financial circumstances.
- Other documents requested by the School Participation Team.

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### **Reporting self-determined programs on the E-App**

If you have added programs that you did not need to report to the Department, when you next apply for recertification, you must add those programs to your E-App.

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### **Consequences of erroneous self-determination**

If the school's self-determination of eligibility for an educational program is found to be incorrect, the school is liable for all FSA program funds received for the program and all FSA program funds received by or for students enrolled in that program.

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### **Approval for 300–600 clock-hour programs**

The requirement to apply and wait for written approval from the Department continues to apply to programs that are at least 300 clock hours but less than 600 clock hours.

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### **Changing accrediting agencies**

34 CFR 600.11

If the Department ceases to recognize a school's accreditation, the school is no longer eligible to award FSA program funds or take part in other programs under the Higher Education Act of 1965, as amended.

If a school becomes accredited by more than one agency, it must notify its school participation team of which agency's accreditation the school will use for determining its eligibility for the FSA programs.

### ***Loss of accreditation***

If a school loses its primary accreditation, it is ineligible to participate in the FSA programs and must notify the Department within 10 days of the loss of accreditation. (For any dispute involving the termination of accreditation, an accredited or preaccredited school must agree to submit to binding arbitration before initiating any other legal action.) However, if a school's accrediting agency loses its recognition from the Department, the school has up to 18 months in which to obtain accreditation from another recognized agency. Other changes in accreditation may also jeopardize institutional participation.

### ***Change in institution-wide accreditation***

If the school decides to change its institution-wide accreditation, it must notify the Department when it begins the accreditation application process with a different agency. (Note that it must also notify the Department when it completes the process.) As part of the notice, the school must submit materials about its current accreditation and materials demonstrating reasonable cause for changing accreditation. If the school fails to notify the Department of the proposed change to its institution-wide accreditation, or if the school does not provide the materials just described, the Department will not recognize the school's existing accreditation. If this happens, or if the school drops its association with its former accreditor before obtaining Department approval of the change, the school would no longer have accredited status and would no longer be eligible to award FSA funds.

Therefore, when a school secures new institution-wide accreditation, it must notify the Department using the online electronic application (E-App). At that time, it must advise the Department which accrediting agency will be its accreditor for purposes of FSA gatekeeping. Only after the Department provides written notice that it recognizes the new accreditor as the institution's primary accreditor should the school drop its association with its prior accreditor.

### ***Changing to accreditation by more than one institution-wide accrediting agency***

If the school decides to become accredited by more than one institution-wide accrediting agency, it must notify the Department when it begins the process of obtaining additional accreditation.

As part of the notice, the school must report (in question 15 of the E-App) its current institution-wide accrediting agency, the prospective institution-wide accrediting agency, and the reason (in question 69 of the E-App) it wishes to be accredited by more than one agency. If the school obtains the additional institution-wide accreditation and fails to notify the Department of the reason for the additional accreditation, the Department

will not recognize the school's accredited status with either agency. This means the school would lose its accredited status and its eligibility to award FSA funds.

## CHANGES TO THIRD-PARTY SERVICERS

Schools are required to notify the Department of all third-party servicer contracts. If a school has submitted information regarding its third-party servicers as part of applying for certification or recertification, no additional submission is required.

The school must promptly notify the Department of any of the following changes to servicer arrangements:

- the school enters into a contract with a new third-party servicer,
- the school significantly modifies a contract with an existing third-party servicer,
- the school or one of its third-party servicers terminates a contract, or
- a third-party servicer ceases to provide contracted services, goes out of business, or files for bankruptcy.

A school notifies the Department by updating Section J of the E-App within 10 days of the date of the change or action. This notification must include the name and address of the servicer and the nature of the change or action.

A school is only required to submit a copy of its contract with a third-party servicer if the Department requests it. A school is not required to submit the contract as part of the recertification process. (See *Chapter 3* for more information about contracts with third-party servicers.)

## Programs for students with intellectual disabilities

Schools must apply through the E-App and receive approval to add an eligible comprehensive transition and postsecondary program before awarding FSA funds to students with intellectual disabilities.

## Limitations for schools subject to "2-year rule"

For schools subject to the 2-year rule (see *Chapter 1*), during the school's initial period of participation in the FSA programs, ED will not approve adding programs that would expand the school's eligibility beyond the current ECAR. An exception may be considered if the school can demonstrate that the program was legally authorized and continuously provided for at least two years prior to the date of the request.

In addition, a school subject to the 2-year rule may not award FSA funds to a student in a program that is not included in the school's approval documents.





# Consumer Information & School Reports

## CHAPTER 6

*This chapter describes information that a school must disclose to the public and report to the Department. This is information about: financial aid; the school's campus, facilities, student athletes, and gainful employment programs; as well as campus security and fire safety, drug and alcohol abuse prevention, and programs about them. The chapter also discusses counseling for students receiving FSA loans and disclosures that must be made for private education loans. Additional disclosure requirements that are specific to disbursements of FSA loans are described in Volume 4.*

### AVAILABILITY OF INFORMATION

#### **Notice to enrolled students**

Each year a school must distribute to all enrolled students a notice of the availability of the information it must provide in the following general categories:

1. general disclosures for enrolled or prospective students,
2. annual security report and annual fire safety report,
3. report on athletic program participation rates and financial support data (Equity in Athletics Data or EADA), and
4. FERPA information (Family Educational Rights and Privacy Act of 1974, discussed in *Chapter 7*).

The notice must list and briefly describe the information and tell students how to obtain it. It must be provided on an individual basis through an appropriate mailing or publication, including direct mailing through the U.S. Postal Service, campus mail, or electronic mail. Posting on an Internet or intranet website does not constitute a notice.

#### **Web dissemination**

A school may meet the requirements for the general disclosures and the EADA, security, and fire safety reports by posting the information online.

- *Enrolled students or current employees*—the school may post the information on an Internet website or an intranet website that is reasonably accessible to its students and employees.
- *Prospective students or prospective employees*—the school may post the information on an Internet website.

A school that uses Internet or intranet disclosure for this purpose must include in its annual notice to enrolled students the exact electronic address of the information and a statement that the school will provide a paper copy of the information on request.

#### **Consumer information**

HEA Sec. 485(f); 20 USC 1092

Regulations: 34 CFR 668.41–49

Notice to enrolled students: 34 CFR 668.41(c)

Web dissemination: 34 CFR 668.41(b), (c)(2), (e)(2) through (4), and (g)(1)(ii)

Availability of school staff: 34 CFR 668.44

#### **Sample notice of FERPA rights**

You can find a sample notification at ED's FERPA website:

[www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html](http://www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html).

#### **Suggestions for disseminating HEA-required information**

The National Postsecondary Education Cooperative (NPEC) issued *Information Required to Be Disclosed Under the Higher Education Act of 1965: Suggestions for Dissemination* (NPEC 2010-831). This publication is available at <http://nces.ed.gov>.

Note: NPEC was established by the National Center for Education Statistics in 1995 as a voluntary organization comprising federal agencies, postsecondary schools, associations, and others with an interest in postsecondary education data collection. The information and opinions in NPEC publications do not necessarily represent the policy or views of the U.S. Department of Education.

### Assessing your school's compliance

To assess your school's compliance with the provisions of this chapter, see the FSA Assessment module for "Consumer Information," at [www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html](http://www.ifap.ed.gov/qahome/qaassessments/consumerinformation.html).

### Civil penalty

In addition to limiting, suspending, or terminating the participation of any school that fails to comply with the consumer information requirements, the Department may impose civil fines of up to \$27,500 for each violation.

Civil penalty

Sec. 487(c)(3)(B) of the HEA

### General disclosures

General disclosures: 34 CFR 668.41(d)

Financial assistance: 34 CFR 668.42

Institutional information: 34 CFR 668.43

Completion/graduation rates: 34 CFR 668.45

Definitions: 34 CFR 668.41(a) and 668.47(b)

### Explaining verification requirements

Although it is not among the financial aid disclosures given to all students, you should be aware of the following information that must be provided in writing to students who are selected for verification:

1. Documents required for verification.
2. Student responsibilities—including correction procedures, deadlines for completing any actions required, and the consequences of missing the deadlines.
3. Notification methods—how your school will notify students if their awards change as a result of verification and the time frame for such notification.  
34 CFR 668.53

With Internet or intranet distribution of the security and fire safety reports to current employees, a school must distribute to them by October 1 of each year a notice that includes a statement of the reports' availability, the exact electronic address at which they are posted, a brief description of their contents, and a statement that the school will provide a paper copy of the reports upon request.

The same information must be included in a notice to prospective students and employees if a school decides to use the Web to provide annual security or fire safety reports to them. The difference is that there is no annual date for distribution of this notice; also note that the school must use an Internet, rather than an intranet, site.

### Availability of employees for information dissemination purposes

A school must designate an employee or group of employees who shall be available on a full-time basis to assist enrolled or prospective students in obtaining information on the school, financial assistance, graduation and completion rates, security policies, and crime statistics, as described in the following sections. If the school designates one person, he shall be available upon reasonable notice to any enrolled or prospective student throughout the normal administrative working hours of the school. If more than one person is designated, their combined work schedules must be arranged so that at least one of them is available upon reasonable notice throughout the normal administrative working hours of the school.

The Department may waive this requirement if the school's total enrollment or the portion participating in the FSA programs is too small to necessitate an employee or group of employees being available on a full-time basis. The school must request this waiver from the Department.

## GENERAL STUDENT DISCLOSURES

A school must make the following information available to any enrolled or prospective student through appropriate publications, mailings, or electronic media.

### Financial assistance available to students

At a minimum, the school must publish and make readily available to current and prospective students a description of all the federal, state, local, private, and institutional need-based and non-need-based student financial assistance programs available to them.

For each of these financial aid programs, the information provided by the school must describe

- the procedures and forms by which students apply for assistance,
- the student eligibility requirements,
- the criteria for selecting recipients from the group of eligible applicants, and
- the criteria for determining the amount of a student's award.

The school may describe its own financial assistance programs by listing them in general categories.

The school must also describe the rights and responsibilities of students receiving financial aid (and specifically federal aid). This description must include

- criteria for continued student eligibility under each program,
- satisfactory academic progress (SAP) standards that students must meet to receive financial aid and criteria by which those who have failed to maintain SAP may re-establish aid eligibility (see *Volume 1*),
- the method by which financial assistance disbursements will be made to students and the frequency of those disbursements,
- the way the school provides for Pell-eligible students to obtain or purchase required books and supplies by the seventh day of a payment period (see *Volume 4* for conditions) and how the students may opt out.
- the terms of any loan received by students as part of their financial assistance package, a sample loan repayment schedule, and the necessity for repaying loans,
- the general conditions and terms applicable to any employment provided to students as part of their financial assistance package,
- the terms and conditions of the loans students receive under the Direct Loan and Perkins Loan programs, and
- the exit counseling information the school provides and collects as described later in this chapter. (Also see *Volume 6* for Perkins Loans exit counseling.)

### ***Information about the school's academic programs, costs, facilities, & policies***

At a minimum, the school must provide to enrolled and prospective students the following information about itself:

#### *Academic programs—*

- The current degree programs and other educational and training programs.
- The instructional, laboratory, and other physical facilities that relate to the academic programs.
- The school's faculty and other instructional personnel.
- Any plans by the school to improve academic programs, upon a determination by the school that such a plan exists.
- A description of the written arrangements it has entered into (see *Written Arrangements in Chapter 2*).

### **Prospective student**

One who has requested from an eligible school information about enrolling there or who has been contacted by the school directly, or indirectly through advertising, about enrolling.

### **Consumer information from the Department**

The Department is required to make available to schools, lenders, and secondary schools descriptions of the FSA programs to assist students in gaining information through school sources, and to assist schools in carrying out the FSA program requirements.

We provide comprehensive student aid information to students and their families through the *Student Aid on the Web* site ([http:// studentaid.ed.gov](http://studentaid.ed.gov)).

Colleges and high schools may order bulk quantities of student/borrower publications such as the *College Preparation Checklist* from the FSA Pubs website ([www.fsapubs.gov](http://www.fsapubs.gov)).

Statutory requirement:  
HEA Sec. 485

### **College affordability website**

The Department's College Affordability and Transparency Center ([www.collegecost.ed.gov/](http://www.collegecost.ed.gov/)) contains information for students, parents, and policymakers about costs at America's colleges. The website allows users to view schools by sector with the highest and lowest tuition and net prices (the price of attendance after considering all grant and scholarship aid). It has the College Scorecard, which displays the typical student cost, graduation rate, loan default rate, and median borrowing amount for the school one types in. The site also links to the net price calculators for many schools and to the College Navigator website, which allows students to search for schools they might want to attend according to various criteria.

**Net Price Calculator**

All Title IV schools that enroll full-time, first-time degree- or certificate-seeking undergraduate students must have on their website a net price calculator. The net price is defined as the cost of attendance minus the average yearly grant and scholarship aid. The calculator provides estimated net price information to current and prospective students and should be based, as much as possible, on their individual circumstances.

ED's National Center for Education Statistics has developed a template that schools can use to create their own customized net price calculator, or they can develop their own calculator. If they develop their own, it must include at a minimum the same data elements found in the Department's calculator template.

The Net Price Calculator Information Center at [http://nces.ed.gov/ipeds/resource/net\\_price\\_calculator.asp](http://nces.ed.gov/ipeds/resource/net_price_calculator.asp) provides the template as well as FAQs, a zipped file with links to other schools' calculators, and resources for schools to develop their own calculators. See also GEN-13-07.

**Student access to accreditation/ approval documents**

The school must make available for review, upon request of any enrolled or prospective student, a copy of the documents describing the school's accreditation and its state, federal, or tribal approval or licensing.

**Vaccination policy**

Schools must make available to current and prospective students information about their vaccination policy. HEA section 485(a)(1)(V)

*School costs—*

- Tuition and fees charged to full-time and part-time students.
- Estimates of costs for necessary books and supplies.
- Estimates of typical charges for room and board.
- Estimates of transportation costs for students.
- Any additional cost of a program in which a student is enrolled or expresses an interest.

*Withdrawal procedures, refunds, and return of aid—*

- The requirements and procedures for officially withdrawing from the school.
- Any refund policy with which the school is required to comply for the return of unearned tuition and fees or other refundable portions of costs paid to the school.
- A summary of the requirements for the return of FSA grant or loan funds (see *Volume 5*).

*Accreditation and licensure—*

- The names of associations, agencies, or governmental bodies that accredit, approve, or license the school and its programs.
- The procedures by which documents describing that activity may be reviewed—the school must make available for review to any enrolled or prospective student a copy of the documents describing its accreditation, approval, or licensing.
- Contact information for filing complaints with its accreditor, its state approval or licensing entity, and any other relevant state official or agency that would appropriately handle a student's complaint.

*Disability—*

- The services and facilities available to students with disabilities, including intellectual disabilities (see *Volume 1* for a definition).

*FSA eligibility for study abroad—*

- A statement that a student's enrollment in a program of study abroad approved for credit by the home institution may be considered enrollment at the home institution for the purpose of applying for assistance under the FSA programs.

*Transfer of credit policies—*

- Any established criteria the school uses regarding the transfer of credit earned at another institution.
- A list of postsecondary schools with which the school has established an articulation agreement.

*Contact information—*

- The titles of persons designated by the school to provide information to enrolled and prospective students and information regarding how and where those persons may be contacted.

*Penalties and institutional policies on copyright infringement—*

- 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 (see the sample statement).
- A description of the school's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions that are taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the school's information technology system.
- The legal alternatives for downloading or otherwise acquiring copyrighted material, based on the school's periodic review described in *Chapter 7*. (This information is to be provided through a website or other means.)

**Financial Aid Shopping Sheet**

The Shopping Sheet is a resource to help consumers understand their educational costs and the aid available to meet those costs. It is a single page the Department developed that may be used as a stand-alone award letter or as a cover sheet with an institution's existing award letter. The standard format helps consumers easily compare the cost of attendance and aid awards across schools. Use of the Shopping Sheet is voluntary, though we encourage institutions to adopt it for their students. Also, for schools that receive federal funds under the military and veterans educational benefits programs, use of the Shopping Sheet helps meet a disclosure requirement of Executive Order 13607 (see the end of *Chapter 3*).

See [www2.ed.gov/policy/highered/guid/aid-offer/index.html](http://www2.ed.gov/policy/highered/guid/aid-offer/index.html) for more information, including links to guidance and implementation resources, and see DCL GEN-13-26 for the latest template and specifications.

## Sample statement of penalties for copyright infringement

A school may use this sample statement to meet the requirement that it disseminate a summary of the penalties for violating federal copyright law. The use of this sample summary is optional.

### Summary of Civil and Criminal Penalties for Violation of Federal Copyright Laws

Copyright infringement is the act of exercising, without permission or legal authority, one or more of the exclusive rights granted to the copyright owner under section 106 of the Copyright Act (Title 17 of the United States Code). These rights include the right to reproduce or distribute a copyrighted work. In the file-sharing context, downloading or uploading substantial parts of a copyrighted work without authority constitutes an infringement.

Penalties for copyright infringement include civil and criminal penalties. In general, anyone found liable for civil copyright infringement

may be ordered to pay either actual damages or "statutory" damages affixed at not less than \$750 and not more than \$30,000 per work infringed. For "willful" infringement, a court may award up to \$150,000 per work infringed. A court can, in its discretion, also assess costs and attorneys' fees. For details, see Title 17, United States Code, Sections 504, 505.

Willful copyright infringement can also result in criminal penalties, including imprisonment of up to five years and fines of up to \$250,000 per offense. For more information, please see the website of the U.S. Copyright Office at [www.copyright.gov](http://www.copyright.gov).



**Reporting rates to IPEDS**

The graduation, completion, and transfer-out rates are reported through the Department's Integrated Postsecondary Education Data System (IPEDS) website. The IPEDS survey is conducted by the National Center for Education Statistics (NCES). More information is at [www.nces.ed.gov/IPEDS](http://www.nces.ed.gov/IPEDS). Survey forms, instructions, FAQs, worksheets, and other information are posted at <https://surveys.nces.ed.gov/IPEDS/VisIndex.aspx>.

Information can only be reported to this system by the school's designated "keyholder." Schools may change keyholders any time during the year by contacting the IPEDS Help Desk at 1-877-225-2568 or [ipedshelp@rti.org](mailto:ipedshelp@rti.org) or by contacting

Tara Lawley  
202-502-7476  
IPEDS Universe Coordinator  
Rm 8113B  
1990 K St NW  
Washington, DC 20006

**Optional calculations**

In addition to calculating the completion or graduation rate as described, a school may, but is not required to

1. Calculate a completion or graduation rate for students who transfer into the school;
2. Calculate a completion or graduation rate for students who have left school to serve in the armed forces, on official church missions, or with a foreign aid service of the federal government, such as the Peace Corps, or who are totally and permanently disabled; and
3. Calculate a transfer-out rate, even if the school determines that its mission does not include providing substantial preparation for its students to enroll in another eligible school.

34 CFR 668.45(f)

**COMPLETION, GRADUATION, TRANSFER, RETENTION, AND PLACEMENT RATES (STUDENT RIGHT-TO-KNOW)**

Each year a school must determine the completion or graduation rate of its certificate- or degree-seeking, first-time, full-time undergraduate students and report it to the Department via the IPEDS website (see sidebar).

If the school's mission includes providing substantial preparation for students to enroll in another eligible school, it must also determine the transfer-out rate of its certificate- or degree-seeking, first-time, full-time undergraduate students.

The annual rates are based on the 12-month period that ended August 31 of the prior year. The rates will track the outcomes for students for whom 150% of the normal time for completion or graduation has elapsed. Normal time is the amount of time necessary for a student to complete all requirements for a degree or certificate according to the institution's catalog. This is typically four years for a bachelor's degree in a standard term-based institution, two years for an associate degree in a standard term-based institution, and the various scheduled times for certificate programs. (See the IPEDS instructions for further details on calculating the rate.)

A school must make these annual rates available to the public no later than July 1st. With requests from prospective students, the information must be made available prior to them enrolling or entering into any financial obligation with the school.

***Retention, placement, & post-graduate study***

The school must also provide information on

- Its retention rate reported to IPEDS. The information must be made available to prospective students requesting it prior to them enrolling or entering into any financial obligation with the institution.
- The placement of, and types of employment obtained by, graduates of the school's degree or certificate programs. Placement rate information may be gathered from state data systems, alumni or student satisfaction surveys, the school's placement rate for any program, if it calculates such a rate, or other relevant sources. If the school calculates a placement rate, it must disclose that rate.
- For any 4-year program at the school, the types of graduate and professional education in which its graduates enroll. This information may be gathered from state data systems, alumni or student satisfaction surveys, or other relevant sources.

In the case of placement information and the types of graduate and professional education, the school must identify the source of the information as well as any time frames and methodology associated with it.



## DISCLOSURES AND GAINFUL EMPLOYMENT PROGRAMS

A school must disclose certain information about each of its gainful employment programs to prospective students:

- the occupations that the program prepares students to enter (by occupation name and SOC code), with links to occupational profiles on the O\*NET website (see sidebar);
- the program length (the normal time to complete the program);
- the on-time graduation rate for students completing the program;
- the tuition and fees the school charges a student for completing the program within normal time, the cost of room and board if applicable, and the typical costs for books and supplies (unless those costs are included as part of tuition and fees);
- the job placement rate for students completing the program;
- the median loan debt incurred by students who completed the program (separately by FSA loans, private educational loans, and institutional financing plans, as described later); and
- other information the Department provided to the school about the program.

Your school may include information on other costs, such as transportation and living expenses, but it must provide a Web link or access to the cost information discussed earlier.

### ***Disseminating information about gainful employment programs***

The school must include the required information in promotional materials it makes available to prospective students and post the information on its websites. The information must be provided in a simple and meaningful manner on the homepage of the school's program website in an open format that can be retrieved, downloaded, indexed, and searched by commonly used Web search applications. An open format is one that is platform-independent, is machine-readable, and is made available to the public without restrictions that would impede the reuse of that information.

Any other webpage containing general, academic, or admissions information about the program must provide a prominent and direct link to the single webpage that contains all the required information.

### ***Median loan debt***

As noted, schools must disclose the median loan debt incurred by students who complete a gainful employment program. The disclosure must show the school's calculation of median debt—broken down by debt from FSA (Direct and FFEL) loans, private education loans, and institutional financing—until the Department provides that information.

### **College Navigator site**

Note that your school's graduation rates are displayed on the IPEDS College Navigator site.

<http://nces.ed.gov/collegenavigator>

### **Copyright information**

The sample statement and other copyright requirements are included in GEN 10-08.

See *Chapter 7* for the requirement to develop copyright policies:

34 CFR 668.43(a)(10)

### **Student Right-to-Know**

HEA Sec. 485(a)

34 CFR 668.45

### **Retention rates**

34 CFR 668.41 and 45

### **Additional information on IFAP**

The Gainful Employment page on IFAP includes links to frequently asked questions and resources such as electronic announcements, webinars, and regulatory materials.

<http://ifap.ed.gov/>

[GainfulEmploymentInfo/](#)

### **CIP & SOC codes**

Classification of Instructional Programs (CIP) codes are developed by the U.S. Department of Education's National Center for Education Statistics.

The *Standard Occupational Classification* (SOC) codes are listed on the *Occupational Information Network* ([www.onetonline.org](http://www.onetonline.org)).

You may identify the occupations for each of your programs by entering the program's full 6-digit CIP code on the O\*NET crosswalk ([www.onetonline.org/crosswalk](http://www.onetonline.org/crosswalk)). Your school may provide Web links to a representative sample of the identified occupations (by name and SOC code) for which its graduates typically find employment within a few years after completing the program.

**GE Disclosure Template**

34 CFR 668.6(b)(2)(iv)  
Effective January 31, 2014, schools must use the GE Disclosure Template developed by the Department (<http://www2.ed.gov/policy/highered/reg/hearulemaking/2009/negreg-summerfall.html>) to create webpages with the required disclosure information for their gainful employment programs.

For each GE program, you will enter your OPEID and the CIP code and credential level of the program. You will include other information about the program, and the template will produce the disclosure page that you will host on your website.

The homepage for the GE program must have a prominent link to that disclosure page, and any other webpage that has general, academic, or admissions information about the program must have a prominent link to either the program homepage or the disclosure page. See the electronic announcement from 11/22/13 for more information and a link to the Department's template website.

**Calculating the on-time graduation (completion) rate**

34 CFR 668.6(c)

The above regulation explains how to calculate an on-time completion rate for GE programs: for the most recently completed award year, divide the number of students who completed the GE program within normal time by the total number of students who completed the program, and multiply the result by 100%.

Example: The court reporting program at Krieger University is a GE program. During the 2013–2014 award year, 140 students completed the program, and 105 of them completed in normal time. Divide 105 by 140 to get .75. Then multiply .75 by 100% to get 75%, which is the completion rate for this program.

**Placement rates**

The placement rates for students completing a gainful employment program are to be determined under a methodology developed by the National Center for Education Statistics (NCES) when that methodology is available.

In the meantime, if the school is required by its accrediting agency or state to calculate a placement rate on a program basis, it must disclose the rate under this section and identify the accrediting agency or state agency under whose requirements the rate was calculated. If the accrediting agency or state requires a school to calculate a placement rate at the institutional level or other than a program basis, the school must use the accrediting agency or state methodology to calculate a placement rate for the program and disclose that rate.

**CAMPUS CRIME & SAFETY INFORMATION**

A school must distribute annual campus security reports to its students and employees. If it maintains on-campus student housing, it must also disseminate an annual fire safety report. The reports that are disseminated to the school community must include descriptions of the school's policies, procedures, and programs. These reports must include the campus security and fire safety statistics reported to the Department each year (explained later in this section).

**Crime log**

Schools must have policies that encourage complete, timely reporting of all crimes to the campus police and appropriate law enforcement agencies. If they have a campus police or security department, they must keep a written, easily understood, daily crime log. The log must list any crime by the date it was reported to the campus police or security department and that occurred on campus, in a noncampus building, on public or a noncampus property, or within the police or security department's patrol jurisdiction. The log must also include the nature, date, time, and general location of each crime and the disposition of the complaint if known.

The school must make an entry or an addition to an entry to the log within two business days (Monday–Friday, except days when the school is closed) of the report of the information to the campus police or security department unless that disclosure is prohibited by law or would jeopardize the confidentiality of the victim.

A school may withhold one or more of the required pieces of information 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.

However, the school must disclose any information withheld for any of these reasons once the adverse effect is no longer likely to occur.

The school must make the crime log for the most recent 60-day period open to public inspection during normal business hours. The school must make any portion of the log older than 60 days available within two business days of a request for public inspection.

### **Fire safety**

A school that has any on-campus student housing facility must maintain a written, easily understood log that records, by the date that the fire was reported, any fire that occurred in an on-campus student housing facility. This log must include the nature, date, time, and general location of each fire.

The school must:

- make an entry or an addition to an entry to the log within two business days of the receipt of the information,
- make the fire log for the most recent 60-day period open to public inspection during normal business hours, and
- make any portion of the log older than 60 days available within two business days of a request for public inspection.

A school must annually submit a copy of the fire safety statistics to the Department and include the fire safety statistics in its annual report to the campus community.

### **Annual submission of campus security & fire safety statistics**

Each year in the late summer, the Department sends a letter and a certificate to the school's president or chief executive officer. The certificate includes the user ID and password needed to access the Campus Safety and Security Survey website (<https://surveys.ope.ed.gov/security>), where schools submit statistics for the crimes described in the margin note and for fire safety (see below). The website explains how to tabulate these statistics.

Schools with any on-campus student housing facility must submit annual fire safety statistics to the Department. The report must include statistics on the number and causes of fires, as well as fire-related injuries, death, and property damage for each on-campus student housing facility during the three most recent calendar years for which data are available. The fire safety statistics are due at the same time as the crime statistics.

### **Crimes to be reported to campus community**

34 CFR 688.46(c)(1)

- (i) Criminal homicide:
  - (A) Murder and nonnegligent manslaughter.
  - (B) Negligent manslaughter.
- (ii) Sex offenses:
  - (A) Forcible sex offenses.
  - (B) Nonforcible sex offenses.
- (iii) Robbery.
- (iv) Aggravated assault.
- (v) Burglary.
- (vi) Motor vehicle theft.
- (vii) Arson.
- (viii) (A) Arrests for liquor law violations, drug law violations, and illegal weapons possession.
- (B) Persons not included in paragraph (c)(1)(viii)(A) of this section, who were referred for campus disciplinary action for liquor law violations, drug law violations, and illegal weapons possession.

34 CFR 688.46(c)(3)

An institution must report, by category of prejudice, the following crimes reported to local police agencies or to a campus security authority that manifest evidence that the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability:

- (i) Any crime it reports pursuant to paragraph (c)(1)(i) through (vii) of this section.
- (ii) The crimes of larceny-theft, simple assault, intimidation, and destruction/damage/vandalism of property.
- (iii) Any other crime involving bodily injury.

See the margin note on page 112 about how the Violence Against Women Act reauthorization affects what must be reported.

### **Citations**

Crime log: 34 CFR 668.46(f)

Fire safety log: 34 CFR 668.49

Missing persons: 34 CFR 668.46(h)

Emergency response & evacuation:  
34 CFR 668.46(g)

## Required contents of annual campus security & fire safety reports

### *The Annual Security Report must include—*

- (1) The crime statistics submitted to the Department.
- (2) A statement of current campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus. This statement must include the institution's policies concerning its response to these reports, including—
  - Policies for making timely warning reports to members of the campus community regarding the occurrence of crimes described in this chapter;
  - Policies for preparing the annual disclosure of crime statistics; and
  - A list of the titles of each person or organization to whom students and employees should report criminal offenses for the purpose of making timely warning reports and the annual statistical disclosure. (See page 109 for a list of criminal offenses that must be reported).
  - This statement must also disclose whether the institution has any policies or procedures that allow victims or witnesses to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics, and, if so, a description of those policies and procedures.
- (3) A statement of current policies concerning security of and access to campus facilities, including campus residences, and security considerations used in the maintenance of campus facilities.
- (4) A statement of current policies concerning campus law enforcement that—
  - Addresses the enforcement authority of security personnel, including their relationship with state and local police agencies and whether those security personnel have the authority to arrest individuals;
  - Encourages accurate and prompt reporting of all crimes to the campus police and the appropriate police agencies; and
  - Describes procedures, if any, that encourage pastoral counselors and professional counselors, if and when they deem it appropriate, to inform the persons they are counseling of any procedures to report crimes on a voluntary, confidential basis for inclusion in the annual disclosure of crime statistics.
- (5) A description of the 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.
- (6) A description of programs designed to inform students and employees about the prevention of crimes.
- (7) A statement of 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, including student organizations with off-campus housing facilities.
- (8) A statement of policy regarding the possession, use, and sale of alcoholic beverages and enforcement of state underage drinking laws.
- (9) A statement of policy regarding the possession, use, and sale of illegal drugs and enforcement of federal and state drug laws.
- (10) A description of any drug or alcohol abuse education programs, as described in this chapter. For the purpose of meeting this requirement, an institution may cross-reference the materials it uses to comply with the requirements later in this chapter.
- (11) A statement of policy regarding the institution's campus sexual assault programs to prevent sex offenses and procedures to follow when a sex offense occurs. The statement must include—
  - A description of educational programs to promote the awareness of rape, acquaintance rape, and other forcible and nonforcible sex offenses;
  - Procedures students should follow if a sex offense occurs, including procedures concerning who should be contacted, the importance of preserving evidence for the proof of a criminal offense, and to whom the alleged offense should be reported;
  - Information on a student's option to notify appropriate law enforcement authorities, including on-campus and local police, and a statement that institutional personnel will assist the student in notifying these authorities, if the student requests the assistance of these personnel;
  - Notification to students of existing on- and off-campus counseling, mental health, or other student services for victims of sex offenses;
  - Notification to students that the institution will change a victim's academic and living situations after an alleged sex offense and of the options for those changes, if those changes are requested by the victim and are reasonably available;
  - Procedures for campus disciplinary action in cases of an alleged sex offense, including a clear statement that—
    - (A) The accuser and the accused are entitled to the same opportunities to have others present during a disciplinary proceeding; and
    - (B) Both the accuser and the accused must be informed of the outcome of any institutional disciplinary proceeding brought alleging a sex offense. Compliance with this paragraph does not constitute a violation of the Family Educational Rights and Privacy Act (see *Chapter 7*). For the purpose of this paragraph, the outcome of a disciplinary proceeding means only the institution's final determination with respect to the alleged sex offense and any sanction that is imposed against the accused; and
  - Sanctions the institution may impose following a final determination of an institutional disciplinary proceeding regarding rape, acquaintance rape, or other forcible or nonforcible sex offenses.
- (12) A statement advising the campus community where law enforcement agency information provided by a state under 42 USC 14071(j)), concerning registered sex offenders may be obtained, such as the law enforcement office of the institution, a local law enforcement agency with jurisdiction for the campus, or a computer network address.
- (13) A description of the school's emergency response and evacuation procedures (see page 113).
- (14) A statement of the school's policy regarding missing student notification procedures (see page 112).



***The Annual Fire Safety Report must include—***

- (1) The fire statistics submitted to the Department.
- (2) A description of each on-campus student housing facility fire safety system.
- (3) The number of fire drills held during the previous calendar year.
- (4) The institution's policies or rules on portable electrical appliances, smoking, and open flames in a student housing facility.
- (5) The institution's procedures for student housing evacuation in the case of a fire.
- (6) The policies regarding fire safety education and training programs provided to the students and employees. In these policies, the institution must describe the procedures that students and employees should follow in the case of a fire.
- (7) For purposes of including a fire in the statistics in the annual fire safety report, a list of the titles of each person or organization to which students and employees should report that a fire occurred.
- (8) Plans for future improvements in fire safety, if determined necessary by the institution.

***Distributing security and fire safety reports to enrolled students & current employees***

By October 1 of each year, a school must distribute to all enrolled students and current employees its annual security report and fire safety reports through appropriate publications and mailings including

- direct mailing to each individual through the U.S. Postal Service, campus mail, or electronic mail;
- a publication or publications provided directly to each individual; or
- posting on an Internet or intranet website (see conditions for Web distribution at the beginning of this chapter).

The two reports can be published together or separately. If published together, the title of the document must clearly state that it contains both the Annual Security Report and the Annual Fire Safety Report. If published separately, each report must contain information on how to directly access the other report.

***Disseminating reports to prospective students & employees***

For each of the reports, the school 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. A school must provide its annual security report and annual fire safety report, upon request, to a prospective student or prospective employee.

If the school chooses to provide either its annual security report or annual fire safety report to prospective students and prospective employees by posting the disclosure on an Internet website, the school must follow the procedures for Web dissemination described earlier.

**Crime & fire data on the Web**

The Department posts the campus crime statistics and fire safety statistics for participating schools on the Web at: <http://ope.ed.gov/security/> Crime statistics are also posted on the Department's College Navigator site: <http://nces.ed.gov/collegenavigator/>

**Definitions**

*On-campus student housing facility*—a dormitory or other residential facility for students that is located on a school's campus.

*Campus*—any building or property owned or controlled by a school within the same reasonably contiguous geographic area and used by the school in direct support of, or in a manner related to, its educational purposes, including residence halls.

**Bookstores and safety reporting**

If a school contracts with an entity to provide bookstore services and the bookstore is located on-campus, or if it is in any off-campus building or property owned or controlled by the school, the school must include the bookstore among the locations for which it reports campus crime and safety information as provided in 34 CFR 668.46. For more information on campus safety reporting requirements, see *The Handbook for Campus Safety and Security Reporting*.  
DCL GEN-12-21

**Fire safety**

Fire safety requirements were added by the Higher Education Opportunity Act (HEOA) of 2008  
HEA 485(i)  
34 CFR 668.49

**Clery/Campus Security Act**

The full title of the Clery Act is the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act. It has been amended several times, most recently by the Violence Against Women Reauthorization Act of 2013 (VAWA) enacted March 7, 2013. Among other provisions, VAWA requires institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies, including incidents of sexual assault, domestic violence, dating violence, and stalking. Schools must also include certain policies, procedures, and programs pertaining to these crimes in their annual security reports. Beginning with the annual security report schools issue by October 1, 2014, these crime statistics must be included for calendar years 2011, 2012, and 2013, and they will also be reported to the Department through the web-based data collection in October 2014. Final regulations to implement these statutory changes to the Clery Act will not be effective until the Department completes the rule-making process. Until those regulations are issued, we expect schools to make a good faith effort to comply with the statutory requirements and effective date and to include statistics for the new crime categories for calendar year 2013 in the annual security report due in October 2014. But we understand that a school might not have complete statistics for the year when those must be reported to the Department. See the electronic announcement from May 29, 2013.

HEA Sec. 485(f)  
20 U.S.C. 1092(f)  
34 CFR 668.46

**Sample statement of availability**

Schools may use the following sample notice from the *Handbook for Campus Safety and Security Reporting* ([www.ed.gov/admins/lead/safety/handbook.pdf](http://www.ed.gov/admins/lead/safety/handbook.pdf)) to inform students and employees of the availability of its Combined Annual Security Report and Annual Fire Safety Report:

CNO University is committed to assisting all members of the CNO community in providing for their own safety and security. The annual security and fire safety compliance document is available on the UPD website at [http://\\_\\_\\_\\_\\_.edu](http://_____.edu)

If you would like to receive the combined Annual Security and Fire Safety Report that contains this information, you can stop by the University Police Department at 2033 Canal Street, NW, Mercer Building, Washington, DC, 20052 or you can request that a copy be mailed to you by calling (XXX) XXX-XXXX.

The website and booklet contain information regarding campus security and personal safety including topics such as: crime prevention, fire safety, university police law enforcement authority, crime reporting policies, disciplinary procedures, and other matters of importance related to security and safety on campus. They also contain information about crime statistics for the three previous calendar years concerning reported crimes that occurred on campus; in certain off-campus buildings or property owned or controlled by CNO; and on public property within or immediately adjacent to and accessible from the campus.

This information is required by law and is provided by The CNO University Police Department.

**Missing persons procedures**

A school that provides on-campus student housing must establish a missing student notification policy and include a description of the policy in its annual security report to the campus community. The policy must

- include a list of titles of the persons or organizations to which students, employees, or other individuals should report that a student has been missing for 24 hours;
- require that any missing student report be referred immediately to the school's police or campus security department (if the school doesn't have such a department, it must refer the report to the local law enforcement agency that has jurisdiction in the area); and
- include an option for each student to identify a contact person or persons whom the school shall notify within 24 hours of a determination (by the school's police or campus security department or the local law enforcement agency) that the student is missing.

Students must be advised that

- their contact information will be registered confidentially, that this information will be accessible only to authorized campus



officials, and that it may not be disclosed, except to law enforcement personnel in furtherance of a missing person investigation;

- if they are under 18 years of age and not emancipated, the school must notify a custodial parent or guardian within 24 hours of the determination that the student is missing, in addition to notifying any additional contact person designated by the student; and
- the school will notify the local law enforcement agency within 24 hours of the determination that the student is missing unless the local law enforcement agency was the entity that made the determination that the student is missing.

When a student who resides in an on-campus student housing facility is determined to have been missing for 24 hours, the school must notify within 24 hours

- the contact person (if the student has designated one), and
- the student’s custodial parent or guardian (if the student is less than 18 years old and is not emancipated).

In all cases, the school must inform the local law enforcement agency that has jurisdiction in the area within 24 hours that the student is missing.

### ***Emergency response & evacuation***

A school must develop emergency response and evacuation procedures and include a description of its procedures in its annual security report to the campus community.

A school must develop procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

At a minimum, schools must have procedures to

- confirm that a significant emergency or dangerous situation (as described above) exists;
- determine the appropriate segment or segments of the campus community to receive a notification, the content of the notification; and to initiate the notification system;
- disseminate emergency information to the larger community; and
- test the emergency response and evacuation procedures on at least an annual basis, including announced or unannounced tests.

The school must compile a list of the titles of those persons or organizations responsible for determining whether an emergency or dangerous situation exists and who are authorized to initiate the notification process and include this information in the annual report.

### **Handbook for campus crime reporting**

To assist schools in fully complying with the Clery Act, the Department has developed *The Handbook for Campus Safety and Security Reporting*. The handbook defines the categories of crime and procedures for reporting them, as well as the requirements for timely warnings and maintenance of a daily crime log. The handbook is available at: [www.ed.gov/admins/lead/safety/campus.html](http://www.ed.gov/admins/lead/safety/campus.html).

### **Missing persons procedures—private right of action**

The requirements for a school to establish missing persons procedures do not provide a private right of action to any person to enforce a provision of the subsection or create a cause of action against any institution of higher education or any employee of the institution for any civil liability.

HEA section 485(j)

### **Definition of “test”**

Regularly scheduled drills, exercises, and appropriate follow-through activities designed for assessment and evaluation of emergency plans and capabilities.

### **Publicizing procedures**

The school must publicize its emergency response and evacuation procedures in conjunction with at least one test per calendar year. The school must document each test with a description of the exercise, stating the date and time, and indicating whether it was announced or unannounced.

**Drug and alcohol prevention**

Drug-Free Schools and Communities Act (Public Law 101-226)  
 Drug-Free Workplace Act of 1988 (Public Law 101-690)  
 34 CFR 84 Government-Wide Requirements for Drug-Free Workplace  
 34 CFR 86 Drug and Alcohol Abuse Prevention  
 34 CFR 668.14(c)

**Notice of penalties**

A school must provide to every student, upon enrollment, a separate, clear, and conspicuous written notice with information on the penalties associated with drug-related offenses (see *Volume 1* of the Handbook for a description of the penalties).  
 Higher Education Opportunity Act of 2008  
 HEA section 485(k)

**Drug-Free Workplace**

The FSA requirements are derived from the 1989 Amendments to the Drug-Free Schools and Communities Acts of 1986 and 1988. See Public Law 101-226.

Because a school applies for and receives its Campus-Based allocation directly from the Department, the school is considered to be a federal grant recipient and as such is required to make a good faith effort on a continuing basis to maintain a drug-free workplace.

34 CFR Part 84

Also see the Drug-Free Workplace Act of 1988 (Public Law 101-690)

In an emergency or a dangerous situation, a school must, without delay and accounting for the safety of the community, determine the content of the notification and initiate the notification system unless issuing a notification will, in the judgment of responsible authorities, compromise efforts to assist a victim or contain, respond to, or otherwise mitigate the emergency.

***Timely warning & emergency notification***

A school must, in a manner that is timely and will aid in the prevention of similar crimes, report to the campus community on crimes that are

- included in campus crime statistics, such as arson, robbery, burglary, motor vehicle theft, aggravated assault, criminal homicides, and sex offenses (see a full listing in the sidebar on page 109), or
- reported to local police agencies or to campus security authorities (as identified under the school’s statement of current campus policies), and
- considered by the school to represent a threat to students and employees.

A school is not required to provide a timely warning with respect to crimes reported to a pastoral or professional counselor.

If there is an immediate threat to the health or safety of students or employees occurring on campus, a school must follow its emergency notification procedures. A school that follows its emergency notification procedures is not required to issue a timely warning based on the same circumstances; however, the school must provide adequate follow-up information to the community as needed.

**DRUG AND ALCOHOL ABUSE PREVENTION**

A school that participates in the FSA programs must provide to its students, faculty, and employees information to prevent drug and alcohol abuse, and it must also have a drug and alcohol prevention program, as discussed later.

In addition, a school that participates in the Campus-Based Programs must have a drug-free awareness program for its employees that includes a notice to them of unlawful activities and the actions the school will take against an employee who violates these prohibitions.

***Information to be included in drug prevention materials for students and employees***

A school must provide the following in its materials:

- information on preventing drug and alcohol abuse;
- standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of drugs and alcohol by students and employees on the school’s property or as part of the school’s activities;

- a description of the sanctions under local, state, and federal law for unlawful possession, use, or distribution of illicit drugs and alcohol;
- a description of any drug and alcohol counseling, treatment, or rehabilitation programs available to students and employees;
- a description of the health risks associated with the use of illicit drugs and alcohol; and
- a clear statement that the school will impose sanctions on students and employees for violations of the standards of conduct (consistent with local, state, and federal law) and a description of these sanctions, up to and including expulsion, termination of employment, and referral for prosecution.

### ***Distribution of materials to all students and employees***

The school may include this information in publications such as student or employee handbooks, provided that these publications are distributed to each student and employee. Merely making drug prevention materials available to those who wish to take them is not sufficient. The school must use a method that will reach every student and employee, such as the method used to distribute grade reports or paychecks.

The school must distribute these materials annually. If new students enroll or new employees are hired after the initial distribution for the year, the school must make sure that they also receive the materials.

### ***Drug & alcohol abuse prevention program***

Every participating school must certify that on the date it signs the Program Participation Agreement it has a drug and alcohol abuse prevention program in operation that is accessible to any officer, employee, or student at the school. The program adopted by the school must include an annual distribution to all students, faculty, and staff of information concerning drug and alcohol abuse and the school's prevention program.

A school must review its program once every two years to determine its effectiveness and to ensure that its sanctions are being enforced. As a part of this biennial review, the school must determine

- the number of drug and alcohol-related violations and fatalities that occur on a school's campus or as part of any of the school's activities and that are reported to campus officials; and
- the number and type of sanctions that are imposed by the school as a result of drug and alcohol-related violations and fatalities on the school's campus or as part of any of the school's activities.

The school must make available upon request the results of the review as well as the data and methods supporting its conclusions.

If a school does not certify that it has a prevention program or fails to carry out a prevention program, the Department may terminate any or all forms of federal financial aid to the school and may require it to repay any or all federal financial aid that it received while not in compliance.

### **Drug & alcohol abuse prevention programs**

These requirements are found in 34 CFR 86—Drug and Alcohol Abuse Prevention.

The regulations published in the *Federal Register*, August 16, 1990, offer a number of suggestions for developing a drug prevention program.

### **Measuring the effectiveness of prevention programs**

The effectiveness of a school's prevention program may be measured by tracking the number of drug- and alcohol-related disciplinary actions, treatment referrals, and incidents recorded by campus police or other law enforcement officials.

You may also find it useful to track the number of students or employees attending self-help or other counseling groups related to alcohol or drug abuse and to survey student, faculty, and employee attitudes and perceptions about the drug and alcohol problem on campus.

### **Failure to have a prevention program**

34 CFR 86.301

### Additional sources of information

The following resources are available for schools that are developing prevention programs:

The Drug Free Workplace Helpline—Provides information to private entities about workplace programs and drug testing. Proprietary and private nonprofit schools may use this line (1-800-967-5752).

[www.workplace.samhsa.gov/](http://www.workplace.samhsa.gov/)

Substance Abuse & Mental Health Services Administration—SAMHSA (U.S. Department of Health & Human Services)

Treatment and Referral Hotline  
1-800-662-HELP (1-800-662-4357)

Publications:

<http://store.samhsa.gov/home>

### Drug-Free Workplace requirements for Campus-Based schools

A school that participates in the Campus-Based Programs must take certain steps to provide a drug-free workplace, including

- establishing a drug-free awareness program to provide information to employees,
- distributing a notice to its employees of prohibited unlawful activities and the school's planned actions against an employee who violates these prohibitions, and
- notifying the Department and taking appropriate action when it learns of an employee's conviction under any criminal drug statute.

A school's administrative cost allowance may be used to help defray related expenses, such as the cost of printing informational materials given to employees. The administrative cost allowance is discussed in *Volume 6: Campus-Based Programs*.

The drug-free workplace requirements apply to all offices and departments of a school that receives Campus-Based funds. Organizations that contract with the school are considered subgrantees not subject to the requirements of the Drug-Free Workplace Act.

### Equity in Athletics Disclosure Act (EADA)

HEA Section 485(e) and (g)

20 USC 1092

34 CFR 668.41(g)

34 CFR 668.47

### EADA data on the Web

The Department posts the EADA reports for participating schools on the Web at:

<http://ope.ed.gov/athletics/>

## INFORMATION ABOUT ATHLETICS

### Report on athletic program participation rates & financial support

The Equity in Athletics Disclosure Act (EADA) requires a school that has an intercollegiate athletic program to make prospective students aware of its commitment to providing equitable athletic opportunities for its male and female students. As part of this requirement, each fall schools must make certain information available to students, prospective students, and the public in easily accessible places and must also report the information to the Department. The annual report, officially called *The Report on Athletic Program Participation Rates and Financial Support Data* and commonly referred to as the EADA Report, must include information on

- the number of male and female full-time undergraduate students that attended the school (undergraduate students are those who are consistently designated as such by the school),
- the total amount and ratio of athletically related student aid awarded to male athletes compared to female athletes,
- the expenses incurred by the school for men's and women's sports,
- total annual revenues for men's or women's sports,
- the annual school salary of non-volunteer head coaches and assistant coaches for men's and women's teams, and
- for each varsity team in intercollegiate competition, the number and gender of participants and coaches, operating expenses, etc.

A school must publish its EADA report by October 15 and make it available upon request to students, prospective students, and the public.

For example, a school may make hard copies of the report available in intercollegiate athletic offices, admissions offices, or libraries, or by providing a copy to all students in their electronic mailbox.

A school must provide the report promptly to anyone who requests the information. For example, a school may not refuse to provide a copy of the report to the news media, and the school may not require an individual requesting the information to come to the school to view the report. A school may not charge a fee for the information.

A school must submit its equity in athletics report to the Department via the EADA survey website (<https://surveys.ope.ed.gov/athletics>) annually within 15 days of making it available to students, prospective students, and the public. Note that a password and user ID are required for use of this website. They are sent by the Department to the chief administrator at the school. For help with this site, contact [eadahelp@westat.com](mailto:eadahelp@westat.com).

For specific categories and reporting rules, please see the EADA User's Guide for the online survey.

### **Completion & graduation rates for student athletes**

Schools that offer athletically-related student aid must produce an annual report that includes:

- The number of students, categorized by race and gender, who attended the school in the year prior to the submission of the report.
- The number of the students above who received athletically-related student aid, categorized by race and gender within each sport.
- The completion or graduation rate and, if applicable, transfer-out rate of all the entering, certificate- or degree-seeking, full-time, undergraduate students described in 34 CFR §668.45(a)(1), categorized by race and gender.
- The completion or graduation rate and, if applicable, transfer-out rate of the entering students described in §668.45(a)(1) who received athletically-related student aid, categorized by race and gender within each sport.
- The average completion or graduation rate and, if applicable, transfer-out rate for the four most recent completing or graduating classes of entering students described in §668.45(a)(1), (3), and (4), categorized by race and gender. If a school has rates for fewer than four of those classes, it must disclose the rates it has.
- The average completion or graduation rate and, if applicable, transfer-out rate of the four most recent completing or graduating classes of entering students described in §668.45 (a)(1) who received athletically-related student aid, categorized by race and gender within each sport. If a school has rates for fewer than four of those classes, it must disclose the rates it has.

A school must provide this report to prospective student athletes, their parents, high school coach, and guidance counselor (see the sidebar

### **Waiver of completion/ graduation data calculation**

A school does not have to calculate and make available its completion or graduation rate (and, if applicable, transfer-out rate) if it is a member of an athletic association or conference that has voluntarily published completion or graduation rate data or has agreed to publish data and ED has granted a waiver of the requirements to provide these rates to coaches and guidance counselors.

To receive a waiver, your school or its athletic association or conference must submit a written application to ED that explains why it believes the data the athletic association or conference publishes are accurate and substantially comparable to the information required by this section.

Even if the waiver is granted, your school must comply with the requirements of §668.41(d)(3) (upon request, providing its retention rate to a prospective student) and (f) (providing retention rates and completion or graduation rates for prospective student athletes and their parents, high school coach, and guidance counselor). 34 CFR 668.45(e)(1)

### **Definitions**

*Undergraduate students*—For purposes of §668.45 and 668.48 (completion and graduation rates for students and student athletes) only, means students enrolled in a bachelor's degree program, an associate degree program, or a vocational or technical program below the baccalaureate. 34 CFR 668.41(a)

*Certificate or degree-seeking student*—a student enrolled in a course of credit who is recognized by the institution as seeking a degree or certificate.



### Exception to providing completion/ graduation rates for student athletes

A school does not have to provide a report on completion or graduation rates to the prospective student athlete and the athlete's parents, high school coach, and guidance counselor, if—

(A) The institution is a member of a national collegiate athletic association,

(B) The association compiles data on behalf of its member institutions, which ED determines are substantially comparable to those required by §668.48(a), and

(C) The association distributes the compilation to all secondary schools in the United States.

34 CFR 668.41(f)

### Textbook information

The statutory requirement regarding textbook disclosures was described in DCL GEN-08-12. Further guidance was given in GEN-10-09. Also note that the law requires textbook publishers to provide information to faculty about pricing, copyright dates of previous editions, content revisions, alternate formats, etc.

HEA section 133

### Loan counseling in regulations

DL: 34 CFR 685.304  
Perkins: 34 CFR 674.16(a)

### DL online counseling

Students can take loan entrance and exit counseling at <https://studentloans.gov>.

Your school can sign up to receive regular reports of the students who complete online counseling. If your school documents that students have completed ED's online counseling, it has satisfied its responsibility for electronic counseling.

exception). The school must also submit this report to the Department each year by July 1 through the IPEDS website.

The definition of athletically-related student aid used here is the same definition that is also used for the EADA disclosure requirements. The definitions of certificate- or degree-seeking students, first-time undergraduate students, undergraduate students, and normal time are the same as those used for the calculation of completion or graduation and transfer-out rates for a school's general student body cohort.

### TEXTBOOK INFORMATION

To the maximum extent practicable, a school must post verified textbook pricing information for both required and recommended materials for all classes (i.e., not just the school's online classes) on the schedule that the school has posted online.

This pricing information must include the International Standard Book Number (ISBN) and retail price for all required and recommended textbooks and supplemental materials for each course listed in the institution's course schedule used for preregistration and registration. If the ISBN is not available, the pricing information must include the publisher and copyright date, as well as the title and author. If the school determines that disclosure of this pricing information is not practicable, it may substitute the designation "To Be Determined (TBD)" in lieu of the required pricing information.

If applicable, the school must include on its written course schedule a reference to the textbook information available on its Internet schedule and the Internet address for that schedule.

Schools are encouraged to provide information on renting textbooks, purchasing used textbooks, textbook buy-back programs, and alternative content delivery programs.

A school must provide the following information to its bookstore if the bookstore requests it:

- the school's course schedule for the subsequent academic period; and
- for each course or class offered, the information it must include on its Internet course schedule for required and recommended textbooks and supplemental material, the number of students enrolled, and the maximum student enrollment.

### LOAN COUNSELING

#### Entrance counseling

Before making the first disbursement of a loan to a Direct Subsidized or Unsubsidized Loan borrower, a school must ensure that the student has received entrance counseling or document that he has received a prior Direct Subsidized or Unsubsidized Loan or Federal Stafford or SLS Loan. Similarly, a school must ensure that a graduate or professional student who



is borrowing a Direct PLUS Loan has received entrance counseling, unless he received a prior graduate/professional Direct or Federal PLUS Loan. There are similar counseling and disclosure requirements for Perkins loans (see *Volume 6*). Loan counseling is not required for parent PLUS borrowers.

### ***Counseling methods***

The Direct Loan Program offers both entrance and exit counseling on the Web (see sidebar). Your school may also elect to provide entrance counseling through an in-person session or by providing a separate written form to the student that she signs and returns to the school.

If your staff are conducting in-person counseling sessions, charts, handouts, audiovisual materials, and question-and-answer sessions can help convey the information in a more dynamic manner. We also recommend the use of written tests or interactive programs to ensure that the student understands the terms and conditions of his loans.

Regardless of the counseling methods your school uses, it must document that the student received and understood entrance and exit counseling, and it must ensure that an individual with expertise in the FSA programs is reasonably available shortly after the counseling to answer the student's questions.

### ***Providing borrower information at separation***

The personal information collected for exit counseling must be provided to the student's loan servicer within 60 days. A student authorizes her school to release information to lenders in the loan promissory note she signed. No further permission is needed. Students who complete loan exit counseling online at [www.studentloans.gov](http://www.studentloans.gov) fulfill this requirement; NSLDS provides the completion information to the loan holders.

### ***Exit counseling follow up***

If the student borrower drops out without notifying your school, you must confirm that the student has completed online counseling or mail exit counseling material to the borrower at his last known address. It is also acceptable to email the information to the borrower at his home (not school) email address, if you have that address. Note that you may send the print or PDF version of the *Exit Counseling Guide for Federal Student Loan Borrowers* to satisfy the exit counseling requirement. The material must be mailed or emailed within 30 days of your learning that a borrower has withdrawn or failed to participate in an exit counseling session.

When mailing exit materials to students who have left school, you're not required to use certified mail with a return receipt requested, but you must document in their file that the materials were sent. If they fail to provide updated contact information, you are not required to take further action.

### **Direct Loan counseling materials**

Schools can order counseling materials, such as the Direct Loan Entrance Counseling Guide and the Direct Loan Exit Counseling Guide, from the FSA PUBS website at [www.fsapubs.gov](http://www.fsapubs.gov).

### **Alternative entrance counseling approaches**

The DL regulations explain how a school may adopt alternative approaches as a part of its quality assurance plan; see 34 CFR 685.304(a)(8).

### **Student PLUS borrowers**

34 CFR 685.304

### **Providing borrower information**

A Direct Loan school should send updated borrower information to the federal loan servicer to whom the loan has been assigned.

## DL Entrance Counseling—Required Elements

### *Entrance counseling for Direct Subsidized and Unsubsidized Loans 34 CFR 685.304(a)(6)*

Entrance counseling for Direct Subsidized and Unsubsidized loan borrowers must:

- (i) Explain the use of a master promissory note (MPN);
- (ii) Emphasize to the borrower the seriousness and importance of the repayment obligation the student borrower is assuming;
- (iii) Describe the likely consequences of default, including adverse credit reports, delinquent debt collection procedures under federal law, and litigation;
- (iv) Emphasize that the student borrower is obligated to repay the full amount of the loan even if the student borrower does not complete the program, does not complete the program within the regular time for program completion, is unable to obtain employment upon completion, or is otherwise dissatisfied with or does not receive the educational or other services that the student borrower purchased from the school;
- (v) Inform the student borrower of sample monthly repayment amounts based on—
  - (A) A range of student levels of indebtedness of Direct Subsidized Loan and Direct Unsubsidized Loan borrowers or student borrowers with Direct Subsidized, Direct Unsubsidized, and Direct PLUS Loans, depending on the types of loans the borrower has obtained; or
  - (B) The average indebtedness of other borrowers in the same program at the same school as the borrower;
- (vi) To the extent practicable, explain the effect of accepting the loan to be disbursed on the eligibility of the borrower for other forms of student financial assistance;
- (vii) Provide information on how interest accrues and is capitalized during periods when the interest is not paid by either the borrower or the Secretary;
- (viii) Inform the borrower of the option to pay the interest on a Direct Unsubsidized Loan while the borrower is in school;
- (ix) Explain the definition of half-time enrollment at the school, during regular terms and summer school, if applicable, and the consequences of not maintaining half-time enrollment;
- (x) Explain the importance of contacting the appropriate offices at the school if the borrower withdraws prior to completing the borrower's program of study so that the school can provide exit counseling, including information regarding the borrower's repayment options and loan consolidation;
- (xi) Provide information on the National Student Loan Data System (NSLDS) and how the borrower can access the borrower's records;
- (xii) Provide the name of and contact information for the individual the borrower may contact if the borrower has any questions about the borrower's rights and responsibilities or the terms and conditions of the loan; and
- (xiii) For first-time borrowers, explain the limitation on eligibility for Direct Subsidized Loans and possible borrower responsibility for accruing interest, including—
  - (A) The possible loss of eligibility for additional Direct Subsidized Loans;
  - (B) How a borrower's maximum eligibility period, remaining eligibility period, and subsidized usage period are calculated;
  - (C) The possibility that the borrower could become responsible for accruing interest on previously received Direct Subsidized Loans and the portion of a Direct Consolidation Loan that repaid a Direct Subsidized Loan during in-school status, the grace period, authorized periods of deferment, and certain periods under the Income-Based Repayment and Pay As You Earn Repayment plans; and
  - (D) The impact of borrower responsibility for accruing interest on the borrower's total debt.

### *Entrance counseling for graduate or professional students (Direct PLUS Loan borrowers) 34 CFR 685.304(a)(7)*

Entrance counseling for graduate or professional student Direct PLUS loan borrowers must:

- (i) Inform the student borrower of sample monthly repayment amounts based on—
  - (A) A range of student levels or indebtedness of graduate or professional student PLUS loan borrowers or student borrowers with Direct PLUS Loans and Direct Subsidized Loans or Direct Unsubsidized Loans, depending on the types of loans the borrower has obtained; or
  - (B) The average indebtedness of other borrowers in the same program at the same school;
- (ii) Inform the borrower of the option to pay interest on a PLUS Loan while the borrower is in school;
- (iii) For a graduate or professional student PLUS Loan borrower who has received a prior FFEL Stafford, or Direct Subsidized or Unsubsidized Loan, provide the information specified in §685.301(a)(3)(i)(A) through §685.301(a)(3)(i)(C);\* and
- (iv) For a graduate or professional student PLUS Loan borrower who has not received a prior FFEL Stafford, or Direct Subsidized or Direct Unsubsidized Loan, provide the information specified in paragraph (a)(6)(i) through paragraph (a)(6)(xii) of this section. [See the entrance counseling requirements i-xii beginning in the first column of this page.]

\* §685.301(a)(3)(i) requires that the counseling provide the borrower with a comparison of—

- (A) The maximum interest rate for a Direct Subsidized Loan and a Direct Unsubsidized Loan and the maximum interest rate for a Direct PLUS Loan;
- (B) Periods when interest accrues on a Direct Subsidized Loan and a Direct Unsubsidized Loan and periods when interest accrues on a Direct PLUS Loan; and
- (C) The point at which a Direct Subsidized Loan and a Direct Unsubsidized Loan enters repayment, and the point at which a Direct PLUS Loan enters repayment.

## DL Exit Counseling—Required Elements

### 34 CFR 685.304(b)(4)

#### Exit counseling must:

- (i) Inform the student borrower of the average anticipated monthly repayment amount based on the student borrower's indebtedness or on the average indebtedness of student borrowers who have obtained Direct Subsidized Loans and Direct Unsubsidized Loans, student borrowers who have obtained only Direct PLUS Loans, or student borrowers who have obtained Direct Subsidized, Direct Unsubsidized, and Direct PLUS Loans, depending on the types of loans the student borrower has obtained, for attendance at the same school or in the same program of study at the same school;
- (ii) Review for the student borrower available repayment plan options, including the standard repayment, extended repayment, graduated repayment, income contingent repayment plans, and income-based repayment plans, including a description of the different features of each plan and sample information showing the average anticipated monthly payments, and the difference in interest paid and total payments under each plan;
- (iii) Explain to the borrower the options to prepay each loan, to pay each loan on a shorter schedule, and to change repayment plans;
- (iv) Provide information on the effects of loan consolidation including, at a minimum—
  - (A) The effects of consolidation on total interest to be paid, fees to be paid, and length of repayment;
  - (B) The effects of consolidation on a borrower's underlying loan benefits, including grace periods, loan forgiveness, cancellation, and deferment opportunities;
  - (C) The options of the borrower to prepay the loan and to change repayment plans; and
  - (D) That borrower benefit programs may vary among different lenders;
- (v) Include debt management strategies that are designed to facilitate repayment;
- (vi) Explain to the student borrower how to contact the party servicing the student borrower's Direct Loans;
- (vii) Meet the requirements described in paragraphs (a)(6)(i), (a)(6)(ii), and (a)(6)(iv) of this section [see entrance counseling requirements (i), (ii), and (iv) in the first column of the previous page];
- (viii) Describe the likely consequences of default, including adverse credit reports, delinquent debt collection procedures under federal law, and litigation;
- (ix) Provide—
  - (A) A general description of the terms and conditions under which a borrower may obtain full or partial forgiveness or discharge of principal and interest, defer repayment of principal or interest, or be granted forbearance on a Title IV loan; and
  - (B) A copy, either in print or by electronic means, of the information the Secretary makes available pursuant to section 485(d) of the HEA;\*
- (x) Review for the student borrower information on the availability of the Department's Student Loan Ombudsman's office;
- (xi) Inform the student borrower of the availability of Title IV loan information in the National Student Loan Data System (NSLDS) and how NSLDS can be used to obtain Title IV loan status information;
- (xii) Explain to first-time borrowers—
  - (A) How the borrower's maximum eligibility period, remaining eligibility period, and subsidized usage period are determined;
  - (B) The sum of the borrower's subsidized usage periods at the time of the exit counseling;
  - (C) The consequences of continued borrowing or enrollment, including—
    - (1) The possible loss of eligibility for additional Direct Subsidized Loans; and
    - (2) The possibility that the borrower could become responsible for accruing interest on previously received Direct Subsidized Loans and the portion of a Direct Consolidation Loan that repaid a Direct Subsidized Loan during in-school status, the grace period, authorized periods of deferment, and certain periods under the Income-Based Repayment and Pay As You Earn Repayment plans;
  - (D) The impact of the borrower becoming responsible for accruing interest on total student debt;
  - (E) That the Secretary will inform the student borrower of whether he or she is responsible for accruing interest on his or her Direct Subsidized Loans; and
  - (F) That the borrower can access NSLDS to determine whether he or she is responsible for accruing interest on any Direct Subsidized Loans;
- (xiii) A general description of the types of tax benefits that may be available to borrowers; and
- (xiv) Require the student borrower to provide current information concerning name, address, Social Security number, references, and driver's license number and state of issuance, as well as the student borrower's expected permanent address, the address of the student borrower's next of kin, and the name and address of the student borrower's expected employer (if known).

\* Section 485 requires the Secretary (i.e., the Department) to provide "descriptions of federal student assistance programs, including the rights and responsibilities of student and institutional participants," including "information to enable students and prospective students to assess the debt burden and monthly and total repayment obligations" for their loans.

Section 485(d) also refers to information

- to enable borrowers to assess the practical consequences of loan consolidation, including differences in deferment eligibility, interest rates, monthly payments, finance charges, and samples of loan consolidation profiles.
- concerning the specific terms and conditions under which students may obtain partial or total cancellation or defer repayment of loans for service.
- on the maximum level of compensation and allowances that a student borrower may receive from a tax-exempt organization to qualify for a deferment and shall explicitly state that students may qualify for such partial cancellations or deferments when they serve as a paid employee of a tax-exempt organization.
- on state and other prepaid tuition programs and savings programs and disseminates such information to states, eligible institutions, students, and parents in departmental publications.

**TEACH Grant counseling**

Students receive initial and subsequent counseling via the TEACH website before they receive the grant. They complete exit counseling on the NSLDS Student Access site ([www.nsls.ed.gov/nsls\\_SA/](http://www.nsls.ed.gov/nsls_SA/)). Schools are responsible for TEACH recipients receiving exit counseling when they are no longer enrolled in the program.

See NSLDS Newsletter #33 on <http://ifap.ed.gov> for information on TEACH exit counseling and on related reporting tools on the NSLDS Professional Access site ([www.nsls.ed.gov/nsls\\_FAP/](http://www.nsls.ed.gov/nsls_FAP/)).

**TEACH exit counseling**

Since TEACH Grants convert to loans if the service requirement is not completed, all grant recipients receive entrance counseling and subsequent counseling on the TEACH website before receiving their grant.

Also, all recipients must receive TEACH Grant exit counseling, which is on the NSLDS Student Access site ([www.nsls.ed.gov/nsls\\_SA/](http://www.nsls.ed.gov/nsls_SA/)). You will receive reports from NSLDS on all students who have completed TEACH exit counseling. If they don't complete exit counseling on the NSLDS website, you must ensure that the counseling is provided either in person, through interactive electronic means, or by mailing written counseling materials (such as the PDF version of the exit counseling program on the NSLDS website) to their last known address. With an unannounced withdrawal of a grant recipient from school (or from a TEACH Grant-eligible program), you must provide this counseling within 30 days of learning of the withdrawal.

**Private education loan definition**

The definition of a private education loan given at the beginning of this section is based on the definition given in the Federal Reserve System regulations, which excludes some forms of credit, including:

- (1) An extension of credit under an open end consumer credit plan, a reverse mortgage transaction, a residential mortgage transaction, or any other loan that is secured by real property or a dwelling; or
- (2) An extension of credit in which the educational institution is the lender if—
  - (i) The term of the extension of credit is 90 days or less; or
  - (ii) An interest rate will not be applied to the credit balance and the term of the extension of credit is one year or less, even if the credit is payable in more than four installments.

12 CFR 226.46(b)(5)

Authority: 20 USC 1019

**Private education loans**

34 CFR 668.14(b)(28) and (29)

Requirements for preferred lender list

34 CFR 601.10

Self-certification form

34 CFR 601.11(d)

Information required to complete the self-certification form

34 CFR 668.14(b)(29)

**Counseling for correspondence and study-abroad students**

If the student has enrolled in a study-abroad program (approved by a U.S. school for credit) or a correspondence or distance learning program and has not previously received an FFEL or Direct Loan at that school, the school must document that the student has completed online entrance counseling that meets FSA requirements or provide entrance counseling information by mail before releasing loan money.

In the case of exit counseling for correspondence programs or study abroad programs, the school may mail or email the borrower written counseling materials within 30 days after the borrower completes the program, with a request that he provide the contact and personal information that would ordinarily have been collected through the counseling process.

**Providing additional information**

Your school can take additional steps to counsel students, for example, in developing a budget, estimating need for loans, and planning for repayment. You can reinforce messages to borrowers; with each disbursement you can remind them about the importance of SAP, planning for future employment, and staying in touch with the loan servicer. More ideas for loan counseling are given in the “Sample Default Management and Prevention Plan.”

**Financial literacy**—you should provide borrowers with counseling at various stages of enrollment, interactive tools to manage debt, repayment options, school contact information, and information about the income potential of occupations relevant to their course of study. You can offer this information through a variety of media such as face-to-face counseling, classes, publications, e-tutorials, emailed newsletters, and supplements to award letters.

**At-risk students**—You should identify and provide special counseling for at-risk students, such as those who withdraw prematurely from their educational programs, who do not meet SAP standards, or both.



The most recent sample default plan was an attachment to GEN-05-14 and is also available under “Default Prevention Resources” on the IFAP website.

## PRIVATE EDUCATION LOANS

A private education loan is a non-FSA loan that is made to a borrower expressly for postsecondary education expenses, regardless of whether the loan is provided through the educational institution that the student attends or directly to the borrower from the private educational lender. (See the sidebar definition on the previous page for exclusions.)

Private education loans made by schools include Public Health Service Loans, such as Health Professions Student Loans. However, Federal Perkins Loans are not considered to be private educational loans.

If a private education loan is part of a preferred lender arrangement, it is subject to the rules for those arrangements (described later in this section).

### ***Disclosures required for private education loans***

A school or affiliated organization that provides information regarding a private education loan from a lender to a prospective borrower must provide the following disclosures, even if it does not participate in a preferred lender arrangement.

The private education loan disclosures must

- provide the prospective borrower with the information required by 15 U.S.C. 1638(e)(1) [12 CFR 226.47(a) in the the Federal Reserve System regulations], and
- inform the prospective borrower that she may qualify for FSA loans or other assistance from the FSA programs and that the terms and conditions of an FSA loan may be more favorable than the provisions of private education loans.

The school or affiliate must ensure that information about private education loans is presented in such a manner as to be distinct from information about FSA loans.

The school must, upon the request of the applicant, discuss with her the availability of federal, state, and institutional student financial aid.

### ***Self-certification form for private education loans***

A lender must obtain a signed, completed self-certification form from the loan applicant before initiating a private education loan.

The applicant may obtain a copy of the self-certification form from the private lender and submit it to your school for completion or confirmation. Your school may also, at its option, provide the information needed to complete the form directly to the lender.

### **Self-certification form for private education loans**

Schools must provide the Private Education Loan Applicant Self-Certification (see DCL GEN-13-15) upon request from the loan applicant. A school may post an exact copy of the self-certification form on its website for applicants to download, or it may provide them a paper copy directly.

The self-certification must be printed by the school or lender with black ink on white paper. The typeface, point size, and general presentation of the form may not be changed from the version approved by OMB.

The only changes that may be made to the self-certification form are:

- Bold type in section headings may be removed, and bold or italic type may be added to the instructions.
- Schools and lenders may use any blank spaces at the top, bottom, or sides of the form for bar coding or other school/lender-specific information. However, such space may not be used to include the student’s or parent’s Social Security number.

### **Public health service loans**

Loans made under Titles VII and VIII of the Public Health Service Act are considered to be private education loans, including

- Health Professions Student Loan (HPSL)
- Primary Care Loan (PCL)
- Loans for Disadvantaged Students (LDS)
- Nursing Student Loan (NSL)

These loans are administered by the Health Resources and Services Administration ([www.hrsa.gov](http://www.hrsa.gov)).

### **Preferred lenders & code of conduct**

Note that the code of conduct discussed in *Chapter 3* prohibits school staff from steering borrowers to particular lenders or delaying loan certifications.

**Preferred lenders**

34 CFR 601.10  
 12 CFR 226.47  
 20 USC 1019a(a)(1)(A) and 1019b(c)  
 15 USC 1638(e)(11)

As enacted in  
 HEA section 153(a)(2)(A)  
 Truth in Lending Act, section 128(e)(11)

If the loan applicant (the student or parent) requests a copy of the self-certification form from your school, you must provide it. He may also request, if the student has been enrolled or admitted to your school, that you complete section 2 before providing him the form. You must do that to the extent that you have the information. Section 2 of the form collects the student's cost of attendance (see *Volume 3, Chapter 2*), the estimated financial assistance (EFA), and the difference between them. The EFA includes, for students who have completed the FAFSA, the amounts of aid that replace the EFC, which you determined according to the rules in *Volume 3, Chapter 9*; it does not include the private education loan(s) that the self-certification form is for.

**Use of school or lender name**

34 CFR 612  
 20 USC 1019a(a)(2)–(a)(3)

**Schools as private lenders**

Note that if a school solicits, makes, or extends private education loans, it is considered to be a private educational lender that is subject to the Federal Reserve's regulations on private educational lenders.

**Institution-affiliated organization definition**

34 CFR 601.2

(1) Any organization that—  
 (i) Is directly or indirectly related to a covered institution; and  
 (ii) Is engaged in the practice of recommending, promoting, or endorsing education loans for students attending such covered institution or the families of such students.

(2) An institution-affiliated organization—

(i) May include an alumni organization, athletic organization, foundation, or social, academic, or professional organization of a covered institution; and

(ii) Does not include any lender with respect to any education loan secured, made, or extended by such lender.

When the school is the private education lender, it must complete and provide the self-certification form to the loan applicant and subsequently obtain the signed form from the applicant before consummating the private education loan.

In some cases a school may be making more than one private education loan to an applicant. For example, a school may be providing a loan funded by the school (or from donor-directed contributions) and a Public Health Service loan. In such cases, the school can provide one self-certification form to the applicant.

**Preferred lender lists**

For any year in which the school has a preferred lender arrangement, it will at least annually compile, maintain, and make available for students attending the school and the families of such students a list in print or other medium of the specific lenders for private education loans that the school recommends, promotes, or endorses in accordance with such preferred lender arrangement.

The school's preferred lender list must fully disclose

- why it participates in a preferred lender arrangement with each lender on the preferred lender list, particularly with respect to terms and conditions or provisions favorable to the borrower and
- that the students attending the school (or their families) do not have to borrow from a lender on the preferred lender list and
- when available, the information identified on a model disclosure form to be developed by the Department for each type of education loan that is offered through a preferred lender arrangement to the school's students or their families.

The preferred lender list must also prominently disclose the method and criteria used by the school in selecting lenders to ensure that such lenders are selected on the basis of the best interests of the borrowers, including

**Preferred lender arrangement definition**

34 CFR 601.2(b)



- payment of origination or other fees on behalf of the borrower,
- highly competitive interest rates or other terms and conditions or provisions of FSA loans or private education loans,
- high-quality servicing for such loans, or
- additional benefits beyond the standard terms and conditions or provisions for such loans.

The preferred lender list must indicate, for each listed lender, whether the lender is or is not an affiliate of each other lender on the preferred lender list. If a lender is an affiliate of another lender on the preferred lender list, the listing must describe the details of this affiliation.

### ***Preferred lender disclosures***

For each type of private education loan offered under a preferred lender arrangement, a school (or school-affiliated organization) must disclose

- the maximum amount of FSA grant and loan aid available to students in an easy-to-understand format,
- the Truth in Lending information [15 USC 1638(e)(11)] for each type of private education loan offered through a preferred lender arrangement to the school's students and their families, and
- when available, the information identified on a model disclosure form to be developed by the Department for each type of education loan that is offered through a preferred lender arrangement to the school's students or their families.

The school must disseminate this information on its website and in all informational materials such as publications, mailings, or electronic messages or materials that are distributed to prospective or current students and their families and describe financial aid that is available at an institution of higher education.

### ***Use of institution & lender name***

A school or school-affiliated organization that participates in a preferred lender arrangement regarding private education loans must not agree to the lender's use of its name, emblem, mascot, or logo in the marketing of private education loans to students attending the school in any way that implies that the loan is offered or made by the school or its affiliate instead of the lender. This prohibition also applies to other words, pictures, or symbols readily identified with the school or affiliate.

The school or its affiliate must also ensure that the name of the lender is displayed in all information and documentation related to the private education loans described in this section.

### **Preferred lender lists**

The school is required to

- exercise a duty of care and a duty of loyalty to compile the preferred lender list, without prejudice and for the sole benefit of the school's students and their families and
- not deny or otherwise impede the borrower's choice of a lender for those borrowers who choose a lender that is not included on the preferred lender list. (This requirement is also included in the school's Code of Conduct; see *Chapter 3*).

### **Private educational lender definition**

15 USC 1650(a)(6)

(A) a financial institution, as defined in section 1813 of Title 12 that solicits, makes, or extends private education loans;

(B) a federal credit union, as defined in section 1752 of Title 12 that solicits, makes, or extends private education loans; and

(C) any other person engaged in the business of soliciting, making, or extending private education loans;

### **Truth in Lending Act**

Truth in Lending Act section 128(e)(1)

15 USC 1638(e)(1)

Federal Reserve System Truth in Lending regulations (as published on August 14, 2009)

12 CFR 226.46 through 226.48.

## Misrepresentation regulations

### 34 CFR 668.72 Nature of educational program

Misrepresentation concerning the nature of an eligible institution's educational program includes but is not limited to false, erroneous, or misleading statements concerning—

- (a) The particular type(s), specific source(s), nature and extent of its institutional, programmatic, or specialized accreditation;
- (b)(1) Whether a student may transfer course credits earned at the institution to any other institution;
- (2) Conditions under which the institution will accept transfer credits earned at another institution;
- (c) Whether successful completion of a course of instruction qualifies a student—
  - (1) For acceptance to a labor union or similar organization; or
  - (2) To receive, to apply to take, or to take the examination required to receive, a local, state, or federal license, or a nongovernmental certification required as a precondition for employment, or to perform certain functions in the states in which the educational program is offered, or to meet additional conditions that the institution knows or reasonably should know are generally needed to secure employment in a recognized occupation for which the program is represented to prepare students;
  - (d) The requirements for successfully completing the course of study or program and the circumstances that would constitute grounds for terminating the student's enrollment;
  - (e) Whether its courses are recommended or have been the subject of unsolicited testimonials or endorsements by—
    - (1) Vocational counselors, high schools, colleges, educational organizations, employment agencies, members of a particular industry, students, former students, or others; or
    - (2) Governmental officials for governmental employment;
    - (f) Its size, location, facilities, or equipment;
    - (g) The availability, frequency, and appropriateness of its courses and programs to the employment objectives that it states its programs are designed to meet;
    - (h) The nature, age, and availability of its training devices or equipment and their appropriateness to the employment objectives that it states its programs and courses are designed to meet;
    - (i) The number, availability, and qualifications, including the training and experience, of its faculty and other personnel;
    - (j) The availability of part-time employment or other forms of financial assistance;
    - (k) The nature and availability of any tutorial or specialized instruction, guidance and counseling, or other supplementary assistance it will provide its students before, during or after the completion of a course;
    - (l) The nature or extent of any prerequisites established for enrollment in any course;
    - (m) The subject matter, content of the course of study, or any other fact related to the degree, diploma, certificate of completion, or any similar document that the student is to be, or is, awarded upon completion of the course of study;
    - (n) Whether the academic, professional, or occupational degree that the institution will confer upon completion of the course of study has been authorized by the appropriate state educational agency. This type of misrepresentation includes, in the case of a degree that has not been authorized by the appropriate state educational agency or that requires specialized accreditation, any failure by an eligible institution to disclose these facts in any advertising or promotional materials that reference such degree; or
    - (o) Any matters required to be disclosed to prospective students under §§ 668.42 and 668.43 of this part.

(Authority: 20 U.S.C. 1094)

### 34 CFR 668.73 Nature of financial charges

Misrepresentation concerning the nature of an eligible institution's financial charges includes but is not limited to false, erroneous, or misleading statements concerning—

- (a) Offers of scholarships to pay all or part of a course charge;
- (b) Whether a particular charge is the customary charge at the institution for a course;
- (c) The cost of the program and the institution's refund policy if the student does not complete the program;
- (d) The availability or nature of any financial assistance offered to students, including a student's responsibility to repay any loans, regardless of whether the student is successful in completing the program and obtaining employment; or
- (e) The student's right to reject any particular type of financial aid or other assistance, or whether the student must apply for a particular type of financial aid, such as financing offered by the institution.

(Authority: 20 U.S.C. 1094)

### 34 CFR 668.74 Employability of graduates

Misrepresentation regarding the employability of an eligible institution's graduates includes but is not limited to false, erroneous, or misleading statements concerning—

- (a) The institution's relationship with any organization, employment agency, or other agency providing authorized training leading directly to employment;
- (b) The institution's plans to maintain a placement service for graduates or otherwise assist its graduates to obtain employment;
- (c) The institution's knowledge about the current or likely future conditions, compensation, or employment opportunities in the industry or occupation for which the students are being prepared;
- (d) Whether employment is being offered by the institution or that a talent hunt or contest is being conducted, including but not limited to the use of phrases such as "Men/women wanted to train for \* \* \*," "Help Wanted," "Employment," or "Business Opportunities";
- (e) Government job market statistics in relation to the potential placement of its graduates; or
- (f) Other requirements that are generally needed to be employed in the fields for which the training is provided, such as requirements related to commercial driving licenses or permits to carry firearms, and failing to disclose factors that would prevent an applicant from qualifying for such requirements, such as prior criminal records or preexisting medical conditions.

(Authority: 20 U.S.C. 1094)

## MISREPRESENTATION

*Misrepresentation* is defined as a false, incorrect, or misleading statement made directly or indirectly to a student, prospective student, any member of the public, an accrediting agency, a state agency, or the Department.

A *misleading statement* includes any statement that has the likelihood or tendency to deceive. A statement is any communication made in writing, visually, orally, or through other means. This definition applies to statements made by an eligible school, one of its representatives, or any ineligible institution, organization, or person with whom the eligible institution has an agreement to provide educational programs or to provide marketing, advertising, recruiting, or admissions services.

Misrepresentation includes the dissemination of a student endorsement or testimonial that a student gives either under duress or because the school required the student to make such an endorsement or testimonial to participate in a program.

A school, one of its representatives, or a related party (see above) engages in *substantial misrepresentation* when it does so about the nature of its educational program, its financial charges, or the employability of its graduates. Substantial misrepresentation is defined as any misrepresentation on which the person to whom it was made could reasonably be expected to rely, or has reasonably relied, to that person's detriment. Substantial misrepresentations are prohibited in all forms, including those made in any advertising or promotional materials or in the marketing or sale of courses or programs of instruction offered by the institution.

## REPORTING INFORMATION ON FOREIGN SOURCES & GIFTS

Federal law requires most 2-year and 4-year postsecondary schools (whether or not they are eligible to participate in the FSA programs) to report ownership or control by foreign sources and contracts with or gifts from the same foreign source that, alone or combined, have a value of \$250,000 or more for a calendar year.

### Who must report

A school (and each campus of a multi-campus school) must report this information if it

- is legally authorized to provide a program beyond the secondary level within a state,
- provides a program that awards a bachelor's degree or a more advanced degree, or provides at least a two-year program acceptable for full credit toward a bachelor's degree,
- is accredited by a nationally recognized accrediting agency, and
- is extended any federal financial aid (directly or indirectly through another entity or person) or receives support from the extension of any such federal assistance to the school's sub-units.

## Misrepresentation

34 CFR Subpart F  
34 CFR 668.71  
Misrepresenting educational program  
34 CFR 668.72  
Misrepresenting financial charges  
34 CFR 668.73  
Employability of graduates  
34 CFR 668.74  
Relationship with the Department of Education

## Sanctions

If the Department determines that an eligible institution has engaged in substantial misrepresentation, it may

- revoke the eligible institution's program participation agreement if the institution is provisionally certified under 34 CFR 668.13(c);
- impose limitations on the institution's participation in the FSA programs if the institution is provisionally certified under 34 CFR 668.13(c);
- deny participation applications made on behalf of the institution; or
- initiate a proceeding against the eligible institution under subpart G of 34 CFR 668.

## Foreign gifts references

Higher Education Act: Sec. 117  
Reminder to schools of requirements for reporting foreign gifts.  
DCL GEN-04-11, Oct. 4, 2004.

## Where to report foreign gift information

Foreign gift, contract, and ownership or control reports must be submitted to the FSA School Participation Teams using FSA's electronic application (E-App) found at [www.eligcert.ed.gov](http://www.eligcert.ed.gov).

Go to Section K, Question 71, and enter the appropriate information about the foreign gift, contract, or ownership and control, then go to Section L to complete the signature page. You may then submit your report.

## Definitions

A *foreign source* is

- a foreign government, including an agency of a foreign government;
- a legal entity created solely under the laws of a foreign state or states;
- an individual who is not a citizen or national of the United States; and
- an agent acting on behalf of a foreign source.

A *gift* is any gift of money or property.

A *contract* is any agreement for the acquisition by purchase, lease, or barter of property or services for the direct benefit or use of either of the parties.

## Restricted or conditional gift or contract

A *restricted or conditional gift or contract* is any endowment, gift, grant, contract, award, present, or property of any kind that includes provisions regarding

- the employment, assignment, or termination of faculty;
- the establishment of departments, centers, research or lecture programs, or new faculty positions;
- the selection or admission of students; or
- the award of grants, loans, scholarships, fellowships, or other forms of financial aid restricted to students of a specified country, religion, sex, ethnic origin, or political opinion.

## Penalties

If a school fails to comply with the requirements of this law in a timely manner, the Department is authorized to undertake a civil action in federal district court to ensure compliance. Following a knowing or willful failure to comply, a school must reimburse the Treasury of the United States for the full costs of obtaining compliance with the law.

## Timing and content of submission

A school must report this information by January 31 or July 31 (whichever is sooner) after the date of receipt of the gifts, date of the contract, or date of ownership or control. The January 31 report should cover the period July 1–December 31 of the previous year, and the July 31 report should cover January 1–June 30 of the same year.

## Information to be reported

Using the E-App, you must report the following information in Section K, question 71:

- for gifts received from or contracts entered into with a foreign government, the name of the country and the aggregate amount of all gifts and contracts received from each foreign government;
- for gifts received from or contracts entered into with a foreign source other than a foreign government, the name of the foreign state to which the contracts or gifts are attributable and the aggregate dollar amount of the gifts and contracts attributable to a particular country. (The country to which a gift or a contract is attributable is the country of citizenship or, if unknown, the principal residence for a foreign source who is a natural person and the country of incorporation or, if unknown, the principal place of business for a foreign source that is a legal entity.);
- in the case of a school that is owned or controlled by a foreign entity—the identity of the foreign entity, the date on which the foreign entity assumed ownership or control, and a description of any substantive changes to previously reported ownership or control, or institutional program or structure resulting from the change in ownership or control,
- for restricted or conditional gifts received from, or restricted or conditional contracts entered into with a foreign government—the name of the foreign country, the amount of the gift or contract, the date of the gift or contract, and a description of the conditions or restrictions,
- for restricted or conditional gifts received from or restricted or conditional contracts entered into with a foreign person—the citizenship (or, if unknown, the principal residence) of that person, the amount of the gift or contract, the date of the gift or contract, and a description of the conditions and restrictions, and
- for restricted or conditional gifts received from or restricted or conditional contracts entered into with a foreign source (legal entity other than a foreign state or individual—the country of incorporation or, if unknown, the principal place of business for that foreign entity), the amount of the gift or contract, date of the gift or contract, and a description of the conditions and restrictions.

Any conditions or restrictions on the foreign gift must be reported in question 69.

Once you've entered the appropriate information about the foreign gift, contract, or ownership and control, go to Section L to complete the signature page. You may then submit your report.

### **Alternative reporting**

In lieu of the reporting requirements listed:

- If a school is in a state that has substantially similar laws for public disclosure of gifts from, or contracts with, a foreign source, a copy of the report to the state may be filed with the Department. The school must provide the Department with a statement from the appropriate state official indicating that the school has met the state requirements.
- If another department, agency, or bureau of the executive branch of the federal government has substantially similar requirements for public disclosure of gifts from or contracts with a foreign source, the school may submit a copy of this report to the Department.

## **ANTI-LOBBYING PROVISIONS**

### **Prohibition on use of FSA funds**

FSA funds may not be used to pay any person for trying to influence

- a member of Congress or an employee of a member of Congress, or
- an officer or employee of Congress or any agency.

This prohibition applies to the making of a federal grant or loan, awarding federal contracts, and entering into federal cooperative agreements, as well as to the extension, continuation, renewal, amendment, or modification of a federal contract, grant, loan, or cooperative agreement.

In addition, FSA funds may not be used to hire a registered lobbyist or to pay any person or entity for securing an earmark. Schools receiving FSA funds will have to certify their compliance with these requirements annually.

### **Campus-Based disclosure**

If a school that receives more than \$100,000 in Campus-Based funds has used *non-federal* funds to pay any person for lobbying activities in connection with the Campus-Based Programs, the school must submit a disclosure form (Standard Form LLL) to the Department. The school must update this disclosure at least quarterly and when changes occur.

The disclosure form must be signed by the chief executive officer (CEO) or other individual who has the authority to sign on behalf of the entire school. A school is advised to retain a copy in its files.

### **For additional information & alternative reporting**

Contact the School Participation Team for your state. Contact information for these teams is on the IFAP website (<http://ifap.ed.gov>), under "Help—Contact Information."

### **Prohibition on use of FSA funds**

HEOA 2008 section 119

(no corresponding HEA section)

Effective date: August 14, 2008

### **Anti-lobbying certification & disclosure**

Section 319 of Pub. L. 101-121, enacted October 23, 1989, amended title 31, United States Code, by adding a new section 1352, entitled "Limitation on Use of Appropriated Funds to Influence Certain Federal Contracting and Financial Transactions," commonly known as the Byrd Anti-Lobbying Amendment.

As a result of that legislation, the Office of Management and Budget (OMB) issued interim final common regulations on February 26, 1990, for implementing and complying with the law. See 34 CFR Part 82.

### **ACA may not be used for association membership**

A school may not use its administrative cost allowance (ACA) to pay for its membership in professional associations (such as the National Association of Student Financial Aid Administrators, the National Association of College and University Business Officers, etc.), regardless of whether the association engages in lobbying activities.



**Applicability of voter registration requirement**

The voter registration requirement was included in the National Voter Registration Act of 1993 (also known as the “NVRA” or “motor voter law”). In essence, if a participating school is located in a state that requires voter registration prior to election day and/or does not allow the ability to register at the time of voting, then the school must make a good faith effort to distribute voter registration forms to its students.

The Department of Justice identified the states that meet these criteria; the requirements of the NVRA apply to 44 states and the District of Columbia. Six states—Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming—are exempt from the NVRA. Likewise, the territories are not covered by the NVRA (Puerto Rico, Guam, Virgin Islands, American Samoa).

—From U.S. Department of Justice, “Questions and Answers” on “The Voter Registration Requirements of Sections 5, 6, 7 and 8 of the National Voter Registration Act.”

The school must require that this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**VOTER REGISTRATION**

Schools in most states and the District of Columbia must make a good faith effort to distribute voter registration forms to their students. (Schools in Idaho, Minnesota, New Hampshire, North Dakota, Wisconsin, and Wyoming are exempt from this requirement.) The school must make the voter registration forms widely available to its students. It must individually distribute the forms to its degree- or certificate-seeking (FSA-eligible) students.

The school can mail paper copies, or, alternatively, it may distribute voter registration forms by electronically transmitting to each student a message containing an acceptable voter registration form or an Internet address where that form can be downloaded. The electronic message must be devoted exclusively to voter registration.

In states where this condition applies, schools must request voter registration forms from the state 120 days prior to the state’s deadline for registering to vote. This provision applies to general and special elections for federal office and to the elections of governors and other chief executives within a state. If a school does not receive the forms within 60 days prior to the deadline for registering to vote in the state, it is not liable for failing to meet the requirement during that election year.



# Recordkeeping, Electronic Processes, & Privacy

## CHAPTER 7

*Schools must maintain detailed records to show that FSA funds are disbursed in the correct amounts to eligible students. These records must be retained for a certain amount of time and made available to authorized parties in the course of audits, program reviews, or investigations. Personally identifiable information in these records must be safeguarded and may only be released to other parties under certain conditions specified in the FERPA regulations. You may wish to share the contents of this chapter with your school's IT office or provider.*

### REQUIRED RECORDS

A school must keep comprehensive, accurate program and fiscal records related to its use of FSA program funds. The importance of maintaining complete, accurate records cannot be overemphasized. Program and fiscal records must demonstrate the school is capable of meeting the administrative and fiscal requirements for participating in the FSA programs. In addition, records must demonstrate proper administration of FSA program funds and must show a clear audit trail for FSA program expenditures. For example, records for each FSA recipient must clearly show that the student was eligible for the funds received and that the funds were disbursed in accordance with program regulations.

In addition to the general institutional record keeping requirements discussed here, a school must also comply with all program-specific record keeping requirements contained in the individual FSA regulations.

#### **Records related to school eligibility**

A school must establish and maintain on a current basis any application the school submitted for FSA program funds. Other program records that must be maintained include:

- program participation agreement, approval letter, and Eligibility and Certification Approval Report (ECAR),
- application portion of the FISAP,
- accrediting and licensing agency reviews, approvals, and reports,
- state agency reports,
- audit and program review reports,
- self-evaluation reports, and
- other records, as specified in regulation, that pertain to factors of financial responsibility and standards of administrative capability.

### **FSA Assessment module**

To assess your compliance with the provisions of this chapter, see Activity 2 under "Fiscal Management" at [ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html](http://ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html).

### **Record keeping**

34 CFR 668.24

### **Closed school records**

If a school closes, stops providing educational programs, is terminated or suspended from the FSA programs, or undergoes a change in ownership that results in a change of control, it must provide for the retention of required records. It must also provide for access to those records for inspection and copying by the Department. A school that formerly participated in the FFEL Program must also provide access for the appropriate guaranty agency.

**Retaining records for a branch that closes**

If a school has an additional location or branch that closes, the school should maintain its loan records beyond the end of the three-year record retention requirement to respond to the Department or to refute borrower claims of eligibility for discharge.

***Records relating to student eligibility***

A school must keep records that substantiate the eligibility of students for FSA funds, such as:

- cost of attendance information
- documentation of a student’s satisfactory academic progress (SAP)
- documentation of student’s program of study and the courses in which the student was enrolled
- data used to establish student’s admission, enrollment status, and period of enrollment
- required student certification statements and supporting documentation
- documents used to verify applicant data and resolve conflicting information
- documentation of all professional judgment decisions
- financial aid history information for transfer students

***Fiscal records***

A school must keep fiscal records to demonstrate its proper use of FSA funds. A school’s fiscal records must provide a clear audit trail that shows that funds were received, managed, disbursed, and returned in accordance with federal requirements.

The fiscal records that a school must maintain include but are not limited to:

- records of all FSA program transactions,
- bank statements for all accounts containing FSA funds,
- records of student accounts, including each student’s institutional charges, cash payments, FSA payments, cash disbursements, refunds, returns, and overpayments required for each enrollment period,
- general ledger (control accounts) and related subsidiary ledgers that identify each FSA program transaction (FSA transactions must be separate from school’s other financial transactions),
- Federal Work-Study payroll records, and
- FISOP portion of the FISAP.

A school must also maintain records that support data appearing on required reports, such as:

- Pell Grant statements of accounts,
- cash requests and quarterly or monthly reports from the G5 payment system,
- FSA program reconciliation reports,
- audit reports and school responses,
- state grant and scholarship award rosters and reports,
- accrediting and licensing agency reports, and
- records used to prepare the income grid on the FISAP.

## Record retention requirements

From § 668.24 *Record retention and examinations.*

### Program Records

A school must establish and maintain, on a current basis, any application for FSA funds and program records that document—

- the school's eligibility to participate in the FSA programs,
- the FSA eligibility of the school's programs of education,
- the school's administration of the FSA programs,
- the school's financial responsibility,
- information included in any application for FSA program funds, and
- the school's disbursement of FSA program funds.

### Fiscal records

A school must account for the receipt and expenditure of all FSA program funds in accordance with generally accepted accounting principles.

A school must establish and maintain on a current basis—

- financial records that reflect each FSA program transaction, and
- general ledger control accounts and related subsidiary accounts that identify each FSA program transaction and separate those transactions from all other school financial activity.

### Records for FSA recipients

A school must maintain records for each FSA recipient that include but are not limited to—

- The Student Aid Report (SAR) or Institutional Student Information Record (ISIR) used to determine a student's eligibility for FSA program funds
- Application data submitted to the Department, lender, or guaranty agency by the school on behalf of the student or parent
- Documentation of each student's or parent borrower's eligibility for FSA program funds (e.g., records that demonstrate that the student has a high school diploma, GED, or the ability to benefit)
- Documentation relating to each student's or parent borrower's receipt of FSA program funds, including but not limited to:
  - The amount of the grant, loan, or FWS award; its payment period; its loan period, if appropriate; and the calculations used to determine the amount of grant, loan, or FWS award;
  - The date and amount of each disbursement of grant or loan funds, and the date and amount of each payment of FWS wages;
  - The amount, date, and basis of the school's calculation of any refunds/returns or overpayments due to or on behalf of the student; and
  - The payment of any refund/return or overpayment to the FSA program fund, a lender, or the Department, as appropriate.
- Documentation of and information collected at any initial or exit loan counseling required by applicable program regulations
- Reports and forms used by the school in its participation in an FSA program, and any records needed to verify data that appear in those reports and forms
- Documentation supporting the school's calculation of its completion or graduation rates, and transfer-out rates (see *Chapter 6*).

**Loan program records**

34 CFR 668.24, 682.610, and 685.309(c)

**Loan program records**

There are special record keeping requirements in the Direct and FFEL loan programs. A school must maintain

- A copy of the paper or electronic loan certification or origination record, including the amount of the loan and the period of enrollment.
- The cost of attendance, estimated financial assistance, and expected family contribution used to calculate the loan amount (and any other information that may be required to determine the borrower's eligibility, such as the student's Federal Pell Grant eligibility or ineligibility).
- The date(s) the school disbursed the loan funds to the student (or to the parent borrower), and the amount(s) disbursed. (For loans delivered to the school by check, the date the school endorsed each loan check, if required.)
- Documentation of the confirmation process for each academic year in which the school uses the multi-year feature of the Master Promissory Note. This may be part of the borrower's file, but acceptable documentation can also include a statement of the confirmation process that was printed in a student handbook or other financial aid publication for that school year. The documentation may be kept in paper or electronic form. There is no retention limit for this documentation; you must keep it indefinitely because it may affect the enforceability of loans.

A school must keep records relating to a student or parent borrower's eligibility and participation in the Direct Loan or FFEL program for three years after the end of the award year in which the student last attended the school. A school must keep all other records relating to the school's participation in the Direct Loan or FFEL program for at least three years after the end of the award year in which the records are submitted.

**Perkins & FWS records**

In addition:

- participants in the Perkins Loan Program must follow procedures in 34 CFR 674.19 for documenting the repayment history for each borrower for that program; and
- participants in the FWS Program must follow procedures established in Section 675.19 for documentation of work, earnings, and payroll transactions for the program.

(See *Volume 6—Campus-Based Programs*).

## RECORD RETENTION PERIODS

Schools must retain all required records for a minimum of three years from the end of the award year. However, the starting point for the three-year period is not the same for all records. For example, FFEL/DL reports must be kept for three years after the end of the award year in which they were submitted, while borrower records must be kept for three years from the end of the award year in which the student last attended.

Different retention periods are necessary to ensure enforcement and repayment of Perkins loans, which are normally held by the school. Perkins Loan repayment records, including cancellation and deferment records, must be kept for three years from the date that the loan was assigned to the Department, cancelled, or repaid. Perkins original promissory notes and original repayment schedules must be kept until the loan is satisfied or needed to enforce the obligation (for more information, see *Volume 6—Campus-Based Programs*).

A school may retain records longer than the minimum period required. Moreover, a school may be required to retain records involved in any loan, claim, or expenditure questioned in any FSA program review, audit, investigation, or other review, for more than three years (see *Chapter 8* for information on program reviews and audits). If the three-year retention period expires before the issue in question is resolved, the school must continue to retain all records until resolution is reached.

There are also additional record retention requirements that apply to schools granted waivers of the audit submission requirements.

### Records

34 CFR 668.24 and 27

### Retaining FISAP records

Schools participating in the Campus-Based Programs must keep the Fiscal Operations Report and Application to Participate (FISAP) and any records necessary to support their data (e.g., the source data for the income grid) for three years from the end of the award year in which the FISAP is submitted.

For instance, records for a FISAP submitted during the 2013–2014 award year must be kept until at least June 30, 2017, three years from the last day of the award year.

## Minimum record retention periods

**Pell and TEACH grants, Campus-Based Programs** .....3 years from the end of the award year for which the aid was awarded

*Except:*

- Fiscal Operations Report (FISAP) and supporting records .....3 years from the end of the award year in which the report was submitted
- Perkins repayment records\* .....until the loan is satisfied, or the documents are needed to enforce the obligation
- Perkins original promissory notes.....3 years from the date the loan is assigned to ED, canceled, or repaid

**Direct Loans & FFEL**

- Records related to borrower’s eligibility and participation .....3 years from the end of the award year in which the student last attended
- All other records, including any other reports or forms .....3 years from the end of the award year in which the report was submitted

\* includes original repayment schedule, though manner of retention remains same as promissory note

**New media formats**

The requirement providing for other media formats acceptable to the Department allows for the use of new technology as it is developed. The Department will notify schools of acceptable media formats; schools should not apply for approval of a media format.

**Requirements for electronic promissory notes**

34 CFR 668.24(d)(3)(i) through (iv)

**RECORD MAINTENANCE*****Acceptable formats***

A school must maintain all required records in a systematically organized manner. Unless a specific format is required, a school may keep required records in:

- hard copy
- microform
- computer file
- optical disk
- CD-ROM
- other media formats

Record retention requirements for the Institutional Student Information Record (ISIR) are discussed here. All other record information, regardless of the format used, must be retrievable in a coherent hard copy format (for example, an easily understandable printout of a computer file) or in a media format acceptable to the Department.

Any document that contains a signature, seal, certification, or any other image or mark required to validate the authenticity of its information must be maintained in its original hard copy or in an imaged media format. This includes tax returns, verification statements, and Student Aid Reports (SARs) used to determine eligibility, and any other document when a signature, seal, etc., contained on it is necessary for the document to be used for the purposes for which it is being retained.

A school may maintain a record in an imaged media format only if the format is capable of reproducing an accurate, legible, and complete copy of the original document. When printed, the copy must be approximately the same size as the original document.

Please note that promissory notes that are signed electronically must be stored electronically and the promissory note must be retrievable in a coherent format. Because MPNs are stored in COD, this requirement can be satisfied through COD.

***Special requirements for SARs and ISIRs***

Special maintenance and availability requirements apply for SARs and ISIRs used to determine eligibility. It is essential that these basic eligibility records be available in a consistent, comprehensive, and verifiable format for program review and audit purposes.

Hard copies of SARs that students submit to schools must be maintained and available in their original format or in an imaged media format. The ISIR, an electronic record, must be maintained and available in its original format (e.g., as it was archived using EDEExpress software supplied to the school). A school that uses EDEExpress has the ability to preserve the ISIR data that it has maintained during the applicable award year by archiving the data to a disk or other computer format.



## EXAMINATION OF RECORDS

### **Location**

A school must make its records available to the Department at a location of the school designated by the Department. These records must be readily available for review, including any records of transactions between a school and the financial institution where the school deposits any FSA funds.

A school is not required to maintain records in any specific location. For example, it may be more appropriate for a school to maintain some records in the financial aid office while maintaining others in the business office, the admissions office, or the office of the registrar. The responsible administrator in the office maintaining the records should be aware of all applicable record retention requirements.

### **Cooperation with agency representatives**

A school that participates in any FSA program and the school's third-party servicers, if any, must cooperate with the agencies and individuals involved in conducting any audit, program review, investigation, or other review authorized by law (see sidebar).

A school must cooperate by providing

- Timely access to requested records, pertinent books, documents, papers, or computer programs for examination and copying by any of the agents listed above. The records to which timely access must be provided include but are not limited to computerized records and records reflecting transactions with any financial institution with which the school or servicer deposits or has deposited any FSA program funds.
- Reasonable access to all personnel associated with the school's or servicer's administration of the FSA programs so that any of the agents listed above may obtain relevant information. A school or servicer must allow those personnel to supply all relevant information and allow those personnel to be interviewed without the presence of the school's or servicer's management (or tape-recording of the interviews by the school or servicer).

If requested by the Department, a school or servicer must provide promptly any information the school or servicer has regarding the last known address, full name, telephone number, enrollment information, employer, and employer address of a recipient of FSA program funds who attends or attended the school. A school must also provide this information, upon request, to a lender or guaranty agency in the case of a borrower under the FFEL Program.

### **Cooperation with agency representatives**

Cooperation must be extended to the following individuals and their authorized representatives:

- an independent auditor,
- the Secretary of the Department of Education,
- the Department's Inspector General, and
- the Comptroller General of the United States.

See *Chapter 4* for more information on independent audits and *Chapter 8* for information on program reviews.

A school must also provide this cooperation to any guaranty agency in whose program the school participates and to the school's accrediting agency.

**FERPA scope**

The relevant law is the *Family Educational Rights and Privacy Act of 1974*. Do not confuse FERPA with the Privacy Act of 1974 that governs the records kept by government agencies, including the application records in the federal processing system.  
20 USC 1232g

**FERPA resources**

The Department has posted a model notification on the Family Policy Compliance Office website at <http://www2.ed.gov/policy/gen/guid/fpco/index.html>.

The *Guide for Developing High-Quality Emergency Operations Plans for Institutions of Higher Education* ([http://www.rems.ed.gov/docs/REMS\\_IHE\\_Guide\\_508.pdf](http://www.rems.ed.gov/docs/REMS_IHE_Guide_508.pdf)) includes a helpful FERPA section, among other guidance.

**FERPA citations**

34 CFR 99.10–12 Right of parent/student to review records  
34 CFR 99.20–22 Right of parent/student to request amendment to records or hearing

**Additional FERPA disclosures to parents**

A school may disclose information from a student's education records to parents in the case of a health or safety emergency that involves the student.

A school may let parents of students under the age of 21 know when the student has violated any law or policy concerning the use or possession of alcohol or a controlled substance.

A school official may share with parents information that is based on that official's personal knowledge or observation and that is not based on information contained in an education record.

**PRIVACY OF STUDENT INFORMATION (FERPA)**

The Family Educational Rights and Privacy Act (FERPA) sets limits on the disclosure of personally identifiable information from school records and defines the rights of the student to review the records and request a change to the records.

With exceptions such as those noted in this section, FERPA generally gives postsecondary students the right to review their education records, to seek to amend inaccurate information in their records, and to provide consent for the disclosure of their records.

These rules apply to all education records the school keeps, including admissions records (only if the student was admitted) and academic records, as well as any financial aid records pertaining to the student. Therefore, the financial aid office is not usually the office that develops the school's FERPA policy or the notification to students and parents, although it may have some input.

**Students' & parents' rights to review educational records**

A school must provide a student with an opportunity to review his or her education records within 45 days of the receipt of a request. A school is required to provide the student with copies of education records or make other arrangements to provide the student access to the records if a failure to do so would effectively prevent the student from obtaining access to the records. While the school may not charge a fee for retrieving the records, it may charge a reasonable fee for providing copies of the records, provided that the fee would not prevent access to the records.

**FERPA responsibilities & student rights**

A school is required to—

- ✓ annually notify students of their rights under FERPA;
- ✓ include in that notification the procedure for exercising their rights to inspect and review education records; and
- ✓ maintain a record in a student's file listing to whom personally identifiable information was disclosed and the legitimate interests the parties had in obtaining the information (does not apply to school officials with a legitimate educational interest or to directory information).

A student has the right to—

- ✓ inspect and review any education records pertaining to the student;
- ✓ request an amendment to his/her records; and
- ✓ consent to disclosure of personally identifiable information from education records, except when FERPA permits disclosure without consent.

While the rights under FERPA have transferred from a student's parents to the student when the student attends a postsecondary institution, FERPA does permit a school to disclose a student's education records to his or her parents if the student is a dependent student under IRS rules.

Note that the IRS definition of a dependent is quite different from that of a dependent student for FSA purposes. For IRS purposes, students are dependent if they are listed as dependents on their parent's income tax returns. (If the student is a dependent as defined by the IRS, disclosure may be made to either parent, regardless of which parent claims the student as a dependent.)

There are several other situations in which a school official may disclose information about the student to the student's parents, as noted in the sidebar.

### ***Prior written consent to disclose the student's records***

Except under one of the special conditions described in this section, a student must provide written consent before an education agency or school may disclose personally identifiable information from the student's education records.

The written consent must state the purpose of the disclosure, specify the records that may be disclosed, identify the party or class of parties to whom the disclosure may be made, and be signed and dated.

If the consent is given electronically, the consent form must identify and authenticate a particular person as the source of the electronic consent and indicate that person's approval of the information contained in the electronic consent.

The FERPA regulations include a list of exceptions where the school may disclose personally identifiable information from the student's file without prior written consent. Several of these allowable disclosures are of particular interest to the financial aid office, since they are likely to involve the release of financial aid records.

### ***Disclosures to school officials***

Some of these disclosures may be made to officials at your school or another school who have a legitimate interest in the student's records. Typically, these might be admissions records, grades, or financial aid records. Disclosure may be made to:

- other school officials, including teachers, within the school whom the school has determined to have legitimate educational interests.
- to officials of another postsecondary school or school system where the student receives services or seeks to enroll.

Third-party servicers that your school has contracted with to perform a Title IV function are considered school officials under FERPA when they

### **Sole possession records**

Sole possession records are not included in the term "education record" and thus are not subject to FERPA. They are kept in the sole possession of the maker of the record and are

- used as a memory or reference tool,
- not accessible or revealed to any other person except a temporary substitute for the maker of the record, and
- typically maintained by the school official unbeknownst to other individuals.

Records that contain information taken directly from a student or that are used to make decisions about the student are not sole possession records.

### **Campus security records**

Records created and maintained by a school's law enforcement unit (or whatever office or school official is responsible for referring potential violations of law to local police authorities) are exempt from the privacy restrictions of FERPA. A school may disclose information from these "law enforcement unit records" to anyone—including parents or federal, state, or local law enforcement authorities—without the consent of the student.

### **FERPA & crime records**

There are two different FERPA provisions concerning the release of records relating to a violent crime. One concerns the release to the victim of any outcome involving an alleged crime of violence [34 CFR 99.31(a)(13)]. A separate provision permits a school to disclose to anyone the final results of any disciplinary hearing against an alleged perpetrator of a crime of violence where that student was found in violation of the school's policy on the offense [34 CFR 99.31(a)(14)].

**FERPA citations**

34 CFR 99.30 When prior consent is required to disclose information  
 34 CFR 99.31 When prior consent is not required to disclose information  
 34 CFR 99.32 Record keeping requirement  
 34 CFR 99.33 Limitations on redisclosure  
 34 CFR 99.34 Disclosure to other agencies/institutions  
 34 CFR 99.35 Disclosure for federal/state program purposes

**Subpoena citations**

20 USC 1232g(b)(1)(J)(i) and (ii), (b)(2)(B)  
 20 USC 1232g(b)(4)  
 34 CFR 99.31(a)(9)  
 34 CFR 99.32

**Patriot Act changes**

A Dear Colleague Letter issued April 12, 2002, on changes made to FERPA by the 2001 Patriot Act is posted in PDF at [www.ed.gov/policy/gen/guid/fpco/pdf/htterrorism.pdf](http://www.ed.gov/policy/gen/guid/fpco/pdf/htterrorism.pdf).

ED's Family Policy Compliance Office website: [www2.ed.gov/policy/gen/guid/fpco/index.html](http://www2.ed.gov/policy/gen/guid/fpco/index.html)  
 E-mail: FERPA@ED.Gov

**Ex-parte orders & terrorism**

"Terrorism" and "crimes of terrorism" are defined in 18 USC 2331 and 2332b(g)(5)(B).

**Third-party housing records**

A student housing facility owned by a third party that has a contract with a school to provide housing for its students is considered under the control of the school (whether the rent is paid directly by the student or by the school on her behalf). So records maintained by the third party or the school related to students living in that housing are subject to FERPA.

- perform a school service or function for which your school would otherwise use employees,
- are under the control of your school with respect to the use and maintenance of education records, and
- comply with FERPA requirements about the use of personal information from education records.

A school official may disclose personal information from student education records to a servicer who meets the above criteria if the official determines that the servicer has "legitimate educational interests." Your school must define in its annual privacy notification who is a school official and what is a legitimate educational interest. Also, for such servicers to receive disclosures without student consent as though they were school officials, they must not use that personal information to set up a bank account or maintain a credit balance for students. See DCL GEN-12-08.

If your school routinely discloses information to other schools where students seek to enroll, it should include this information in its annual privacy notification to students, or, if not, your school must make a reasonable attempt to notify students at their last known address.

**Disclosures to government agencies**

Disclosures may be made for audit, evaluation, and enforcement purposes to authorized representatives of the U.S. Department of Education, which include employees of the Department—such as those of the National Center for Education Statistics and the offices of Federal Student Aid, Postsecondary Education, and Civil Rights—as well as firms under contract to the Department to perform certain administrative functions or studies.

In addition, disclosure may be made if it is in connection with financial aid the student has received or applied for. Such disclosure may only be made if the student information is needed to determine the amount of the aid or the conditions or student's eligibility for the aid or to enforce the terms or conditions of the aid.

Schools may, without violating FERPA, release personally identifiable information on nonimmigrant students with an F, J, or M visa to U.S. Immigration and Customs Enforcement in compliance with the Student Exchange Visitor Information System program.

**Disclosures in response to subpoenas or court orders**

FERPA permits schools to disclose education records without student consent to comply with a lawfully issued subpoena or court order. In most cases the school must make a reasonable effort to notify the student who is the subject of the subpoena or court order before complying so that he may seek protective action. However, the school does not have to notify the student if the court or issuing agency has prohibited such disclosure.

A school may also disclose information from education records, without the consent or knowledge of the student, to representatives of the U.S. Department of Justice in response to an *ex parte* order issued in connection with the investigation of crimes of terrorism.

### Documenting the disclosure of information

Except as noted in the sidebar, a school must keep a record of each request for access and each disclosure of personally identifiable student information to other parties. The record of the request and disclosure must identify the parties who requested the information and their legitimate interest in the information. This record must be maintained in the student's file as long as the educational records themselves are kept.

For instance, if Department officials request student records in the course of a program review, the school must document in each student's file that her records were disclosed to representatives of the Department. An easy way for the school to do this is to photocopy a statement to this effect and include it in each student's file. A statement such as the following would be appropriate for a program review conducted by a Department regional office.

These financial aid records were disclosed to representatives of the U.S. Department of Education, School Participation Team, Region \_\_, on (Month/Day/Year) to determine compliance with financial aid requirements, under 34 CFR Part 99.31(a)(4).

When redisclosure is anticipated, the additional parties to whom the information will be disclosed must be included in the record of the original disclosure. For instance, to continue the example for an FSA program review, the following statement might be added:

### Documentation of request not required

A school does not have to record instances where the request for access is made by:

- The parent or eligible student.
- A school official who has a legitimate educational interest.
- A party with written consent from the parent or eligible student.
- A party seeking directory information.
- Certain court orders or subpoenas.

## HIPAA (privacy of health records) and FERPA

The Health Insurance Portability and Accountability Act of 1996 (HIPAA) sets standards to protect the confidentiality of health information.

However, the HIPAA Privacy Rule excludes from its coverage those records that are protected by FERPA at school districts and postsecondary institutions that provide health or medical services to students. This is because Congress specifically addressed how education records should be protected under FERPA. For this reason, records that are protected by FERPA are not subject to the HIPAA Privacy Rule and may be shared with parents under the circumstances described here.

Your school's disability services office normally obtains and maintains health records for each student who applies for services or waivers, so the receipt and maintenance of health records by student services units is well established.

Note: In many cases a student receiving a waiver from a school's academic progress policy would also have applied for services from your school's disability services office. Since most financial aid offices are not used to handling medical records, you may find it more practical to have the disability services office maintain the record and to reference that record in your file in the financial aid office. Of course, you will have to ensure that the record maintenance requirements are complied with.

See also

[www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/hipaaferpajointguide.pdf](http://www.hhs.gov/ocr/privacy/hipaa/understanding/coveredentities/hipaaferpajointguide.pdf) for joint guidance on FERPA and HIPAA, and for more information on HIPAA, see the U.S. Department of Health & Human Services website: [www.hhs.gov/ocr/hipaa/](http://www.hhs.gov/ocr/hipaa/). HIPAA regulations are published as 45 CFR Parts 160, 162, and 164.



**E-Sign Act**

*The Electronic Signatures in Global and National Commerce Act* (E-Sign Act) was enacted on June 30, 2000. The E-Sign Act provides, in part, that a signature, contract, or other record relating to a transaction may not be denied legal effect, validity, or enforceability solely because it is in electronic form or because an electronic signature or electronic record was used in its formation.

The School Eligibility Channel may make further disclosures of this information to the Department's Office of Inspector General and to the U.S. Department of Justice under 34 CFR 99.33(b). Schools should check with the program review staff to find out if any redisclosure is anticipated.

**THE E-SIGN ACT & INFORMATION SECURITY**

The E-Sign Act permits lenders, guaranty agencies, and schools to use electronic signatures and electronic records in place of traditional signatures and records that, under the HEA and underlying regulations, otherwise must be provided or maintained in hard-copy format.

The E-Sign Act provides specifically for the creation and retention of electronic records. Therefore, unless a statute or regulation specifically requires a school to provide or maintain a record or document on paper, your school may provide and maintain that record electronically. Similarly, unless a statute or regulation specifically requires schools to obtain a pen and paper signature, you may obtain the signature electronically as long as the electronic process complies with the E-Sign Act and all other applicable laws.

**Disclosures via website**

Subject to certain conditions, disclosure may be made through Internet or intranet sites.

CFR 34 668.41(b) & (c)

***Obtaining voluntary consent for electronic transactions***

Before conducting electronic transactions to provide to a recipient of FSA funds, the recipient must affirmatively consent to the use of an electronic record. The recipient's consent must be voluntary and based on accurate information about the transactions to be completed.

The consent must be obtained in a manner that reasonably demonstrates that the individual is able to access the information to be provided in an electronic form. For example, if you are going to send financial information by email, you could send a request for consent to the recipient via email, require the recipient to respond in a like manner, and maintain a record of that response.

**Voluntary consent required**

Voluntary consent to participate in electronic transactions is required for all financial information provided or made available to student loan borrowers and for all notices and authorizations to FSA recipients required under 34 CFR 668.165—Notices and Authorizations.

See *Volume 4* for more information on notices and authorizations for disbursements.

***Safeguarding confidential information in electronic processes***

Any time a school uses an electronic process to record or transmit confidential information or obtain a student's confirmation, acknowledgment, or approval, the school must adopt reasonable safeguards against possible fraud and abuse. Reasonable safeguards a school might take include password protection, password changes at set intervals, access revocation for unsuccessful logins, user identification and entry-point tracking, random audit surveys, and security tests of the code access.

**Using electronic processes for notifications & authorizations**

So long as there are no regulations specifically requiring that a notification or authorization be sent via U.S. mail, a school may provide notices or receive authorizations electronically. You may also use an electronic process to provide required notices and make disclosures by directing students to a secure website that contains the required notifications and disclosures.

If your school uses an electronic process to provide notices, make disclosures, and direct students to a secure website, it must provide notice of this each year to each student, whether via email, campus mail, or the traditional mail of the U.S. Postal Service.

For additional information on electronic transactions involving student loans, see Section 2 of *Standards for Electronic Signatures in Electronic Student Loan Transactions*, in GEN-01-06, May 2001.



The annual individual notice must

- identify the information required to be disclosed that year,
- provide the exact Web address for the information,
- state that persons are entitled to a paper copy upon request, and
- inform students how to request a paper copy.

### ***Establishing & maintaining an information security program***

The Federal Trade Commission (FTC) has ruled that most colleges are subject to the provisions of the Financial Services Act's Security Provisions (also known as the Financial Services Modernization Act). In the regulation, the commission created a definition of financial institutions that includes most colleges on the basis of the financial relationships they have with students, donors, and others. Consequently, colleges must draft detailed policies for handling financial data covered by the law, such as parents' annual income, and must take steps to protect the data from falling into the wrong hands.

Financial institutions, including postsecondary institutions, are required to have adopted an information security program under the FTC rule. For specific requirements, see the box on "FTC Standards for Safeguarding Customer Information" on the following pages.

Thus, while schools have maximum flexibility in choosing a system that provides for electronic requests for release of personally identifiable information, they must ensure that their systems provide adequate safeguards.

## **PREVENTING COPYRIGHT VIOLATIONS**

A school must implement written plans to effectively combat the unauthorized distribution of copyrighted material by users of the school's network without unduly interfering with educational and research use of the network.

These plans must include the use of one or more technology-based deterrents and must include procedures for handling unauthorized distribution of copyrighted material (including disciplinary procedures). No particular technology measures are favored or required for inclusion in the school's plans, and each school retains the authority to determine its own plans, including those that prohibit content monitoring.

The school's plans must also include measures to educate its community about appropriate versus inappropriate use of copyrighted material, including the information described under the student consumer information rules in *Chapter 6*. These mechanisms may include any additional information and approaches that the school determines will contribute to the effectiveness of the plans. For instance, the school might include pertinent information in student handbooks, honor codes, and codes of conduct in addition to email and/or paper disclosures.

### **Information security requirements**

- Federal Trade Commission regulations:  
16 CFR 313.3(n) and 16 CFR 314.1–5
- Financial Services Modernization Act of 1999 (also known as the Gramm-Leach-Bliley Act or GLB Act)  
Pub. L. No. 106-102  
Sections 501 and 505(b)(2)
- 15 USC 6801(b), 6805(b)(2)

### **Reporting security breaches to students and ED**

Schools are strongly encouraged to inform their students and the Department of any breaches of security of student records and information. The Department considers any breach to the security of student records and information as a demonstration of a potential lack of administrative capability.

### **Copyright requirements**

Program Participation Agreement  
34 CFR 668.14(b)(30)  
See *Chapter 6* for requirement to disseminate copyright policies.

### **Examples of deterrents**

Technology-based deterrents include bandwidth shaping, traffic monitoring, accepting and responding to Digital Millennium Copyright Act (DMCA) notices, and commercial products designed to reduce or block illegal file sharing.  
GEN-10-08

## FTC Standards for Safeguarding Customer Information

Colleges participating in the FSA programs are subject to the information security requirements established by the FTC for financial institutions.

### *Customer information that must be safeguarded*

These requirements apply to all customer information in your school's possession, regardless of whether it pertains to students, parents, or other individuals your school has a customer relationship with or pertains to the customers of other financial institutions that have provided such information to you.

Customer information means any record containing nonpublic personal information<sup>1</sup> about a customer of a financial institution, whether in paper, electronic, or other form, that is handled or maintained by or on behalf of you or your affiliates.

### *Establishing & maintaining an information security program*

As a financial institution covered under these information security requirements, your school must develop, implement, and maintain a comprehensive information security program.<sup>2</sup>

The information security program must be written in one or more readily accessible parts and contain administrative, technical, and physical safeguards that are appropriate to the size and complexity of the school, the nature and scope of its activities, and the sensitivity of any customer information at issue.

The safeguards shall be reasonably designed to achieve the following objectives:

- insure the security and confidentiality of customer information,
- protect against any anticipated threats or hazards to the security or integrity of such information, and
- protect against unauthorized access to or use of such information that could result in substantial harm or inconvenience to any customer.

### *Required elements of an information security program*

*Designated coordinators.* Your school must designate an employee or employees to coordinate its information security program.

*Risk assessment.* Your school must identify reasonably foreseeable internal and external risks to the security, confidentiality, and integrity of customer information

that could result in the unauthorized disclosure, misuse, alteration, destruction, or other compromise of such information and assess the sufficiency of any safeguards in place to control these risks.

At a minimum, the school's risk assessment should include consideration of risks in each relevant area of your operations, including

- employee training and management;
- information systems, including network and software design, as well as information processing, storage, transmission, and disposal, and
- detecting, preventing, and responding to attacks, intrusions, or other system failures.

*Safeguards & testing/monitoring.* Your school must design and implement information safeguards to control the risks you identify through risk assessment, and regularly test or otherwise monitor the effectiveness of the safeguards' key controls, systems, and procedures.

*Evaluation & adjustment.* Your school must evaluate and adjust its information security program in light of the results of the required testing and monitoring, as well as for any material changes to your operations or business arrangements or any other circumstances that it has reason to know may have a material impact on your school's information security program.

*Overseeing service providers.* A service provider is any person or entity that receives, maintains, processes, or otherwise is permitted access to customer information through its provision of services directly to your school. Your school must take reasonable steps to select and retain service providers that are capable of maintaining appropriate safeguards for the customer information at issue and require your service providers by contract to implement and maintain such safeguards.

<sup>1</sup> Personally identifiable financial information; and any list, description, or other grouping of consumers (and publicly available information pertaining to them) that is derived using any personally identifiable financial information that is not publicly available.

<sup>2</sup> The administrative, technical, or physical safeguards you use to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle customer information.

Sources:

FTC regulations: 16 CFR 313.3(n) and 16 CFR 314.1–5  
Gramm-Leach-Bliley Act: Sections 501 and 505(b)(2)  
U.S. Code: 15 USC 6801(b), 6805(b)(2)

The school must have a written plan for the periodic review of the effectiveness of these measures, using relevant assessment criteria.

The school must, in consultation with its chief technology officer (or other designated officer), periodically review the legal alternatives for downloading or otherwise acquiring copyrighted material (and disseminate the results, as described in *Chapter 6*) and offer legal alternatives for downloading or otherwise acquiring copyrighted material (to the extent practicable and as determined by the school).

The Department anticipates that individual institutions, national associations, and commercial entities will develop and maintain up-to-date lists that may be referenced for compliance with this provision.



# Program Reviews, Sanctions, & Closeout

CHAPTER

8

*In this chapter we discuss program reviews conducted at schools, sanctions and corrective actions, and procedures for schools that are ending their participation in one or more of the FSA programs.*

## PROGRAM REVIEWS BY THE DEPARTMENT

The Department of Education oversees the FSA programs to ensure they are administered properly. One way we do this is by conducting program reviews to confirm that schools meet FSA requirements for institutional eligibility, financial responsibility, and administrative capability. Program reviews identify compliance problems and suggest corrective actions.

If a school is cited in a program review for improperly disbursing FSA program funds, it must restore them as appropriate. If a school is cited for other serious program violations, it may be subject to correction and sanctions such as fines, emergency action, limitation, suspension, or termination, as discussed later in this chapter.

A program review covers many of the same areas as an audit (see *Chapter 4*), including fiscal operations and accounting procedures as well as compliance with the specific program requirements for student eligibility and awards. However, program reviews are not conducted annually at every school; priority is given to schools that meet criteria specified in the law (see the sidebar note on the next page).

Department program reviewers will

- analyze school records and identify weaknesses in the school's procedures for administering FSA funds;
- determine how those weaknesses may subject FSA funds to potential or actual fraud, waste, and abuse;
- identify corrective actions that will strengthen the school's future compliance with FSA rules and regulations;
- quantify the harm from any failings of the school and identify liabilities where noncompliance has led to loss, misuse, or unnecessary spending of federal funds; and
- when necessary, refer schools for administrative action to protect the interests of students and taxpayers.

## Related information

- Audit requirements—*Chapter 4*
- Updating the E-App for changes to programs and locations—*Chapter 5*

## FSA assessments

To assess your school's compliance with the provisions of this chapter, see the FSA Assessment module for "Institutional Eligibility" ([www.ifap.ed.gov/qahome/qaassessments/institutionalelig.html](http://www.ifap.ed.gov/qahome/qaassessments/institutionalelig.html)).

**Program review priority**

The law specifies that the Department gives priority in program reviews to schools that

- have a high cohort default rate or dollar volume of default,
- have a significant fluctuation in Pell Grant awards or FSA loan volume that is not accounted for by changes in the programs,
- are reported to have deficiencies or financial aid problems by the appropriate state agency or accrediting agency,
- have high annual dropout rates, or
- the Department determines may pose a significant risk of failing to comply with the administrative capability or financial responsibility requirements.

20 USC 1099c-1(a)(2)

**Department obligations**

Regarding program reviews, the Department is required to

- establish guidelines designed to ensure uniformity of practice in the conduct of program reviews;
- make copies of all review guidelines and procedures available to all participating schools;
- permit schools to correct administrative, accounting, or record keeping errors if the errors are not part of a pattern and there is no evidence of fraud or misconduct;
- base any civil penalty assessed against a school resulting from a program review or audit on the gravity of the violation, failure, or misrepresentation;
- inform the appropriate state and accrediting agency whenever it takes action against a school.
- provide schools an adequate opportunity to review and respond to any program review report and related materials before a final report is issued;
- consider a school's response in any final program review report or audit determination and include in that
  - (1) a written statement addressing the school's response;
  - (2) a written statement of the basis for the report or determination; and
  - (3) a copy of the school's response.

20 USC 1099c-1(b)

**Scope of the review**

A program review may be either a general assessment review, a focused review, or a compliance assurance review. A general assessment review is the most common type of review and is normally conducted to evaluate the school's overall performance in meeting FSA administrative and financial requirements. A focused review is normally conducted to determine if the school has problems with specific areas of FSA program compliance. A compliance assurance review is a tool that is used to help validate the Department's risk assessment system.

For general assessment, compliance assurance, and some focused reviews, the review team will randomly select student files. In general, a sample consists of 15 students from each award year under review. The review team will analyze the academic file, student account ledger, student financial aid file, and admissions file for each student in the sample.

Reviewers will also examine school records that are not specific to individual students. These records include required policies and procedures, fiscal records, and consumer information (i.e., the school's website, school catalog[s], pamphlets, etc.).

It may be necessary for the reviewer to conduct interviews with school officials, including academic or education personnel or the registrar, admissions personnel, financial aid personnel, fiscal office personnel, placement officer, and/or campus security personnel. In addition, the reviewer may interview students.

**Location of the review**

Program reviews are typically conducted at the institution. However, in some circumstances institutions are asked to submit copies of selected records to the Department for review at its offices, and interviews are conducted via telephone rather than in person.

**Notification of the review**

Most reviews are announced up to 30 days prior to the review by a telephone call to the president and financial aid administrator. The school also receives written notice of the review and is asked to provide relevant materials prior to the start of the review (e.g., policies and procedures, consumer publications, a list of FSA recipients, etc.). The school will also be expected to make other records available on-site at the start of the review. In some cases, notice for the review is given the day before the review (via overnight delivery or fax), the morning of the review (via fax), or at the time the review team arrives at the school.

Schools are required to cooperate with the Department in the event of a program review and provide unrestricted access to any and all information requested to conduct the review. Failure to provide this access to the program review team may lead to an adverse administrative action.



## Case Management & School Participation Teams

Case management is the Department's approach to oversight of schools that participate in the FSA programs. School Participation Management conducts program reviews, reviews compliance audits and financial statements, reviews recertification applications, and provides the Department with a picture of a school's overall compliance through the use of School Participation Teams.

FSA's School Eligibility Service Group (SESG) coordinates the case management approach. School Participation Teams are staffed by personnel in the regions and in Washington, DC, and each is assigned a portfolio of schools. Each team is responsible for oversight functions for the schools in its portfolio. These functions include audit resolution, program reviews, financial statement analysis, initial eligibility and recertification, and method of payment.

The entire team will evaluate information on the school from a variety of sources to identify any compliance issues at the school. The team can then assess potential risk to the FSA programs and determine appropriate action. Once appropriate actions are decided upon, the case manager assigned to the school ensures that the recommended actions are taken.

School Participation Teams will collect and review information on a school from many sources, including but not limited to:

- applications for recertification,
- financial and compliance audits,
- state agencies,
- accrediting agencies and licensing boards,
- student complaints, and
- Department databases.

A School Participation Team may decide to take actions that include but are not limited to:

- renewing full recertification or awarding only provisional certification;
- initiating a program review;
- establishing liabilities;
- developing a strategy for providing technical assistance,
- transferring the school to the cash monitoring or reimbursement payment method (see *Volume 4: Processing Aid and Managing FSA Funds*);
- requiring a letter of credit; and
- referring the school for an enforcement action.

Actions do not always have to be negative. For example, the School Participation Team can recommend a school for participation in the Quality Assurance Program.

Case management provides the additional benefit of permitting a school to contact one team that will have all information on the school available in one place. For a list of phone numbers for the regional School Participation Teams, see the "Help" link on the IFAP website (<http://ifap.ed.gov>).

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### Administrative subpoena authority

HEA Sec. 490A

The Department has the authority to issue administrative subpoenas to assist in conducting investigations of possible violations of the provisions of FSA programs. In addition, the law authorizes the Department to request the Attorney General to invoke the assistance of any court of the United States for purposes of enforcing a subpoena if necessary.

### **Communication with state agencies**

The HEA requires that each state, through at least one state agency, must

- furnish the Department, upon request, with information regarding licensing and other authorization for a school to operate in that state;
- promptly notify the Department of revocations of licensure or authorization; and
- promptly notify the Department of credible evidence that a school has committed fraud in the administration of the FSA programs or has substantially violated a provision of the HEA.

Department's recognition of state agencies  
Sec. 495 of the HEA  
20 USC 1087–1(b)  
34 CFR 603

### **Access to records**

Access includes the right to copy records (including computer records), to examine computer programs and data, and to interview employees without the presence of management or the presence of the school's or a servicer's tape recorder.

Access and examination cite  
34 CFR 668.24(f)

### **Appealing audit and program review determinations**

The law allows for appeals of final audit or program review determinations.

Note that only a final determination may be appealed. The letter conveying a final audit determination is clearly identified as a Final Audit Determination Letter and explains the appeals procedures. For a program review, the final determination letter is identified as a Final Program Review Determination Letter.

34 CFR Part 668 Subpart H

### **School Participation Team contacts**

You can locate the School Participation Team for your region by going to the "Help" menu on the IFAP website and choosing Contact Information > Federal Student Aid Offices.

### **Entrance and exit/status conference**

The review team will hold an entrance conference with school officials at the beginning of the review. The purpose of the entrance conference is to provide school officials with information about the review and the program review process and for reviewers to learn how federal student aid is processed at the school.

The review team will hold an exit or status conference at the end of a program review. The purpose of the exit conference is to inform school officials about the next steps in the process, summarize preliminary findings, advise school officials of any immediate changes that must be made, and/or provide details of any remaining outstanding items. If the fieldwork is not complete or the data has not been fully analyzed, a status meeting is conducted. A return visit may be necessary or an exit conference may be conducted via telephone after further analysis is completed.

### **Written report**

The program review team prepares a preliminary written report after completion of the review. In most instances, this report will be sent to the school within approximately 60 days of the review. The school may respond to this report if it wishes to offer additional information to support its position or if it disagrees with any of the report's findings. When the Department has fully considered the school's response and any additional documentation provided by the school, the Department will send a Final Program Review Determination (FPRD) letter to the school.

### **Final Program Review Determination (FPRD)**

An FPRD is a report that includes each finding identified in the program review report, the school's response, and the Department's final determination. The FPRD may require the school to take further action to resolve one or more of the findings. This action may include making student level adjustments in COD and the G5 payment system, and paying liabilities to the Department, student, or lenders on behalf of the student.

Any funds the school owes as a result of the FPRD must be repaid within 45 days of the school's receipt of the FPRD unless the school submits an appeal to the Department or enters into a payment plan with ED's Financial Management Group. The cover letter of the FPRD provides instructions on how to file an appeal. If payment or an appeal is not received within 45 days, the Department may elect to use administrative offset to collect the funds owed.

## Accrediting Agency Role

The goal of accreditation is to ensure that the education provided by postsecondary educational institutions meets an acceptable level of quality. The Department recognizes agencies that meet established criteria, and such recognition is a sign that an agency has been determined to be a reliable authority on the quality of the institutions or programs the agency accredits.

An accrediting agency can be recognized by the Department for institutional or programmatic accreditation. An institutional accreditation agency accredits an entire institution. A programmatic accrediting agency accredits specific educational programs, departments, or schools within an institution.

An agency must have standards that effectively address the quality of a school or program in the following areas:

- success with respect to student achievement in relation to mission, including, as appropriate, consideration of course completion, state licensing examination, and job placement rates;
- curricula;
- faculty;
- facilities, equipment, and supplies;
- fiscal and administrative capacity as appropriate to the specific scale of operations;
- student support services;
- recruiting and admissions practices, academic calendars, catalogs, publications, grading, and advertising;
- measures of program length and the objectives of the degrees or credentials offered;
- record of student complaints received by, or available to, the agency;
- record of compliance with the school's FSA program responsibilities, based on items such as default rate data and the results of compliance audits and program reviews and any other information that the Department may provide to the agency; and
- any additional accreditation standards the accrediting agency deems appropriate.

There are many additional statutory requirements a national accrediting agency must meet to qualify for recognition. For example, an accreditation agency must:

- consistently apply and enforce standards for accreditation that ensure that the education or training offered by an institution or program, including any offered through correspondence or distance education, is of sufficient quality to achieve its stated objectives for the duration of the school's accreditation period;
- perform, at regularly established intervals, on-site inspections and reviews of institutions of higher education (that may include unannounced site visits), with particular focus on educational quality and program effectiveness;
- agree to submit any dispute involving the final denial, withdrawal, or termination of accreditation to initial arbitration prior to any other legal action; and
- if it is an institutional accrediting agency, maintain adequate substantive change policies that ensure that any substantive change to the educational mission, program, or programs of an institution after an agency has accredited or preaccredited the institution do not adversely affect the capacity of the institution to continue meeting the agency's standards.

Information and a complete list of agencies recognized by the Department can be found at [www.ed.gov/admins/finaid/accred/index.html](http://www.ed.gov/admins/finaid/accred/index.html).

Department's recognition of accrediting agencies  
Sec. 496 of the HEA  
20 USC 1099b  
34 CFR 602

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### Regulations on corrective actions & sanctions

For details on steps that a school should follow in any of these situations, see Subpart G of the general provisions regulations and Section 600.41 of the institutional eligibility regulations.

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### Actions due to program violations or misrepresentation

If a school has violated the FSA program regulations, the Department may (at its sole discretion) allow the school to respond to the problem and indicate how it will correct it. However, if the school has repeatedly violated the law or regulations, or the Department has determined that the violations are egregious, the Department may take an emergency action, fine the school, or initiate a limitation, suspension, or termination of FSA program participation.

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### Criminal penalties

HEA Sec. 490

## CORRECTIVE ACTIONS & SANCTIONS

### Sanctions

Sanctions include emergency actions, fines, limitations, suspensions, and terminations (see descriptions on next page). The Department may initiate actions against any school that:

- violates the law or regulations governing the FSA programs, its Program Participation Agreement, or any agreement made under the law or regulations; or
- substantially misrepresents the nature of its educational programs, its financial charges, or its graduates' employability. For details on misrepresentation, see *Chapter 6*.

In addition, the Department has the authority to terminate a school or program that no longer meets the eligibility criteria given in *Chapter 1*.

Similarly, the Department may also sanction a third-party servicer that performs functions related to the FSA programs. Further, the Department has the authority to sanction a group of schools or servicers if it finds that a person or entity with substantial control over all schools or servicers within the group has violated any of the FSA program requirements or has been suspended or debarred from program participation. See *Chapters 1 and 4*.

### Criminal penalties

The law provides that any person who knowingly and willfully embezzles; misapplies; steals; obtains by fraud, false statement, or forgery; or fails to refund any funds, assets, or property provided or insured under Title IV of the Higher Education Act; or attempts to commit any of these crimes will be fined up to \$20,000 or imprisoned for up to five years, or both. If the amount of funds involved in the crime is \$200 or less, the penalties are fines up to \$5,000 or imprisonment up to one year, or both.

Any person who knowingly and willfully makes false statements, furnishes false information, or conceals material information in connection with the assignment of an FSA program loan or attempts to do so, will, upon conviction, be fined up to \$10,000 or imprisoned for up to one year, or both. This penalty also applies to any person who knowingly and willfully:

- makes, or attempts to make, an unlawful payment to an eligible lender of loans as an inducement to make, or to acquire by assignment, a loan insured under such part.
- destroys or conceals, or attempts to destroy or conceal, any record relating to the provision of FSA program assistance with intent to defraud the United States or to prevent the United States from enforcing any right obtained by subrogation under this part.

## Corrective Actions & Sanctions

### Emergency action

The Department may take an emergency action to withhold FSA program funds from a school or its students if the Department receives information, determined by a Department official to be reliable, that the school is violating applicable laws, regulations, special arrangements, agreements, or limitations. To take an emergency action, the Department official must determine that:

- The school is misusing federal funds.
- Immediate action is necessary to stop this misuse.
- The potential loss outweighs the importance of using established procedures for limitation, suspension, and termination.

The school is notified by registered mail (or other expeditious means) of the emergency action and the reasons for it. The action becomes effective on the date the notice is mailed.

An emergency action suspends the school's participation in all FSA programs and prohibits the school from disbursing FSA program funds or certifying FFEL applications. The action may not last more than 30 days unless a limitation, suspension, or termination proceeding is initiated during that period. In that case, the emergency action is extended until the proceeding, including any appeal, is concluded. The school is given an opportunity to show cause that the action is unwarranted.

### Fine

The Department may fine a school up to \$27,500 for each statutory or regulatory violation. In determining the amount of the fine, the Department considers the gravity of the offense, the nature of the violation, and the school's size. The school is notified by certified mail of the fine action, the amount of the fine, and the basis for the action. A school has 20 days from the date of mailing to submit a written request for a hearing or to submit written material indicating why the fine should not be imposed.

### Limitation

Under a limitation, which lasts for at least 12 months, the Department imposes specific conditions or restrictions upon a school and its administration of the FSA programs. As a result, the school is allowed to continue participating in those programs. If the school fails to abide by the limitation's conditions, a termination proceeding may be initiated.

### Suspension

A suspension removes a school from participation in the FSA programs for a period not to exceed 60 days (unless a limitation or termination proceeding has been initiated or the Department and the school agree to an extension). A suspension action is used when a school can be expected to correct an FSA program violation in a short time.

### Corrective action

As part of any fine, limitation, or suspension proceeding, the Department may require a school to take corrective action. This may include making payments to eligible students from its own funds or repaying illegally used funds to the Department. In addition, the Department may offset any funds to be repaid against any benefits or claims due the school.

### Termination

A termination ends a school's participation in the FSA programs. A school that has violated the law or regulations governing the FSA programs, its PPA, or any other agreement made under FSA regulations and was terminated from participating in the FSA programs generally may not apply to be reinstated for at least 18 months.

### Possibility of reinstatement

A school requesting reinstatement in the FSA programs must submit a fully completed E-App to the Department and demonstrate that it meets the standards in 34 CFR Part 668. As part of the reinstatement process, the school must show that it has corrected the violation(s) on which its termination was based, including repaying all funds (to the Department or to the eligible recipients) that were improperly received, disbursed, caused to be disbursed, or withheld. The Department may approve the request, deny the request, or approve the request subject to limitations (such as granting the school provisional certification). If the Department approves the reinstatement request, the school will receive a new ECAR and enter into a new PPA.

**Notification requirement**

34 CFR 600.40

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(d) Except as otherwise provided in this part, if an institution ceases to satisfy any of the requirements for eligibility under this part—

- (1) It must notify the Secretary within 30 days of the date that it ceases to satisfy that requirement; and
- (2) It becomes ineligible to continue to participate in any HEA program as of the date it ceases to satisfy any of the requirements.

**School Participation Team contacts**

A school that is ending participation in one or more FSA programs should contact the School Participation Team for its region (listed on IFAP under the “Help” menu; go to Contact Information > Federal Student Aid Offices).

**Effect on student eligibility for interest subsidies**

A student enrolled at a school that loses eligibility or discontinues participation in the Direct Loan program can continue to receive interest subsidies if the student enrolls and remains enrolled at an eligible school.

**CLOSEOUT PROCEDURES (WHEN FSA PARTICIPATION ENDS)**

A school may stop participating in the FSA programs voluntarily or may be required to leave involuntarily, as described below. In either situation, it must follow the closeout procedures specified in the FSA regulations.

***Involuntary withdrawal from FSA participation***

A school’s participation ends in the following circumstances:

- the school closes or stops providing instruction for a reason other than normal vacation periods or as a result of a natural disaster that directly affects the school or its students (see details on next page);
- the school loses its accreditation (see details on next page);
- the school loses its state licensure;
- the school loses its eligibility (see details on next page);
- the school’s PPA expires;
- the school’s participation is terminated under Subpart G;
- the school’s provisional certification is revoked by the Department;
- the school’s cohort default rate exceeds allowable limits; or
- the school files a petition for bankruptcy or the school, its owner, or its CEO is responsible for a crime involving FSA funds.

***Closeout procedures when participation ends***

In general, a school that ceases to be eligible must notify its School Participation Team within 30 days of its loss of eligibility to participate in the FSA programs.

The school must also comply with the following minimum requirements:

- Within 45 days of the effective ending date of participation, submit to the Department all financial reports, performance reports, and other reports, as well as a dated letter of engagement for an audit by an independent certified public accountant of all FSA program funds received. The completed audit report must be submitted to the Department within 45 days after the date of the letter of engagement.
- Report to the Department on the arrangements for retaining and storing (for the remainder of the appropriate retention period described in *Chapter 7*) all records concerning the school’s management of the appropriate FSA programs.
- Tell the Department how the school will provide for collecting any outstanding FSA loans held by the school.
- Refund students’ unearned FSA student assistance. (See *Volume 5, Chapter 2.*)



## End of FSA participation

### ***School closes or stops providing instruction***

If the school closes its main campus or stops providing instruction on its main campus, its loss of eligibility includes all its locations and programs.

If a school ceases to provide educational instruction in all FSA-eligible programs, the school should make arrangements for its students to complete their academic programs. If the school chooses to enter into a formal teach-out arrangement, the school should contact the appropriate School Participation Team for guidance.

### ***School loses eligibility***

A school loses its eligibility to participate in the FSA programs when it no longer meets the requirements of 34 CFR Part 600, certain requirements of Part 668, or when the Department terminates the school under Subpart G of the General Provisions.

### ***Voluntary withdrawal from FSA participation***

For any number of reasons, a school may voluntarily withdraw from participating in one or all of the FSA programs. For instance, a school might wish to withdraw from the Perkins Loan Program to work on lowering high student loan cohort default rates. To withdraw from one or all of the FSA programs, the school must notify the Department via the electronic application. For more information on these requirements and procedures, contact the appropriate School Participation Team.

A school that withdrew voluntarily (for instance, to lower its default rate) can request to participate again without the waiting period required for a school that was terminated from the program involuntarily or withdrew voluntarily while under a show cause or suspension order.

Withdrawing from the FSA programs while under a termination order or other sanction—or to avoid being placed under them—is not considered a voluntary withdrawal.

### ***School loses primary accreditation***

When a school loses its institution-wide accreditation, the Department generally may not certify or recertify that school to participate in any FSA program for two years after the school has had its accreditation withdrawn, revoked, or otherwise terminated for cause or after a school has voluntarily withdrawn under a show cause or suspension order. If a school wishes to be reinstated, it must submit a fully completed E-App to the Department.

The Department will not recertify a school that has lost its institution-wide accreditation in the previous two years unless the original accrediting agency rescinds its decision to terminate the school's accreditation. In addition, if a school voluntarily withdrew from accreditation during the last two years under a show cause or suspension order, the Department will not recertify the school unless the original order is rescinded by the accrediting agency. Finally, a school may not be recertified on the basis of accreditation granted by a different accrediting agency during the two-year period.

There are two exceptions to the two-year rule:

1. If the Department determines that loss of institution-wide accreditation was due to the school's religious mission or affiliation, the school can remain certified for up to 18 months while it obtains alternative accreditation.
2. If a school's institution-wide accrediting agency loses its Department recognition, the school has up to 18 months to obtain new accreditation.

Note that it is possible for accreditation to be withdrawn from one of the programs at a school without affecting the accreditation (and eligibility) of other programs at the school.

**Definition of commitment**

A commitment under the Pell and TEACH grant programs occurs when a student is enrolled and attending the school and has submitted a valid Student Aid Report to the school or when a school has received a valid institutional student information report.

A commitment under the Campus-Based Programs occurs when a student is enrolled and attending the school and has received a notice from the school of the amount that he or she can expect to receive and how and when that amount will be paid.  
34 CFR 668.26(e)(1)

In addition, a school that closes must refund to the federal government or, following written instructions from the Department, otherwise distribute any unexpended FSA funds it has received (minus its administrative cost allowance, if applicable).

**Unpaid commitments**

If a school's participation ends during a payment period, but the school continues to provide education in the formerly eligible program until the end of the payment or enrollment period, the school may use the FSA funds in its possession to—

- satisfy unpaid Pell Grant or Campus-Based Program commitments made to students for that payment period or for previously completed payment periods before the school's participation ended.
- use the FSA funds in its possession to satisfy unpaid Direct Loan commitments made to students for that period of enrollment before participation ended by delivering subsequent Direct Loan disbursements to the students or by crediting them to their accounts (if the first disbursement already was delivered or credited to the students' accounts before the school's participation ended).

Note that the school may request additional funds from ED to meet these commitments.

**Teach-out plan**

34 CFR 668.14(b)(31)  
*Federal Register* October 29, 2009

Also see:  
Teach-out plan definition  
34 CFR 600.2  
Eligibility of additional locations for teach-out purposes  
34 CFR 600.32(d)

**Teach-out plan**

A school must submit a teach-out plan to its accrediting agency if

- ED initiates an emergency action or initiates the limitation, suspension, or termination of the school's participation in any FSA program;
- the school's accrediting agency acts to withdraw, terminate, or suspend the accreditation or preaccreditation;
- the school's state licensing or authorizing agency revokes the institution's license or legal authorization to provide an educational program;
- the school intends to close a location that provides 100% of at least one program; or
- the school otherwise intends to cease operations.

**Closure of a branch or location**

A separate closeout audit is not required if a school closes an additional location or a branch campus because the next due compliance audit for the school must report on the use of FSA program funds at the closed location. However, the school must notify the Department of the additional location or branch closure. See *Chapter 5* for information on reporting information to the Department.

***Loss of eligibility or withdrawal from the Direct Loan Program***

If a school is notified that it has lost its eligibility to participate in the Direct Loan Program and the school does not intend to appeal the decision, it must immediately inform all current and prospective students of its loss of eligibility. The school must also explain that it can no longer originate Direct Loans for students or parents. If the school appeals its loss of eligibility within the required timeframe, the school may continue originating Direct Loans during the appeal process. Once a final decision on the appeal is made, the school must take the actions described in the Department's final appeal determination letter.

If a school plans to withdraw from participation in the Direct Loan Program, it must notify the Department of its decision in writing. Once the effective date of withdrawal has been established, the school is prohibited from disbursing loan funds to the student. However, if your school made a first disbursement to the student before it lost eligibility, it may still be able to make a subsequent disbursement to that student. See the conditions in 34 CFR 668.26(d).

**Recovery of loan discharges when branch/location closes**

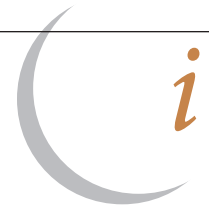
If an additional location or branch of an institution closes and borrowers who attended the school obtain loan discharges by reason of the closure of the location or branch (or improper ATB or loan certifications), the Department will pursue recovery against the larger institution, its affiliates, and its principals.

20 USC 1087(c)(1)



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# Introduction



*This volume of the Federal Student Aid (FSA) Handbook discusses how to calculate, award, and disburse the proper amounts for the various Title IV programs.*

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## RECENT CHANGES

Here are some of the significant changes to Volume 3 for the 2014-15 award year:

### Chapter 1

- Added sidebar on minimum program length, with cross-reference to full discussion in Volume 2, Chapter 2.
- Added sidebar on open-entry coursework and determining academic calendar type.
- Credit-hour to clock-hour conversion formula sidebar guidance expanded and clarified.
- Guidance and example on Direct Loan periods when a student transfers to a new school extensively updated per revised 34 CFR 685(301)(a)(10). Sidebar with regulatory citation added.

### Chapter 2

- Limitations to tuition and fees guidance expanded and updated, including rules for tuition discounting, overtime charges, and finance charges. New sidebar added on limitation to tuition and fees, with HEA and regulatory citations.
- Added note on using non-9 month EFC's when calculating for periods other than 9 months, with cross-reference to AVG for full discussion and requirements of non-9 month EFCs.
- Sidebar describing COA treatment for distance education students added.

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## Program and systems information online

### [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov)

Software:

- Direct Loan Tools
- EDconnect
- EExpress for Windows
- SSCR for Windows

Technical References and User Guides for:

- CPS (ISIR, Summary of Changes, etc.)
- COD
- Electronic Data Exchange
- EExpress Packaging

### [www.ifap.ed.gov](http://www.ifap.ed.gov)

- Federal Registers
- Electronic Announcements
- Dear Partner/Colleague Letters
- FSA Assessment modules: Student Eligibility—

[www.ifap.ed.gov/qahome/fsaassessment.html](http://www.ifap.ed.gov/qahome/fsaassessment.html)

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### Comments? Questions?

If you have any comments or questions regarding the FSA Handbook, please contact Research and Publications via email at [fsaschoolspubs@ed.gov](mailto:fsaschoolspubs@ed.gov).

### Chapter 3

- Updated sidebar on sequester-mandated reductions to Iraq & Afghanistan Service Grant awards during the 2014-15 award year.
- Pell payment schedules sidebar updated with website and DCL citation.
- Full page example on transfer students and calculating remaining Pell eligibility added.
- Pell LEU guidance updated, Pell Grant LEU dispute sidebar added.
- NSLDS reporting requirement sidebar added.

### Chapter 4

- Added footnote on “low-income” school eligibility and the Teacher Cancellation Low Income (TCLI) program, with URL citation for the TCLI website.
- Added regulatory citation for TEACH Grant required counseling.

### Chapter 5

- Added new guidance on when one is required to report academic year and loan period dates to COD.
- Added sidebars “Reporting academic year and loan period to COD” and “Reporting non-credential teacher certification program information,” with Dear Colleague Letter/E-Announcement citations.
- Updated dates and amounts in effect of sequester on loans section.
- New guidance added on managing direct loans in modules and intersessions. New sidebar on COA for intersessions and modules added.
- Remaining loan eligibility on transfer/program change example updated to reflect changes to 34 CFR 685.301(a).
- 150% rule guidance updated and expanded, particularly with regard to exceptions to the maximum eligibility period and what happens when a borrower exhausts their maximum eligibility period. 150% rule sidebar updated with regulatory citations and 150% website URL.
- Default sidebar added, including regulatory citations.

### Chapter 7

- Awarding when a program gains Title IV eligibility in the middle of a term guidance added.
- Basic packaging example clarified and expanded.



# Academic Calendar, Payment Periods & Disbursements

## CHAPTER 1

*Award limits are generally connected to a period of time and to credit or clock-hours attended. For instance, all of the programs except Federal Work-Study have a maximum amount that can be awarded for an academic year or award year. Measurement of time is important for another reason—in most cases, awards from the FSA programs must be paid in at least two installments. For most programs, the amount and timing of the payments is based on the academic terms or payment periods in the program.*

### ACADEMIC YEAR REQUIREMENTS

Every eligible program, including graduate programs, must have a defined academic year. The academic year is one component used in determining the student's eligibility for Title IV aid.

A school may have different academic years for different academic programs. For example, a school may choose to define the academic year for a term-based program differently from a non-term program. In some cases, the definition *must* be different, such as in the case of a clock-hour program and a credit-hour program. For FSA purposes, the academic year is defined in weeks of instructional time and for undergraduate programs in credit or clock-hours. The program's academic year does not have to coincide with a program's academic calendar.

A school may treat two versions of the same academic program (day and night, for example) as separate programs and define different academic years for each version. If your school establishes separate versions of a program, with different academic years, but allows individual students to take courses from both versions, your school must be able to demonstrate in which program the student is actually enrolled. Generally, to be considered enrolled in a particular program or version of a program, a student must be taking at least 50 percent of his or her coursework in that program.

Although a school may have different academic years for different programs, it must use the same academic year definition for **all** FSA awards for students enrolled in a particular program, and for all other FSA program purposes.

### CHAPTER 1 HIGHLIGHTS

#### Academic Year requirements

#### Academic calendars & terms

#### Payment periods

#### Grant and Perkins Loan programs

- Standard and nonstandard terms
- Clock-hour and non-term credit-hour

#### Direct Loan program

- Standard terms and substantially equal nonstandard terms
- Clock-hour, non-term credit-hour, and nonstandard terms not substantially equal in length

#### "Successfully complete"

#### "Substantially equal" terms

#### Direct Assessment payment periods

#### Disbursement issues

#### Payment period completion requirements

#### Timing of disbursements

#### Related topics

Payment periods when student re-enters a program after withdrawing—see Volume 5, Chapter 2.

Annual loan limit progression—see Volume 3, Chapter 5.

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## Citations

Award Year: 34 CFR 600.2

Academic Year: 34 CFR 668.3

Payment Period: 34 CFR 668.4

Weeks of instructional time: 34 CFR 668.3(b)

Weeks of instructional time are used in the Pell, and Direct Loan calculations (Chapters 3 and 5 of this volume).

Note that the Department has not set a regulatory standard for the number of hours of instructional time that make up one day of instruction. This has been left to the reasonable interpretation of schools and their accrediting agencies.

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## Reductions in academic year length

Schools that provide 2- or 4-year associate or baccalaureate degree programs may apply to ED if they want to establish a full academic year of less than 30 weeks of instructional time. ED is permitted to grant a reduction for good cause to no less than 26 weeks of instructional time. For further details on submitting such a request, see 34 CFR 668.3 (c).

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## Minimum program length

Although most programs are at least one academic year in length, some eligible programs are shorter than an academic year. See *Volume 2, Chapter 2*, for more detail on the requirements for such programs. ED may reduce the number of weeks of instructional time required for credit or clock-hour programs, but may not waive the minimum requirements for Direct Assessment programs.

## *Weeks of instructional time in an academic year*

An academic year for a credit-hour or direct assessment program must be defined as at least 30 weeks of instructional time, and for a clock-hour program, at least 26 weeks of instructional time.

The number of weeks of instructional time is based on the period that begins on the first day of classes in the academic year and ends on the last day of classes or examinations. For all FSA programs, a week of instructional time is any period of 7 consecutive days in which at least 1 day of regularly scheduled instruction, examination, or (after the last day of classes) at least 1 scheduled day of study for examinations occurs. Instructional time does not include periods of orientation, counseling, homework, vacation, or other activity not related to class preparation or examination. Therefore, the weeks of instructional time may be less than the number of calendar weeks that elapse between the first day of classes and the last day of classes or examinations.

## *Credit or clock-hours in an academic year*

The law and regulations set the following minimum standards for coursework earned by a full-time student in an academic year in an *undergraduate* educational program (including direct assessment programs):

- 24 semester or trimester credit-hours or 36 quarter credit-hours for a program measured in credit-hours; or
- 900 clock-hours for a program measured in clock-hours.

There is no minimum hours component to the definition of an academic year for *graduate and professional* programs. For purposes of Direct Loans, a loan period certified for an academic year in a graduate or professional program would include the weeks of instructional time in the academic year and the hours a full-time student is expected to complete in those weeks. See Chapter 5 for more details on loan limits.

## *Awards are affected when a program does not meet one of the academic year standards*

The FSA academic year that a school defines for a program has to meet the regulatory minimums for both clock or credit-hours AND weeks of instructional time. In some instances, the academic year may not coincide with the academic calendar of the school. These cases may affect Pell Grants and loan disbursements, and, in Direct Loans, annual loan limits and annual loan limit progression.

For example, awards would be affected if a program is an academic year in length in credit or clock-hours but not in weeks of instructional time. Also, for a program longer than an academic year in length, awards would be affected if the completion of the credit or clock-hours in the program's academic year does not coincide with completing the weeks of instructional time in the academic year.

## Counting Weeks of Instructional Time

August						
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

September						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

October						
				1	2	
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

November						
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

December						
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

This graphic illustrates how you would count weeks of instructional time in a 16-week term where classes are held Monday through Friday. In this hypothetical term\*, August 1st is a Sunday, and classes begin on August 23rd and end December 10th, with examinations held December 13th-17th.

Note that the school holds no classes on Labor Day (September 6th) on this calendar, Veterans Day (November 12th), and Thanksgiving break (November 24th-26th). The circles indicate the points at which each of the weeks of instructional time begin. There are 16 weeks of instructional time.

Remember: If a week in the term has no days of instruction, examination, or (after the last day of classes) study for examination, that week does NOT count as a week of instructional time. For example, a week comprised entirely of vacation days is not a week of instructional time.

\*Note that this example is not meant to illustrate any specific calendar year.

### Typical length of standard terms

For additional information on this topic, see the preamble to the General Provisions regulations published November 29, 1996 page 60581).

### Credit hour definition

34 CFR 600.2

DCL GEN-11-06

A credit hour is now formally defined, for Title IV aid purposes, as an amount of work that **reasonably approximates** not less than:

- 1) one hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately fifteen weeks for a semester or trimester hour, or ten to twelve weeks for one quarter hour of credit (or the equivalent amount of work over a different amount of time); or
- 2) at least an equivalent amount of work as required in #1 for other academic activities such as laboratory work, internships, practica, studio work, or other academic work leading to the award of credit-hours.

Note that the classroom/direct faculty instruction time and out of class student work requirement in #1 does not mean you must have a certain number of hours of those specific types of instruction every week; it is an average required over the length of the course and may be institutionally established equivalencies that **reasonably approximate** the minimum standard using different measures of student work.

You may set a higher standard that requires more student work per credit hour, and you may use a measure or metric different from this definition for academic and non-federal aid purposes.

If the program in question is using the clock-hour to credit hour conversion formula, the above guidance does not apply to the definition of a credit hour (see later in this chapter for full discussion).

## ACADEMIC CALENDARS & TERMS

Schools offer programs with many kinds of academic calendars that differ from the traditional Fall-Spring school year. For purposes of the FSA programs, there are three basic types of academic calendars: standard term, nonstandard term, and non-term.

Generally, a term is a period in which all classes are scheduled to begin and end within a set time frame, and academic progress is measured in credit-hours. However, if these periods overlap within a program, they may not be treated as a term-based program for FSA purposes. Term-based programs can have either standard terms or nonstandard terms.

### *Standard terms: semesters, trimesters, and quarters*

Semesters and trimesters are terms that are generally 15 to 17 weeks long. An academic calendar that uses semesters traditionally has two terms, in the fall and spring, and a trimester academic calendar traditionally has three terms, in the fall, spring, and summer. Academic progress is measured in semester credit-hours, and full-time is at least 12 semester credits.

Similarly, quarter terms are approximately 10 to 12 weeks in length and the academic calendar includes three quarters in the fall, winter, spring, and often a summer term. Academic progress is measured in quarter credit-hours, and full-time is at least 12 quarter credits.

You may combine shorter terms or modules to meet the requirements of a standard term such as a semester. For example: a program is offered in 8 nonstandard terms, each 6 weeks in length, and students earn 6 quarter credits in each term. You may choose to combine each consecutive pair of nonstandard terms and consider the program to be offered in 4 quarters.

In certain limited cases for academic programs offered in standard terms, a short nonstandard term may be treated as part of one of the standard terms, and the combined terms may be considered to be a single standard term. For example, a program is offered in a calendar consisting of two 15-week semesters and a 4-week intersession. To consider the program as consisting only of semesters, the intersession may be treated as part of one of the two semesters as long as the same treatment is applied for all FSA purposes to all students enrolled in the program. In addition, hours taken in the intersession must count towards a student's enrollment status for the combined term and costs for the intersession must be appropriately included in the cost of attendance.

If you choose not to combine a nonstandard term in this manner, the program must be treated as a non-term program for Direct Loans, and a Formula 3 program for Pell and TEACH Grants. The fact that you did not combine the term does not negate the requirement that a student must be considered for Title IV aid if enrolled and eligible in the term.

### *Nonstandard terms*

Nonstandard terms are terms (where all coursework is expected to begin and end within a set period of time) that are not semester, trimester, or quarter terms. In some cases, the terms may be of unequal length, though it is also possible for programs with terms of equal length to be considered nonstandard. For instance, a school could offer a program with six consecutive 5-week modules, with each module counting as a nonstandard term.

Unlike standard terms, the length of the term is not necessarily associated with the type of credit-hours awarded. Some nonstandard terms are the length of a semester (14-17 weeks) but award quarter credits. Others are the length of a quarter (10-12 weeks) but award semester credits.

### *Non-term characteristics*

If a program measures progress in clock-hours, it is always treated as a non-term program. A program that measures progress in credit-hours is considered to be using a non-term calendar if it has:

- courses that do not begin and end within a set period of time;
- courses that overlap terms;
- self-paced and independent study courses that overlap terms; or
- sequential courses that do not begin and end within a term.

### *Programs that must be treated as clock hour for FSA purposes*

You must calculate Title IV aid using the methods for clock-hour programs for a program in certain instances. You can find a complete discussion of these requirements in *Volume 2, Chapter 2*.

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### **Credits and nonstandard terms**

Remember, just because progress in a program is measured in semester or quarter credits, this does not necessarily mean that the program is offered in semester or quarter terms. Also, even though a school may label a term as a quarter, semester, or trimester, it may be considered a nonstandard term for federal student aid purposes if it does not conform to the federal student aid standards for a semester, trimester, or quarter.

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### **Combining terms examples**

See the example at the end of this section for guidance on combining concurrent and consecutive terms.

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### **Programs that must be treated as clock-hour**

34 CFR 668.8(k),(l)

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### **Open entry-term or non-term?**

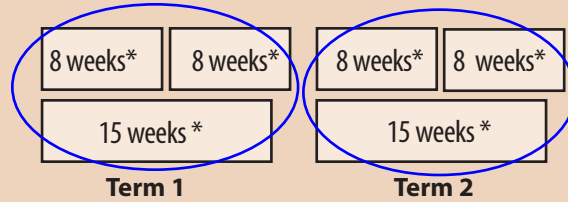


If a student whose academic program is term-based is enrolled primarily in non-term coursework (i.e., open-entry/exit courses), you must award and disburse aid to the student using non-term rules, e.g.,

- Calculating the student's Pell Grant using a Pell formula appropriate for the student's enrollment;
- Using a borrower-based academic year (BBAY) when awarding loans to the student; and
- Withholding a second disbursement until the student has successfully completed the coursework and half of the weeks of instructional time.

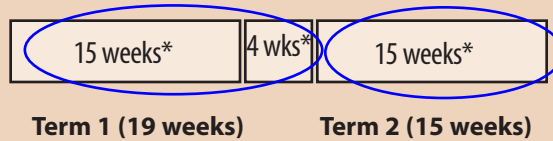
### Combining concurrent terms

Clark University offers a program in both 15-week terms and 8-week terms. Clark University combined two 8-week terms with a 15-week term to make each semester; each semester provides 16 weeks of instructional time.\*



### Combining consecutive terms

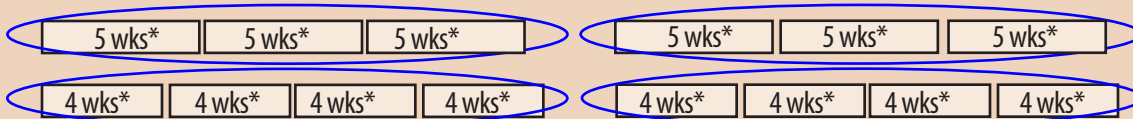
Sanders College offers a separate degree program in education with a short 4-week\* term between two 15-week\* semesters. The terms don't overlap. Sanders College has defined the academic year for this program as 24 semester hours and 34 weeks of instructional time. Sanders College could combine the short term with one of the standard terms and for purposes of FSA programs treat the program as being offered in two semesters:



Sanders College can also choose not to combine the terms. In this case, the program would have a 4-week term and two semesters. For certain FSA program requirements, this may mean you will treat all terms in a nonstandard term manner, or as part of a non-term program. For more details, see discussion on previous pages.

### Treatment of modules

A school may choose to group modules together and treat the entire period as a term. (For example, grouping three five-week\* modules together may create a 15-week\* semester; or grouping four one-month modules into a 16-week semester would be acceptable.)



On the other hand, programs that are offered in modules may sometimes be counted as programs measured in nonstandard terms. For example, in a program that offers six 5-week modules, each module could be treated as a nonstandard term. In addition, a school may choose to consider a program that consists of consecutive modules as a non-term program. Whatever academic calendar your school adopts for a program, you must apply it to all students enrolled in that program and document the program's treatment in your policies and procedures manual.

\*Weeks in these examples are weeks of instructional time, as defined earlier in this chapter.



## PAYMENT PERIODS

The definition of a payment period is applicable to all FSA programs except FWS. The common definition is integral to requirements for the administration of FSA funds. For example, FSA program disbursements (except FWS payments) must be made on a payment period basis. Another example is that a student's satisfactory academic progress (SAP) evaluation is required to correspond with the end of a payment period.

For clock-hour programs, the payment period is defined not only in clock-hours but also in weeks of instructional time. A student must successfully complete the clock-hours and weeks of instructional time in a payment period to progress to the next payment period.

For Direct Loans, the payment period for clock-hour programs, non-term credit-hour programs, and nonstandard term programs with terms not substantially equal in length are defined in clock or credit-hours and weeks of instructional time (as has been the case for the other FSA programs). Previously for such programs, second disbursements in loan periods were based on the calendar midpoint of the academic year. A student must successfully complete the clock-hours and weeks of instructional time in a payment period to progress to the next payment period (as has been the case for annual loan limit progression and for grant and Perkins Loan payment period progression in clock-hour and non-term credit-hour programs).

For FSA purposes, you will use either "term-based" payment periods (the payment period is the term), or payment periods based on the completion of credit or clock-hours and weeks of instructional time. The payment period you use depends on the kind of academic calendar your school uses, as described here, and the FSA program for which you are disbursing funds.

### *Programs using standard terms or substantially equal nonstandard terms (term-based)*

For credit-hour programs that use standard terms, or that use nonstandard terms that are substantially equal in length (see sidebar), the payment period is the term itself.

### *Programs with nonstandard terms not substantially equal in length*

For purposes of Pell Grants, TEACH, FSEOGs, and Perkins Loans, if the program uses nonstandard terms, the payment period is the term. This includes terms that are not substantially equal in length.

For Direct Loans, if a credit-hour program has nonstandard terms that are not substantially equal in length, use the non-term payment periods described in the following section, under "Clock-hour programs and non-term programs."

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### Payment periods

34 CFR 668.4

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### Two payment period limit in an academic year or program

Unless you are using terms as payment periods under FSA rules, there are no more than two payment periods in the lesser of the program, the academic year, or the remainder of the program.

You may make multiple disbursements within a single payment period; however, schools should note that making multiple disbursements within a payment period does not create a new or additional payment period.

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### "Successfully Completes"

34 CFR 668.4(h)(2)

A student "successfully completes" credit or clock-hours if your school considers the student to have passed the coursework associated with those hours.

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### "Substantially Equal in Length"

34 CFR 668.4(h)(1)

For purposes of measuring payment periods in programs offered in nonstandard terms, "substantially equal" means that no term in the program is more than 2 weeks of instructional time longer than any other term in that program. "Not substantially equal in length" means nonstandard terms that have at least 1 term more than 2 weeks of instructional time longer than another in the same program.

### Direct Loan payment periods for graduate/professional students (clock-hour, non-term, etc.)

For a graduate or professional student in a clock-hour or non-term program, or a program with terms not substantially equal in length, the Direct Loan payment period is 1/2 of what a full-time student would be expected to complete, in both weeks of instructional time and credit or clock-hours. This policy also relates to annual loan limit progression for graduate or professional students (for more on loan limits, see Chapter 5 of this volume).

### Unable to determine completion of hours in payment period

34 CFR 668.4(c)(3)

If your school is tracking progress by clock or non-term credit-hours and is unable to determine when a student has successfully completed half of the credit or clock-hours in a program, academic year, or remainder of a program, the student is considered to have begun the second payment period of the program, academic year, or remainder of a program at the later of the date (identified by the school) that the student has successfully completed:

1. half of the academic coursework in the program, academic year, or the remainder of the program; or
2. half of the number of weeks of instructional time in the program, academic year, or the remainder of the program.

### Clock-hour programs with terms

The payment periods for clock-hour programs that use terms are determined in the same way as for non-term clock-hour programs. The student must successfully complete all the clock-hours in the payment period before receiving any more FSA funds. If a student doesn't complete all the hours scheduled for a term, each payment period still contains the number of clock-hours originally scheduled, even if this means that none of the student's succeeding payment periods coincide with the terms.

### Clock-hour and non-term programs

The following types of programs must use payment periods that are based on the time it takes for the student to successfully complete the credit or clock-hours and weeks of instructional time in the payment period:

- Non-term credit-hour programs
- Clock-hour programs
- For Direct Loan (DL) purposes, nonstandard term credit-hour programs with terms not substantially equal in length

If you are determining the payment periods for a program for which one of the measures (either clock or credit-hours or length of instructional time) is less than an academic year and the other measurement is not, the program is considered less than an academic year in length, and you follow the payment period rules for a program that is less than an academic year.

*If the program is one academic year or less, the academic year or program is divided into two payment periods. The first payment period is the period in which the student successfully completes half of the credit or clock-hours AND half of the weeks of instructional time in the program. The second payment period is the period in which the student completes the remainder of the program.*

*If the program is more than one academic year in length:*

- Use the rule for one academic year (above) for each full academic year in the program.
- For any remaining portion of a program that is half of an academic year or less, the remaining portion is treated as a single payment period.
- For any remaining portion of a program that is more than half of an academic year but less than a full academic year, the remaining portion is divided into two payment periods and the first payment period is the period in which the student successfully completes half of the credit or clock-hours AND half of the weeks of instructional time in the remaining portion.

## Appendix A: Nonterm Examples

### Nonterm Example 1: Clock-hour program

A student enrolls in a clock-hour program with an academic year (AY) of 900 clock hours and 26 weeks of instructional time. The program is 900 clock hours and 26 weeks of instructional time in length and consists of 6 successive graded courses. Each course has 150 clock hours and is completed over 4 weeks of instructional time. Our student successfully completes all 6 courses except the second course that the student immediately repeats and passes.

In this case the scheduled payment periods are identical for the student's Pell Grant and Direct Loan and are ½ of the length of the program in clock hours and weeks of instructional time: 450 clock hours and 12 weeks of instructional time. However, the first payment period is extended since the first 450 clock hours attended were not successfully completed. The student does not complete the first payment period until after attending for 600 clock hours and 15 weeks of instructional time due to the need to successfully complete the 450 clock hours in the payment period. As a result, the second disbursement date must be rescheduled, and the school will need to report the rescheduled disbursement date for the second disbursement to COD for Pell and Direct Loans.

#### Payment periods

← First disbursement

450 clock hours AND 12 weeks of instruction		
150 hours earned.	150 hours failed. No hours earned. Payment period extended.	150 hours earned by passing repeat of 2 <sup>nd</sup> course.
		3 weeks of instruction & 150 hours earned. Complete 1 <sup>st</sup> payment period.

← Second disbursement

450 clock hours AND 12 weeks of instruction		
150 hours earned.	150 hours earned.	150 hours earned. Program completed.

### Nonterm Example 2: Work completed fast in 2<sup>nd</sup> year

A nonterm, two-year program of 48 semester hours and 60 weeks of instructional time has an academic year of 24 semester hours and 30 weeks of instructional time. Students in the program are expected to complete the first 24 hours over 36 weeks of instructional time, and the final 24 semester hours in 24 weeks of instructional time. The student completes each of hours 1-12 and 13-24 in 18 weeks of instructional time and each of hours of 25-36 and 37-48 in 12 weeks of instructional time.

For the grant and Perkins Loan programs, by definition, all four payment periods are 1/2 of the defined academic year: 12 hours and 15 weeks of instructional time.

#### Pell Grant & Perkins Loan Payment periods

12 semester hours AND 15 weeks of instruction		12 semester hours AND 15 weeks of instruction		12 semester hours AND 15 weeks of instruction		12 semester hours AND 15 weeks of instruction	
15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended	15 weeks of instruction attended
12 hours completed	12 hours completed	12 hours completed	12 hours completed	12 hours completed	12 hours completed	12 hours completed	12 hours completed
1 <sup>st</sup> Pell 1 <sup>st</sup> payment period completed after student has completed 18 weeks of instruction and earned 12 hours (3 weeks of instruction toward the 2 <sup>nd</sup> payment period)		2 <sup>nd</sup> Pell 2 <sup>nd</sup> payment period completed after student has completed 18 weeks of instruction and earned 12 hours (6 weeks toward the 1st payment period of 2 <sup>nd</sup> Pell)		2 <sup>nd</sup> Pell 1 <sup>st</sup> payment period completed after student has completed 15 weeks of instruction and earned 12 hours (3 weeks toward the 2 <sup>nd</sup> payment period)		2 <sup>nd</sup> Pell 2 <sup>nd</sup> payment period completed after student has completed 12 weeks of instruction and earned 12 hours	
1 <sup>st</sup> disbursement – 1 <sup>st</sup> Pell		2 <sup>nd</sup> disbursement – 1 <sup>st</sup> Pell In 19 <sup>th</sup> week of instruction		1 <sup>st</sup> disbursement – 2 <sup>nd</sup> Pell In 37 <sup>th</sup> week of instruction		2 <sup>nd</sup> disbursement – 2 <sup>nd</sup> Pell In 49 <sup>th</sup> week of instruction	

For Direct/Direct PLUS, the first loan must be certified for 36 weeks of instructional time to ensure the loan period covers both measures of the FSA academic year. The first loan period will have two payment periods of 12 hours and 18 weeks.

The second loan period, for the balance of the program, will have the same number of semester hours (24), but will be certified for fewer weeks of instructional time (24). Thus, the second loan period is divided into two payment periods of 12 hours and 12 weeks of instructional time. There is no proration of the annual loan limits since the remaining balance of the semester hours equals the semester hours of the academic year.

(continued on next page)

### Non-term Example 2, continued

#### Direct Loan Payment periods

12 semester hours AND 18 weeks of instruction	12 semester hours AND 18 weeks of instruction	12 semester hours AND 12 weeks of instruction	12 semester hours AND 12 weeks of instruction
18 weeks of instruction attended	18 weeks of instruction attended	12 weeks of instruction attended	12 weeks of instruction attended
12 hours completed	12 hours completed	12 hours completed	12 hours completed
<sup>1st</sup> loan <sup>1st</sup> payment period completed after student has completed 18 weeks of instruction and earned 12 hours	<sup>2nd</sup> loan <sup>2nd</sup> payment period completed after student has completed 18 weeks of instruction and earned 12 hours	<sup>2nd</sup> loan <sup>1st</sup> payment period completed after student has completed 12 weeks of instruction and earned 12 hours	<sup>2nd</sup> loan <sup>2nd</sup> payment period completed after student has completed 12 weeks of instruction and earned 12 hours

<sup>1st</sup> disbursement – <sup>1st</sup> loan

<sup>2nd</sup> disbursement – <sup>1st</sup> loan  
In 19<sup>th</sup> week of instruction

<sup>1st</sup> disbursement – <sup>2nd</sup> loan  
In 37<sup>th</sup> week of instruction

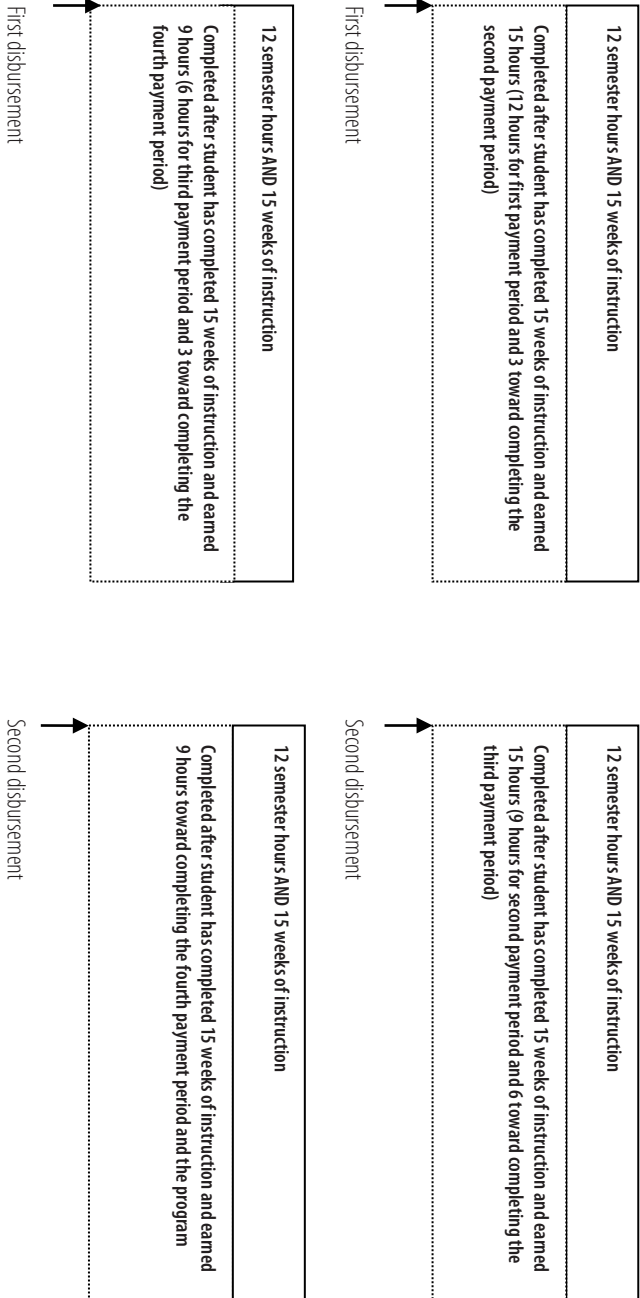
<sup>2nd</sup> disbursement – <sup>2nd</sup> loan  
In 49<sup>th</sup> week of instruction

### Nonterm Example 3: More hours earned in the first academic year

A nonterm, two-year program of 48 semester hours and 60 weeks of instructional time has an academic year of 24 semester hours and 30 weeks of instructional time. Students are expected to complete the first 30 semester hours over 30 weeks of instructional time in the first period of enrollment. They are then expected to complete 18 semester hours in the last 30 weeks instructional, 9 hours in each half of 15 weeks of instructional time.

For the grant and Perkins Loan programs, the payment periods are half of the weeks and half the hours of the FSA academic year: 12 hours and 15 weeks each.

#### Pell Grant and Perkins Loan Payment periods



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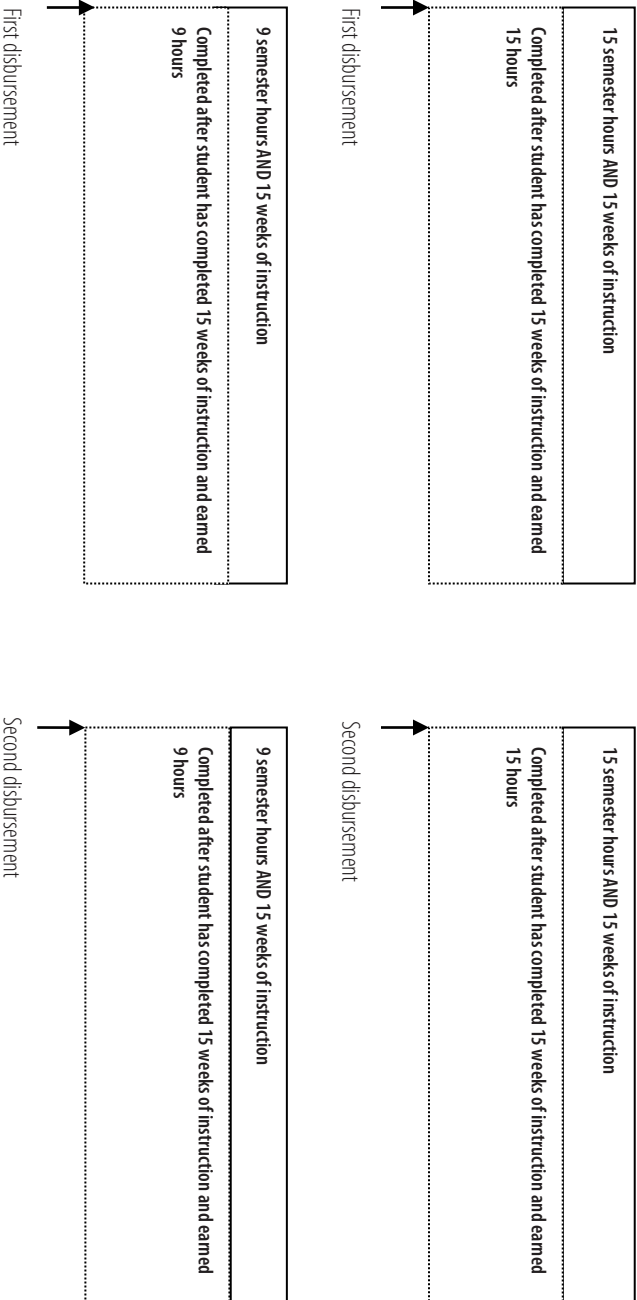


### Non-term Example 3, continued

For Direct/Direct PLUS, you will certify a loan for the first academic year using start and end dates reflecting the first 30 weeks of instructional time since a student would complete the hours of an academic year within that time. Note that where 6 semester hours in the first period of enrollment would be considered part of the third payment period for grants/Perkins, for Direct/Direct PLUS, they would be considered as part of the initial BBAY loan period. Thus, for Direct/Direct PLUS, the second loan period is the remaining balance of the program: 18 hours and 30 weeks of instructional time.

For the first loan period, the payment periods are 15 hours and 15 weeks of instructional time, i.e., half of the weeks of instructional time and half of the hours the student is expected to complete in the loan period. For the second loan period, the remaining balance of the program is less than an academic year in length based on the hours; however, both hours and weeks of instructional time are greater than 1/2 of the academic year. Therefore, there are two equal payment periods of 9 hours and 15 weeks of instructional time. Note that the annual loan limits must be prorated for this second period of enrollment by 18/24 based on the semester hours in the loan period and the hours in the defined academic year.

#### Direct Loan Payment periods

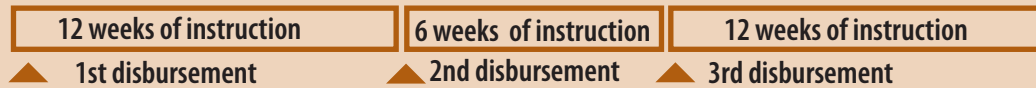


## Nonstandard Term Example: Terms not substantially equal

For a nonstandard term program, you may have to use different payment periods for Direct Loans than the ones you use for FSA grants and Perkins Loans. In this example, we show how the payment periods for a Pell Grant and a Direct Loan can differ in a program that has nonstandard terms that are not substantially equal in length. In this program, the payment periods for Pell Grants are the terms, while the payment periods for the Direct Loan are the non-term payment periods.

**Academic Year =  
24 semester hours, 30 weeks of instructional time**

**Pell Grant: Payment periods are the nonstandard terms (3 disbursements)**



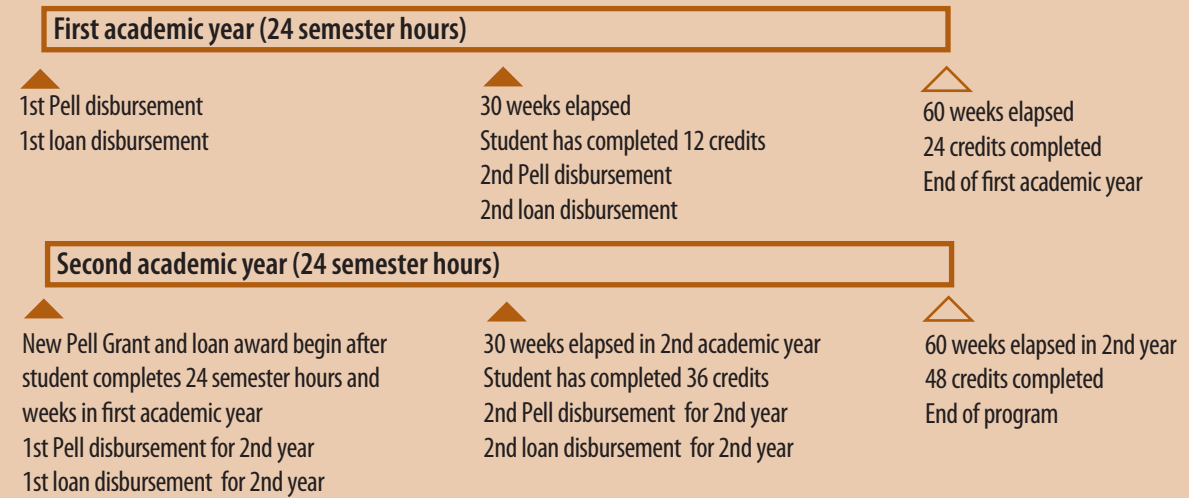
**Direct Loan: Payment periods are determined by credit-hours and weeks (2 disbursements)**



## Example: Disbursement for half-time student in a non-term program

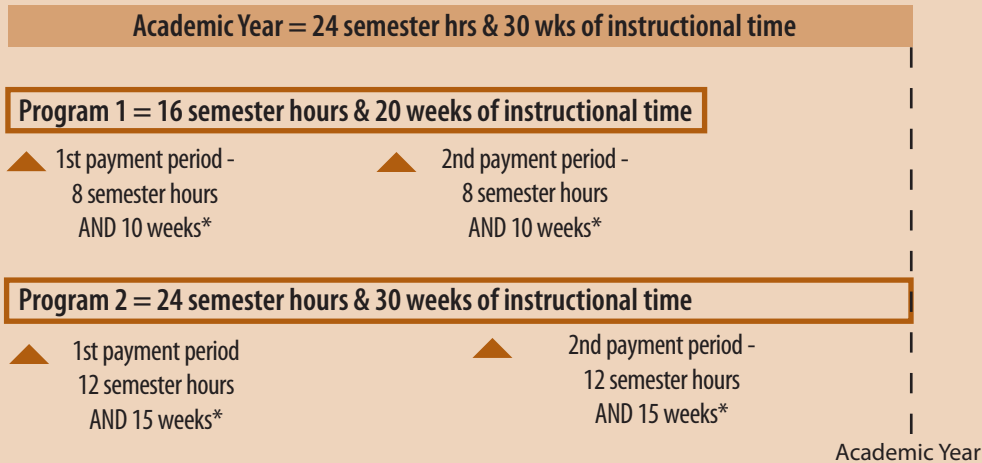
The illustration shows the disbursements for a half-time student enrolled in a program of 48 semester credits that a full-time student completes in 60 weeks of instructional time. For this program, the school has defined the academic year as 24 semester credits and 30 weeks of instructional time.

Under the regulations, this half-time student would receive second disbursements after completing half of the credit-hours AND half of the weeks of instructional time in the academic year. Because the student in the example is a half-time student, it takes the student 30 weeks of instructional time to successfully complete 12 credit-hours. The student is eligible for a new loan and a new Pell Grant once the student has successfully completed 24 credit-hours and 60 weeks.



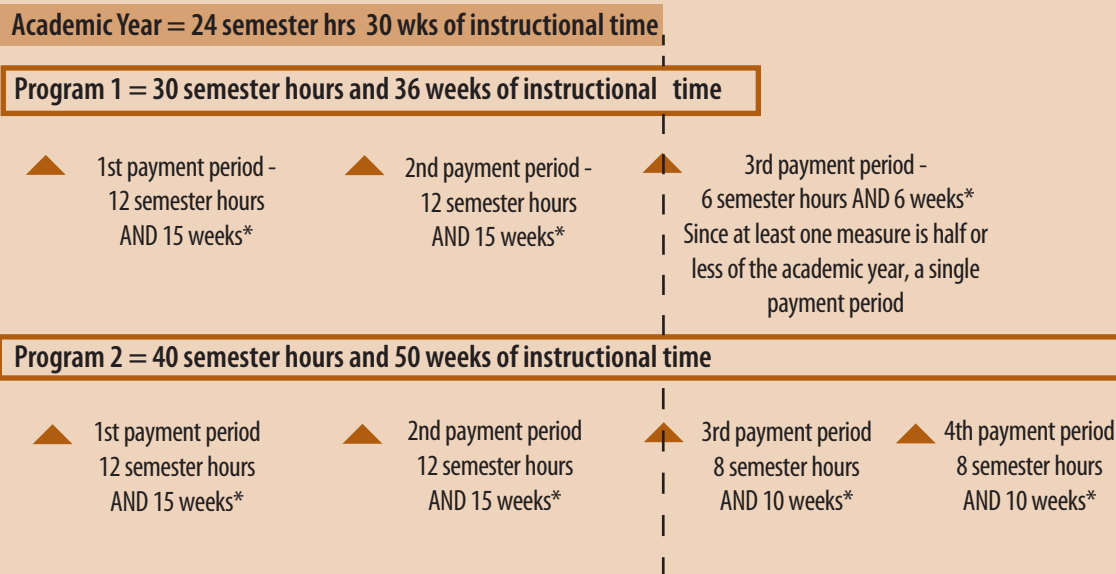
## Non-term Programs—One Academic Year or Less

In both of these examples, the school defines the academic year for the program as 24 semester hours and 30 weeks of instructional time. The first program is less than an academic year; the second program is a full academic year.



## Non-term Programs—More than an Academic Year

In both of these examples, the school defines the academic year for the program as 24 semester hours and 30 weeks of instructional time. The first program is an academic year with a remaining portion less than half of an academic year; the second program is an academic year with a remaining portion greater than half of an academic year.



\*Weeks of instructional time.

### *Progression based on completion of hours and weeks (rather than term-based progression)*

As described in the previous section, there are two cases where you must use credit or clock-hours and weeks of instructional time to determine the length of the payment period:

- clock-hour and non-term credit-hour programs; and,
- for Direct Loans, programs with terms not substantially equal in length.

For these programs, each subsequent payment period cannot begin until the student successfully completes the credit or clock-hours and weeks of instruction in the previous payment period.

Except for a second or subsequent loan period in Direct Loans, if a student completes additional weeks of instructional time or hours while completing the other measure of a payment period, these additional weeks or hours count towards completing the next payment period. For Direct Loans, the first payment period of a second or subsequent loan period includes only the weeks of instructional time and hours that begin on the first calendar day of the new loan period.

### **Clock-hour payment period progression and weeks of instructional time**

Payment period progression in clock-hour programs requires that the student complete both the clock-hours and weeks of instructional time.

### **Completion requirements**

Payment periods: 34 CFR 668.4

Pell Grants: 34 CFR 690.75(a)(3)

Direct Loans: 34 CFR 685.301(b) and (b)(6)

TEACH: 34 CFR 686.11

Excused absences: 34 CFR 668.4(e)

## **Excused absences in clock-hour programs**

In a clock-hour program, you are allowed to count a limited number of excused absences when deciding whether the student has completed the hours in a payment period. An excused absence may only be counted if the student is excused from hours that were actually scheduled, were missed, and do not have to be made up for the student to receive the degree or certificate for the program.

For instance, a student in a program that has 450-clock-hour payment periods might miss 20 clock-hours and only have attended 430 clock-hours at the point where other students that did not miss any clock-hours had received 450 clock-hours of instruction. If your school has an excused absences policy, the 20 missed clock-hours are considered excused, and this student could be paid the next disbursement.

To be counted for FSA purposes, excused absences must be permitted in your school's written policies. Under FSA regulations, no more than 10% of the clock-hours in a payment period may be considered excused absences. If your school's *accrediting agency* or the *state agency that legally authorizes your school to operate* allows fewer hours to be counted as excused absences, you must follow the stricter standard rather than the FSA standard.

## **Direct Assessment program payment periods**

34 CFR 668.10, Dear Colleague Letter GEN-13-10

Because Direct Assessment programs don't use credit or clock-hours as measures of learning, you must establish a method to reasonably equate the Direct Assessment program (or Direct Assessment portion of any program) to credit or clock-hours for the purpose of determining the payment periods in the program. You must provide a reasonable written description that supports your claim that the program or portion of a program is equivalent to a specific number of credit or clock-hours (note that any credits awarded for "life experience" are not counted for FSA purposes).

Once you have established credit or clock-hour equivalencies, Direct Assessment program payment periods are measured in the same manner as other programs, according to the payment period rules described earlier in this chapter.

<b>Disbursement by Payment Period Required</b> (except as provided in the discussion following this chart)		
<b>Program Type</b>	<b>Direct Loan</b>	<b>Pell, TEACH, FSEOG, &amp; Perkins Loan</b>
Credit-hour programs offered in standard terms & nonstandard term programs offered in terms that are substantially equal in length.	Term	Term
Credit-hour programs offered in nonstandard-terms that are not substantially equal in length. <sup>2</sup>	The payment period is the <b>successful completion</b> <sup>1</sup> of: <ul style="list-style-type: none"> <li>• half of the weeks of instructional time in the academic year/program less than an academic year; <b>and</b></li> <li>• half of the credit-hours in the academic year/program less than an academic year.</li> </ul> For the remainder of a program equal to or less than half of an academic year, the payment period is the remainder of the program.	Term
Clock-hour programs and non-term credit-hour programs.	The payment period is the <b>successful completion</b> <sup>1</sup> of: <ul style="list-style-type: none"> <li>• half of the weeks of instructional time in the academic year/program less than an academic year; <b>and</b></li> <li>• half of the clock/credit-hours in the academic year/program less than an academic year.</li> </ul> For the remainder of a program equal to or less than half of an academic year, the payment period is the remainder of the program.	The payment period is the <b>successful completion</b> <sup>1</sup> of: <ul style="list-style-type: none"> <li>• half of the weeks of instructional time in the academic year/program less than an academic year; <b>and</b></li> <li>• half of the clock/credit-hours in the academic year/program less than an academic year.</li> </ul> For the remainder of a program equal to or less than half of an academic year, the payment period is the remainder of the program.

<sup>1</sup> **Successful completion** means that the student has earned a passing grade or otherwise received credit for the credits or clock-hours in the payment period.

<sup>2</sup> If a program is offered in a combination of standard and nonstandard terms and the program does not qualify to use a Scheduled Academic Year, or "SAY" (see Chapter 5 for details on SAYs and Borrower Based Academic Years—BBAYs), then for Direct Loan purposes, the program is subject to the disbursement requirements that apply to nonstandard programs that are not substantially equal in length.

#### **Direct Loan Disbursements within a single term/payment period**

Unless it qualifies for the special rule based on low cohort default rates (see below), a school must generally make two disbursements of a Direct Loan that is certified or originated for a single term or a single payment period:

- For credit-hour programs offered in standard terms or nonstandard terms that are substantially equal in length with no term less than 9 weeks of instructional time in length (SE9W, see later in this chapter for more on SE9W), the second disbursement may not be paid until the calendar midpoint between the first and last scheduled days of class in the loan period.
- For all other programs, including clock-hour and non-term credit-hour programs, and nonstandard term programs with terms that are not substantially equal or with terms that are substantially equal and less than 9 weeks of instructional time in length, for a remainder of a program equal to or less than ½ an academic year (or the term if the terms are substantially equal) the second disbursement may not be paid until the student successfully completes ½ of the weeks of instructional time in the payment period, and half of the clock or credit-hours in the payment period.

Special rule: Schools with cohort default rates of less than 15% for each of the 3 most recent fiscal years for which data are available, may disburse, in a single installment, loans that are made for: 1 semester, 1 trimester, 1 quarter or, for loans made for a 4-month period or less, for one nonstandard or non-term loan period. Note that a program offered in substantially equal terms at least nine weeks in length (SE9W) may not disburse in a single installment for a term if the term is longer than four months. In the case of loans made to students in study abroad programs, the home school's default rate must be less than 5 percent for the most recent fiscal year for which data are available to qualify for this special rule.

#### **Pell or TEACH disbursements within a single term**

If a school uses Formula 3 to calculate a Pell Grant or TEACH Grant, the student's total payment for a payment period may exceed 50 percent of the student's annual award. However, the disbursements of the student's Pell or TEACH Grant in the payment period cannot exceed 50 percent of the student's annual award until the student completes, in the payment period, at least half of the weeks of instructional time in the academic year.



## Review of completion

### *Term-based programs using credit-hours*

For a credit-hour term program, there is no requirement that a student successfully complete all of the coursework to receive payment in the next term. For instance, a student could receive a Direct Loan disbursement in the Spring term after failing several courses in the Fall term, provided that the student was still making satisfactory progress under the school's policy. (However, if the program uses nonstandard terms that are not substantially equal in length, you must use the non-term-based rules for Direct Loan disbursements, below.)

### *Pell, Perkins Loans, FSEOG and TEACH Grants in clock-hour or non-term programs*

For a credit-hour program without terms or a clock-hour program, a school may disburse a Pell, Perkins Loan, FSEOG or TEACH grant only after it determines that the student has successfully completed the credits or clock-hours and weeks of instructional time in the prior payment period.

### *Direct Loans in clock-hour, non-term, and certain nonstandard term programs*

If an educational program does not use terms to measure academic progress for FSA purposes, the school may not make the second loan disbursement until the student successfully completes the weeks of instructional time **and** the credit or clock-hours in the payment period. These coursework completion requirements apply to clock hour and non-term programs, and programs with nonstandard terms that are not substantially equal in length.

## Disbursement timing citations

Disbursement by payment period:  
34 CFR 668.164(b),  
HEA Sec. 428G(a)  
Early disbursements: 34 CFR 668.164(f)  
30-day delay for 1st-time Direct Loan  
borrowers:  
34 CFR 685.303(b)(5)  
Disbursement of 2nd & subsequent  
disbursements:  
34 CFR 685.303(d)(3)

## TIMING OF DISBURSEMENTS—GENERAL RULES

Except for Federal Work Study (FWS) wages, FSA disbursements are made on a payment period basis. The timing of disbursements is especially important for Pell Grants, TEACH Grants, and Direct Loan funds, because you must report disbursement dates to the Department (through the COD system).

### *Basic rules for early and delayed disbursements*

In general, the earliest that a school may disburse FSA funds by crediting the student's account or by paying directly to the student or parent is 10 days before the first day of classes for that payment period.

For credit-hour non-term and clock-hour programs, the earliest a school may disburse FSA funds (other than FWS wages) is the later of:

- 10 days before the first day of classes for that payment period; or
- the date the student completed the previous payment period for which he or she received FSA funds.

This disbursement timing limitation is also applicable to Direct Loan and Direct PLUS Loan disbursements in credit-hour programs with non-standard terms that are not substantially equal in length. In some cases, as we'll discuss, other restrictions apply.

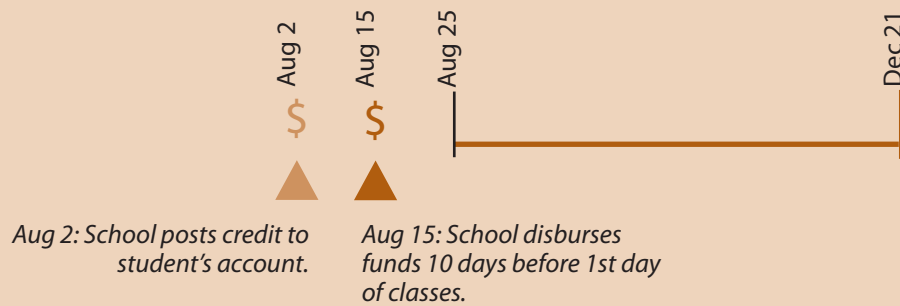
If a student is in the first year of undergraduate study and is a first-time Direct Subsidized/Direct Unsubsidized Loan borrower, your school may not disburse the first installment of the Direct loan until 30 calendar days after the student's program of study begins. You are not required to delay disbursement for such students if you have a cohort default rate of less than 15 percent for each of the three most recent years for which data are available, or if you are a home institution originating a loan to cover the cost of attendance in a study-abroad program and have a cohort default rate of less than 5 percent for the single most recent year for which data are available.

If a student is scheduled to begin class in a module of a term-based program that starts after the first day of classes for the semester, you may not make the initial disbursement until 10 days before the start of the first module in which the student is scheduled to begin attendance. Also, if you post a credit to a student's account before the earliest date permitted by regulation, the date the FSA funds are considered to be disbursed is the earliest date permitted by regulation.

## Disbursement by payment periods

The Cash Management Regulations specify that a school must disburse all FSA grant and loan funds on a payment period basis. For all types of programs other than FWS, FSA funds are disbursed using the payment period definitions in 34 CFR 668.4.

## Early disbursement & advance credit to account



The earliest a school may disburse funds is 10 calendar days before the first day of class in the semester (August 15 is the example).

If you post a credit to a student's account before the earliest date permitted by regulation (August 2nd vs. August 15 in the example), for FSA purposes, the date the aid is considered to be disbursed is the earliest date permitted by regulation: August 15.

## Disbursement rules for terms made up of modules

When a student is attending a modular program, but won't attend the first module, the date when classes begin for making disbursements is the starting date of the first module that the student will actually attend.

The earliest the school can pay a student who is scheduled to begin attendance in the second of three 5-week modules that make up the payment period is 10 days before the first day of the second module (or 30 days after the second module begins, if the student is a first-time, first-year borrower and the school does not meet the requirements for a waiver in 34 CFR 685.303(b)(5)).

**Module Example:** A 1-year program with no terms awards 24 credit-hours, which are taught in a series of six 4-hour modules. The school groups the modules into two 12-hour payment periods. The first payment period takes 15 weeks to complete. The student cannot progress to the second payment period until the student successfully completes 12 credit-hours and the 15 weeks of instruction have elapsed. If the student fails the first 4-hour module, he or she will still need to successfully complete three modules (for a total of 12 credits) to progress to the next payment period.

*Retroactive disbursements for completed periods*

Your school must pay a student retroactively for any completed payment periods within the award year if the student was eligible for payment in those periods. Thus, in the case of a Pell Grant, if you don't receive a valid SAR/ISIR for a student until the spring term, but the student was also enrolled and eligible for a disbursement in the previous fall term, that student must be paid retroactively for the fall term.

If you are paying a Pell or TEACH Grant for a completed term in which no disbursement has been made, the *grant must be based on the hours completed by the student for that term*. If the student had enrolled full time at the beginning of the fall term but dropped to half-time status by the end of the term, the retroactive disbursement must be based on half-time status. At a term school, all completed coursework counts towards enrollment status, including earned F's and incompletes that have not converted to "F" grades because the student failed to complete the coursework.

For Direct Loans, a student may be eligible to receive loans for all periods of the loan period, unless the student was ineligible for the prior payment period due to failure to meet SAP standards, in which case the student may not receive Direct Loan funds for the prior period(s) in which they did not meet SAP requirements. *To include an earlier period of eligibility when originating a Direct Loan, the student also has to have completed at least a half-time courseload in that period*. For instance, you could include the Fall term and its costs when originating a loan for the student in the Spring, if your school's half-time standard is 6 credit-hours and the student received a "B" and an incomplete in two 3-hour courses taken that Fall.

In the case of loans disbursed on a payment period basis, if a student attended the previous payment period but did not maintain eligibility for a Direct Loan, you may not include the previous payment period or its costs in the loan period.

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### **Multiple loan disbursements within a payment period**

A school may schedule multiple disbursements *within* a payment period, as long as the disbursements in a loan period are substantially equal.

However, for non-term and clock-hour programs, a school may not elect to have more than two payment periods per loan.

Schools that use payment periods as the basis for their Return of funds calculations should note that making multiple disbursements within a payment period does not create a new or additional payment period. See *Volume 5* of the FSA Handbook to see how withdrawal calculations handle multiple disbursements.

A school can make the retroactive disbursements in one lump sum.

*Multiple disbursements within a payment period*

FSA regulations generally permit schools to pay FSA funds at such times and in such installments *within* each payment period as will best meet students' needs. This gives schools the ability to apportion the payment if doing so will be in the best interest of the student. For example, if a payment period is particularly long, a school might choose to pay in multiple installments to the extent program requirements permit to ensure that a student will have funds to pay rent later in the payment period.

Also bear in mind that FSA funds must be provided to students in a timely manner to best assist them in paying their educational expenses. Consequently, a school may not delay the disbursement of funds until after the 60% point, for example, to avoid performing a Return of Title IV Funds calculation and the requirements that go along with it, or to prevent the student from having to return funds upon withdrawal.

## TIMING OF FSA GRANT & PERKINS LOAN DISBURSEMENTS

### *Disbursements in credit-hour term-based programs*

As noted earlier, for a student enrolled in a credit-hour program that uses any type of academic term, for Pell, TEACH, FSEOG, and Perkins Loan program funds, the payment period is the academic term. Under the advance payment method, FSA grants actual disbursement information can be submitted no earlier than 7 calendar days prior to the disbursement date.

### *Disbursements in clock-hour and credit-hour non-term programs*

For clock-hour programs and non-term credit-hour programs, a student can receive the first disbursement of FSA grant or Perkins Loan funds when the student begins the program or academic year. The student becomes eligible to receive a disbursement of FSA grant funds for the second payment period when the student successfully completes half of the weeks of instructional time AND half of the credit-hours/clock-hours in the academic year or program or the remaining portion of a program that is more than one-half of an academic year but less than a full academic year.

### *Timing of grant disbursements within a payment period*

You may time the disbursement of Pell and TEACH Grant funds for a payment period to best meet the needs of students at your school. For instance, some schools credit the student accounts for school charges as soon as is permissible, and then pay the credit balance to students when they begin classes. Other schools wait until the end of the add/drop period to disburse funds, or pay students in monthly installments to help meet living expenses throughout the payment period. (If, as opposed to making multiple disbursements within the payment period, your school rations disbursements to students by crediting the entire disbursement for the payment period to the student's account and making periodic disbursements to the student from these funds, you must have the student's voluntary written authorization.)

### *Uneven disbursements of FSEOG & Perkins*

A school that is awarding an FSEOG or a Perkins Loan for a full academic year must disburse a portion of the grant or loan during each payment period. In general, to determine the amount of each disbursement, a school will divide this award amount by the number of payment periods the student will attend. However, if the student incurs uneven costs or receives uneven resources during the year and needs extra funds in a particular payment period, your school may disburse the additional FSEOG or Perkins amounts to the student in whatever manner best meets the student's needs.

### *Timely Pell & Iraq & Afghanistan Service Grant reporting*

With the addition of Pell and Iraq & Afghanistan Service Grant Lifetime Eligibility Used (LEU) monitoring, it is important to submit Pell and Iraq & Afghanistan Service Grant disbursement information in a timely manner. You must submit Pell and Iraq & Afghanistan Service Grant disbursement information to COD no later than 15 calendar days after making a disbursement or adjustment. To ensure you and other schools have the most accurate information available about students' LEUs, you should submit information to COD as early as possible in the required 15 day timeframe. Doing so may help prevent an overaward. Failure to submit the data in the 15 days could result in the Department disallowing the disbursement.

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### Perkins & FSEOG disbursements

Payment by payment period:  
34 CFR 674.16(b) and 676.16(a)  
Uneven costs/uneven payments:  
34 CFR 674.16(c) and 676.16(b)  
Paying prior to student beginning attendance: 34 CFR 674.16(f) and 674.16(d)

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### Submitting disbursement records

A school must submit disbursement records to the COD system no later than 15 days after making a Pell or Direct Loan disbursement.

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### Reporting Perkins loan disbursements

34 CFR 674.16(i)  
You must report each Perkins loan and each Perkins Loan disbursement to NSLDS and one of the three national credit bureaus (or a local credit bureau affiliated with one of those three bureaus). You must report the amount and date of each disbursement, information concerning repayment and collection of the loan until its paid in full, and, if applicable, the date the loan was repaid, canceled, or discharged for any reason. Any change to information previously reported must be reported to the same credit bureau(s) to which the information was originally reported.

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### Books and supplies Pell disbursement

34 CFR 668.164(i)  
You must provide a means by which a Pell recipient can obtain or purchase, by the seventh day of a payment period, books and supplies for the payment period (assuming the student has a credit balance to be disbursed).

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### Timely FSA Grant reporting

Federal Register Feb 28, 2013  
Electronic Announcement Mar 15, 2013

## Interim Disbursements

34 CFR 668.58—Interim disbursement options  
34 CFR 668.59—Consequences of change in FAFSA information

## INTERIM DISBURSEMENTS

Under certain limited circumstances, you may make interim disbursements to students. If you have no reason to believe that an applicant's FAFSA information is incorrect, *prior to verification*, you may do the following:

1. Make one Pell, Perkins, or FSEOG disbursement for the applicant's first payment period;
2. For FWS, employ or allow another entity to employ the applicant, once he/she is an eligible student, for the first 60 consecutive days after the student's enrollment in the award year; or
3. Originate a Direct Subsidized Loan, *but not disburse loan funds*.

If, after verification, and ensuring that you've addressed any corrections (in accordance with the regulation on the consequences of changes in FAFSA data, 34 CFR 668.59), none of the changes to the applicant's FAFSA data will result in a change in the amount he is eligible to receive under any Title IV program, you may take any of the three actions noted above, as well as disburse a Direct Subsidized Loan prior to receiving the corrected valid SAR or ISIR.

## Timing of correspondence program disbursements for Pell and TEACH Grants

Pell: 34 CFR 690.66  
TEACH: 34 CFR 686.25

For non-term correspondence programs, you make the first disbursement to a student after the student completes 25 percent of the lessons or otherwise completes 25 percent of the work scheduled for the program or academic year, whichever occurs last. You make the second disbursement to a student after the student completes 75 percent of the lessons or otherwise completes 75 percent of the work scheduled for the program or academic year.

For term-based correspondence programs, you make the first disbursement to a student for each payment period after the student completes 50 percent of the lessons or otherwise completes 50 percent of the work scheduled for the term, whichever occurs last.

## Additional grant disbursement notes

### *Disbursements exceeding 50 % of award*

If you use Formula 3 to calculate a Pell or TEACH Grant, the student's total payment for a payment period may exceed 50 percent of the student's annual award. However, the disbursements of the student's Pell or TEACH Grant in the payment period cannot exceed 50 percent of the student's annual award until the student completes, in the payment period, at least half of the weeks of instructional time in the academic year. Therefore, you generally must make at least two disbursements to the student in the payment period.

You may not withhold funds as an administrative convenience if you wish to make a single disbursement.



## DIRECT LOAN DISBURSEMENTS

*Standard terms and substantially equal nonstandard terms at least nine weeks in length (SE9W)*

If the program uses *standard academic terms* (semesters, trimesters, or quarters) or it has *nonstandard terms of substantially equal length*, at least one disbursement must be made in each term in the loan period. A program is considered to have substantially equal terms if no term in the program is more than two weeks of instructional time longer than any other term in the program.

*If there is more than one term in the loan period*, the loan must be disbursed over all terms of the loan period. For example, if a loan period is for an academic year that includes three quarters, the loan must be disbursed in three substantially equal disbursements.

If there is only one term in the loan period, the loan generally must be disbursed in two payments. In a credit-hour program that uses a semester, trimester, or quarter system, or is “SE9W,” (see sidebar) the second disbursement may not be made until the student reaches the calendar midpoint between the first and last scheduled days of class of the loan period.

*Clock-hour programs, non-term credit-hour programs, and programs with non-standard terms that are not substantially equal*

If the program is one academic year or shorter, the loan period is usually the length of the program. (For more information on non-term loan periods, see Chapter 5.) If the program is longer than an academic year, there will usually be another loan period for any subsequent academic year or remaining portion of an academic year.

For each loan period in these programs:

- The loan must be disbursed in at least two substantially equal amounts, with the first disbursement generally disbursed at or near the beginning of the loan period; and
- The second half of the loan proceeds may not be disbursed until the student has successfully completed half of the coursework and half of the weeks of instructional time in the loan period.

The payment period for the remainder of a program less than or equal to one-half of an academic year is the remainder of the program.

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### Direct Loan disbursements

Standard terms and terms that are substantially equal in length

34 CFR 668.4(a)

Programs without terms, clock-hour programs & terms not substantially equal

34 CFR 668.4(b), (c), and (h)(2)

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### Nonstandard “SE9W” terms

If a credit-hour program has nonstandard terms, the terms are substantially equal in length, and each term is at least 9 weeks of instructional time in length, then the terms, for annual loan limit progression purposes, are referred to as “SE9W.”

The length of terms are measured in weeks of instructional time, as defined in this chapter. Nonstandard terms are substantially equal if no term in the loan period is more than 2 weeks of instructional time longer than any other term in that loan period.

For more detail on SE9W terms, see Chapter 5 of this volume.

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### Direct Loans for one payment period

34 CFR 685.303(d)(3)(ii)

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### Low cohort default rate exemptions

Section 428 G (a)(3) and (b)(1) of the HEA,  
Direct Loans 34 CFR 685.303(d)(6)

When a Direct Loan is made for one payment period, the loan must be disbursed in two installments, and the second installment may not be disbursed until the student has successfully completed half the number of credit or clock-hours and half the weeks of instructional time in the payment period.

### *Exceptions to disbursement rules for schools with low default rates*

Schools with cohort default rates of less than 15 percent for each of the three most recent fiscal years for which data are available, including eligible foreign schools, may disburse, in a single installment, loans that are made for one semester, one trimester, one quarter, or a four-month period. Such schools also are not required to delay the delivery or disbursement of a first disbursement of a loan for 30 days for first-time, first-year undergraduate borrowers.

You may pay a student in an eligible study-abroad program in one disbursement, regardless of the length of the loan period, if your school's most recently calculated cohort default rate is less than 5 percent for the single most recent fiscal year for which data are available.

When a school that qualifies for the cohort default rate exemption offers:

- terms not substantially equal in length;
- non-term credit-hour programs; or
- clock-hour programs;

the payment period, for purposes of Direct Loan funds, is the portion of the program to which the cohort default rate exemption applies. For example, if the loan period for a non-term credit-hour program is three months in length and the institution meets the cohort default rate exemption, the three-month loan period is the payment period, and only one disbursement of the loan is required for that period.

### *When student fails to begin attendance or attends less than half-time after receiving a Direct Loan disbursement*

Although you may be able to make a first disbursement of a Direct Loan before the student begins attending classes (as described above), in order to remain eligible for a Direct Loan, the student must actually begin attendance, on at least a half-time basis, in the period of enrollment (i.e., the loan period) for which the loan was intended.

If the student doesn't attend at least half-time, or doesn't begin attendance in any classes, they will lose eligibility for the loan, and you must take some further steps. In either case, you must report the change in the student's enrollment status using NSLDS enrollment reporting. The student's loan servicer will then change the student's loan status from in-school to grace period, or from an in-school deferment to repayment status.

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### Single disbursements for study-abroad students

34 CFR 685.303(d)(6)(i)(B)

If a borrower is enrolled in a study-abroad program approved for credit by the home school and the home school had a cohort default rate less than 5 percent in the single most recent fiscal year for which data are available, the school may make a single disbursement of the loan proceeds. Also see the Cohort Default Rate Guide on IFAP.

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### Failing to begin attendance & Direct Loan eligibility

DCL GEN-13-02  
34 CFR 685.309(b)  
34 CFR 668.21(a)(2)(i),(ii)

If the student fails to begin attendance in any classes in the loan period, you must return any Direct Loan funds that were applied to the student's account, as well as the amount of any payments made for the payment period by the student (or on behalf of the student) to the school, up to the amount of the loan funds disbursed. Submit a downward adjustment to the loan amount through the COD system; you may be able to disburse the funds to another student rather than returning the funds, since Direct Loan funds are not student-specific. If you actually need to return funds, this must be done through G5. You must not return Direct Loan funds to the Federal loan servicer in this circumstance. You must also notify the Federal loan servicer that the student has not or will not begin attendance. The servicer then will issue a final demand letter to the student for any funds disbursed directly to the student.

If the student who has already received Direct Loan funds begins attendance in the loan period, but does so on a less-than-half-time basis, the student becomes ineligible for the loan, and you must not make any further disbursements of the loan, unless the student resumes enrollment on at least a half-time basis, but neither your school nor the student is required to return any loan proceeds.

## RETAKE COURSEWORK IN TERM PROGRAMS

You may count towards enrollment status and award Title IV funds to a student who is repeating, for the first time only (i.e., one repetition per class), a previously passed course in a term-based program. Students enrolled in non-term-based programs may not receive credit for retaking coursework.

However, you may not pay a student for retaking previously passed courses if the student is required to retake those courses because they failed a different course. For example, a student enrolls in four classes in the fall semester, passes three of them, and fails one. The school requires the student to retake the three classes because they failed the one class. The student retakes all four classes in the spring semester. The failed class would be counted towards the student's enrollment status (and could have Title IV aid awarded for it), but the three classes previously passed in the fall would not be counted towards the student's enrollment status and would not be eligible for aid.

The regulatory definition for full-time enrollment status has been revised to allow a student to retake (one time only per previously passed course), any previously passed course. For this purpose, passed means any grade higher than an "F," regardless of any school or program policy requiring a higher qualitative grade or measure to have been considered to have passed the course. This retaken class may be counted towards a student's enrollment status and the student may be awarded Title IV aid for the enrollment status based on inclusion of the class.

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### Enrollment status and retaking coursework provisions and limitations

34 CFR 668.2(b)

34 CFR 668.20(d),(f)

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### Retaking coursework school policy and operations

Your school may establish a policy that permits or bars students from retaking previously passed coursework, for example, to improve grade point average. Based on such policies, the applicable guidance in the Handbook and regulations can be used to determine how to award Title IV aid.

You may wish to consult with your school's registrar to ensure that your school's class repetition policy is properly coordinated and implemented by both offices, including any changes that need to be made to the registrar's policies and operations for enrolling students or reporting enrollment to NSLDS.

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**Repeating after program completion**

Any student who completes an entire non-term credit-hour or clock-hour program, and later re-enrolls to take that same program again or to take another program, may be paid for repeating coursework regardless of the amount of time between completion of the first program and beginning the program or another program again.

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**Satisfactory progress & repeated coursework**

For satisfactory academic progress purposes, each time a course is taken counts as an attempt; but only the first time a passing grade is received is it counted as completion.

A student may be repeatedly paid for repeatedly failing the same course (normal SAP policy still applies to such cases). If a student withdraws before completing the course that they are being paid Title IV funds for retaking, then that is not counted as their one allowed retake for that course. However, if a student passed a class once and then is repaid for retaking it and fails the second time, that failure counts as their paid retake and the student may not be paid for retaking the class a third time. If your school has a policy that requires students to retake all of the coursework for a term in which a student fails a course, any courses retaken that were previously passed in this case will not be eligible for Title IV aid.

If a student who received an incomplete in a course in the prior term is completing the coursework in the subsequent term to erase the incomplete in the prior term, the student is not considered to be enrolled in the course for the subsequent term. Therefore, the hours in the course do not count toward the student's enrollment status for the subsequent term, and the student may not receive FSA funds for completing the course. However, if a student who received an incomplete in a course in the prior term is retaking the entire course for credit in the subsequent term, the hours in the course count toward the student's enrollment status, and the student may receive FSA funds for retaking the course.

In any case, remember that retaken classes may count against satisfactory academic progress, and the student's eligibility is still constrained by all the requirements of satisfactory academic progress, as discussed in Chapter 1 of *Volume 1* of the FSA Handbook. Also, the one-year academic limitation on noncredit and reduced credit remedial coursework still applies. So, for example, a student repeating a remedial course that exceeds the one-year limitation could not have the class included in his or her enrollment status.

## TRANSFER, RE-ENTRY, & REPEATING COURSEWORK WHEN PROGRESS IS NOT TRACKED BY TERMS

### *Re-entry within 180 days*

A student who withdraws from a clock-hour or credit-hour non-term program and then re-enters within 180 days is considered to remain in the same payment period when he/she returns and, subject to conditions imposed by ED, is eligible to receive FSA funds for which he/she was eligible prior to withdrawal, including funds that were returned under the R2T4 rules in *Volume 5*, Chapter 2.

### *Re-entry after 180 days and transfer students*

Generally, you must calculate new payment periods for a clock-hour or credit-hour non-term program for:

- a student who withdraws and then re-enters the same program at the same school *after 180 days*; or
- a student who withdraws from a program and enrolls in a new program at your school, or at another school within *any time period*.

For purposes of calculating payment periods ONLY, the length of the program is the number of credit or clock-hours and weeks of instructional time the student has remaining in the program that he/she re-enters or transfers into. If the remaining hours and weeks constitute half of an academic year or less, the remaining hours constitute one payment period. In this circumstance, the student may be paid for repeating coursework if the student is receiving credit for repeating the course.

However, you may consider a student who transfers from one program to another at your school to remain in the same payment period if all of the following conditions apply:

- the student is continuously enrolled at your school;
- the coursework in the payment period the student is transferring out of is substantially similar to the coursework the student will be taking in the program into which he/she is transferring;
- the payment periods are substantially equal in length in weeks of instruction and credit or clock-hours;
- there are little or no changes in school charges associated with the payment period; and
- the credits from the payment period the student is transferring out of are accepted for credit in the new program.

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### Transfer students

34 CFR 685.301

DCL GEN-12-06, Attachment, page 5

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### Re-entry within and after 180 days

34 CFR 668.4(f),(g)

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### Pell Grant disbursements for re-entering students

For Pell and TEACH Grant disbursements in the award year, if a student enrolled in a clock-hour or non-term credit-hour educational program re-enters the program within 180 days after initially withdrawing and before the deadline for the award year published, a school may request administrative relief to disburse the student's grant by the earlier of 15 days after the student re-enrolls or the deadline for the award year published in the Federal Register.

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### Clock-hour to credit-hour conversion formula

34 CFR 668.8(k),(l)

In determining the amount of Title IV aid for a student in a program subject to the clock-hour to credit-hour conversion, you must first apply the conversion formula to determine the number of semester, trimester, or quarter hours in that program. You must also apply the conversion formula to each course in the payment period when determining a student's Title IV enrollment status. When applying the conversion formula, any eligible converted credit hours are used to determine the amount of Title IV funds that a student enrolled in the program is eligible to receive.

For a full discussion of credit-hour to clock-hour conversion, including when the conversion must be done, see *Volume 2*, Chapter 2.

**Direct Loan transfer loan periods**

34 CFR 685.301(a)(10)(ii)

***Direct Loan periods when student transfers to a new school***

If a student transfers into a program at a new school, and the program is not offered in either standard or “SE9W” terms, the new school may originate a loan for the remaining portion of the program or academic year if the period of enrollment for the loan at the first school overlaps the period of enrollment at the new school. The loan at the new school may not exceed the remaining balance of the student’s loan limit at the new school, after the disbursements at the first school are taken into account. The new school may originate a loan for the remaining portion of the program or academic year regardless of whether or not the new school accepts transfer hours from the prior school.

If the school into which the student transfers accepts transfer credits or hours from the prior school, this may give the student advance standing that reduces the length of time it will take the student to complete the program at the new school. However, the number of transfer credits or hours (if any) that the new school accepts has no bearing on the initial loan amount that the student is eligible to receive for the loan period that covers the remaining portion of the program or academic year that began at the prior school. If the remaining portion of the program at the new school following the completion of the initial loan period is shorter than an academic year, the annual loan limit for the next loan at the new school must be prorated.

The next loan at the new school may have to be prorated because the remaining loan eligibility of the new program is now less than an academic year at the new school, or is shortened to a year and some remaining portion, but there is generally no impact on the loan period used for, or the amount of, the remaining balance loan.

When an abbreviated loan period is created where there is an overlap of academic years (period of enrollment):

1. The abbreviated loan period starts when the student starts at the new school.
2. The abbreviated loan period ends when the academic year would have ended at the old school and it does not matter how many hours or weeks of instructional time the student has completed at the new school.
3. The amount that can be borrowed in the abbreviated loan period is any remaining amount of the annual loan limit that was not disbursed at the old school.



4. The first disbursement of the remaining balance loan borrowed for attendance at the new school will be disbursed at the beginning of the loan period. The loan must be multiply disbursed in at least two disbursements over the abbreviated loan period unless the new school is subject to the low cohort default rate rule, in which case the second disbursement of the loan is disbursed at the calendar midpoint of the abbreviated loan period regardless of how many clock/credit hours or weeks of instructional time have been completed.

Because the remaining period of enrollment associated with the previous school's academic year may be less than or greater than the normal payment period associated with the academic year (period of enrollment) at the new school, the normal payment period rules do not apply in this situation.

5. The next loan period at the new school would begin the day after the last day of the abbreviated loan period.

6. The next loan period would be subject to the normal BBAY3 rules in that the student must complete hours and weeks of instructional time before qualifying for the second disbursement and to progress to the next academic year for annual loan limit purposes.

*Loan periods for a student starting a new program at the same school in the same academic year*

When completing a program, when the student's last loan to complete that program was for coursework less than an academic year in length, and the student then begins a new program at the same school, the school may originate a loan for the remainder of the academic year.

In this case, the school may originate a loan for an amount that does not exceed the remaining balance of the student's annual loan limit at the loan level associated with the new program. You must determine the new payment periods for that reduced loan period. The payment periods may not coincide with the payment periods for grants and Perkins Loans.

### Example: Re-entry after 180 days

Joe withdraws after completing 302 clock-hours of a 900-clock-hour program, so there are 148 hours in the payment period that the student did not complete. Joe re-enrolls after 180 days in the same program and receives credit for 100 hours. The program length for purposes of determining the new payment periods and period of enrollment is 800 clock-hours (the remainder of Joe's program), so the new payment periods are 400 hours and 400 hours. The payments would be for 400 hours for both payment periods, not limited to 148 hours for a payment period. If Joe received no credit for previously completed hours, his program length for purposes of determining the payment periods would be 900 clock-hours.

### Transfer student with overlapping loan periods



James transfers on September 15 into Hammett Technical College, entering a 3-year program that has an academic year of 26 weeks and 900 clock-hours.

James says that he received a Direct Loan at the prior school, but he doesn't remember the exact dates. The financial aid administrator at Hammett checks NSLDS and finds that the loan period began July 15 and was scheduled to end January 15. The aid administrator at Hammett may originate a loan for the period during which James would have completed the academic year at the prior school, which was scheduled to end on January 15th. During this period, James will be eligible for his remaining annual loan limit (after deducting the amount received at the prior school).

The loan must be multiply disbursed in at least two disbursements over the loan period unless Hammett is subject to the low cohort default rate rule, in which case the second disbursement of the loan is disbursed at the calendar midpoint of the abbreviated loan period regardless of how many clock/credit hours or weeks of instructional time James has completed.

The next loan period at Hammett would begin the day after the last day of the abbreviated loan period. On January 16th, James will be able to start a new BBAY and loan period at Hammett with a new annual loan limit. Note that the payment periods for the new BBAY will be 450 clock-hours and 13 weeks of instructional time, and this will continue through the end of the program.

# Cost of Attendance (Budget)

## CHAPTER 2

*Awards for each of the Federal Student Aid (FSA) programs are based on some form of financial need, beginning with cost of attendance. This chapter picks up at the point where you have established the student's Expected Family Contribution (see the Application and Verification Guide) and the student's basic eligibility (see Volume 1). Most schools establish average costs for different categories of students and set these cost categories in EDEExpress or other software that they use to determine awards and package aid. The typical costs that you establish for your students will be used to calculate their FSA award amounts and package their aid.*

Unlike scholarship programs that may award funds based on academic merit or the student's field of study, "need-based" grants, loans, and work-study are based on the family's demonstrated financial need for assistance.

The cost of attendance (COA) is the cornerstone of establishing a student's financial need, as it sets a limit on the total aid that a student may receive for purposes of the TEACH Grant, Campus-Based programs, and Direct/Direct PLUS Loans, and is one of the basic components of the Pell Grant calculation.

### ALLOWABLE COSTS

The cost of attendance for a student is an estimate of that student's educational expenses for the period of enrollment. As you'll see, you can use average expenses (for students with the same enrollment status) at your school, rather than actual expenses. For example, for the tuition and fees component, you can use the same average amount for all full-time students instead of figuring the actual tuition and fees for each individual student. You can have different standard costs for different categories of students, such as a cost of attendance for out-of-state students (who have higher tuition) and a lower cost of attendance for in-state students. However, you cannot combine the COA figures for each separate enrollment status and award aid to a student on the basis of the average COA. Students must be awarded on the basis of a COA comprised of allowable costs assessed all students carrying the same academic workload.

If a student is enrolled in a program that has extra fees or costs, such as lab fees, you can add those fees to the student's cost or use a standard cost that you've established for all students in that program. If you establish standard cost categories, you must apply the cost allowances uniformly to all students in those categories.

There are a variety of methods to arrive at average costs for your students: periodic surveys of your student population, assessing local housing costs or other pertinent data, or otherwise use reasonable methods you may devise which generate accurate average costs for various student cohorts.

### CHAPTER 2 HIGHLIGHTS

#### Allowable Costs

Determined by school, taking into account:

- Tuition and fees
- Books, supplies, transportation, personal, misc.
- Room and board
- Dependent care
- Study-abroad expenses
- Disability expenses
- Employment expenses for co-op study
- Loan fees

#### Exceptions

- Less-than-half-time enrollment
- Correspondence study
- Incarcerated students
- Professional judgment

#### Costs met from other sources

- Tuition and fees not paid by student
- Free room and board
- Other cost specified by source

#### Costs for period of enrollment

- Campus-Based, TEACH Grants, and Direct/Direct PLUS are based on costs for the period of enrollment; for instance, costs for a student attending a single semester in the school year would be limited to the costs for that time period.
- Pell is always based on the cost of full-time attendance for a full academic year.

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### Cost of attendance components

The cost of attendance is determined by law (Higher Education Act, Sec. 472) and is not subject to regulation by the Department. The law specifies the types of costs that are included in the cost of attendance, but **you** must determine the appropriate and reasonable amounts to include for each eligible COA category for students at your school, based on the criteria described in this chapter.

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### Less than half-time COA components

For students who are less than half-time, COA can include only:

- tuition and fees;
- an allowance for books and supplies;
- transportation (but not miscellaneous & personal expenses);
- an allowance for dependent-care expenses and
- Room and board for a limited duration, see less-than-half-time room and board component on next page.

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### Documentation of exceptional expenses

The law doesn't specify what documentation you must collect for expenses such as dependent care or disability-related expenses. You can document these expenses in any reasonable way, such as documenting an interview with the student or obtaining a written statement from the student or other appropriate sources.

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### Student with a disability

A student is considered to have a disability if he or she has a physical or mental impairment that substantially limits a major life activity, such as if the student is deaf, has a mental disability, is hard of hearing, has a speech or language impairment, is visually disabled, is seriously emotionally disturbed, orthopedically impaired, autistic, has a traumatic brain injury, is otherwise health-impaired, or has specific learning disabilities that requires special education and related services.

### *Allowable costs in general*

The types of costs that may be included are the same for all FSA programs. The cost of attendance, based on the student's enrollment status, for the Campus-Based, TEACH Grant, and Direct/Direct PLUS Loan programs is a student's cost for the period for which the aid is intended. The cost of attendance used for Pell Grants and Iraq & Afghanistan Service Grants is always the full-year costs for a full-time student, so you may have to prorate actual or average costs up for students who are attending less than an academic year (or who are part-time in a term program) or prorate down for students who are attending for periods longer than an academic year. We'll discuss this at the end of this chapter.

A student's cost of attendance is the sum of the following. If a cost is not mentioned in these categories (which are derived from the only source on COA components, Section 472 of the HEA), it is not to be included as COA:

- **The tuition and fees normally assessed for a student carrying the same academic workload.** This includes costs of rental or purchase of equipment (including equipment for instruction by telecommunications), materials, or supplies required of all students in the same course of study. If you charge tuition for the entire program at the start of the first period of enrollment, for Direct/Direct PLUS and Campus-Based aid, the tuition costs apply only to the first period of enrollment. For Pell, you must prorate these charges to reflect the academic year in accordance with the procedures outlined in Chapter 3 of this Volume.
- **An allowance for books, supplies, transportation, and miscellaneous personal expenses.** This can include a reasonable amount, as determined by your school, for the documented rental or purchase of a personal computer that the student will use for study for the enrollment period. For example, a computer purchased in the summer for use in the fall term may be included. This allowance may also include costs for operating and maintaining a vehicle which is used to transport the student to and from school, but not for the purchase of a vehicle.
- **An allowance for room and board.** For students without dependents living at home with their parents, this will be an allowance that you determine. For students living on campus, the allowance is the standard amount normally assessed most residents. For those living off-campus but not with their parents, the allowance must be based on reasonable expenses for the student's room and board.
- **For a student with dependents, an allowance for costs expected to be incurred for dependent care.** This covers care during periods that include but are not limited to class time, study time, field work, internships, and commuting time for the student. The amount of the allowance should be based on the number and age of such dependents and should not exceed reasonable cost in the community for the type of care provided.

- **An allowance for the one-time direct costs of obtaining a first professional license or certificate for students who are enrolled in a program that requires such professional licensure or certification.** This allowance may only be provided one time per student per eligible academic program. Examples of allowable costs include fees charged to take a licensing exam, costs of applying for and obtaining the license or certification, and, at the discretion of the school, costs incurred in traveling to a residency interview for a medical student. Under this provision, the costs must be incurred during (not after) a period of enrollment, even if the exam is after the end of the period.
- **For study-abroad programs approved for credit by the student's home institution, reasonable costs associated with such study.**
- **For a student with a disability, an allowance for expenses related to the student's disability.** These expenses include special services, personal assistance, transportation, equipment, and supplies that are reasonably incurred and not provided by other agencies.
- **For students engaged in a work experience through a cooperative education program, an allowance for reasonable costs associated with such employment.**
- **For students receiving loans, the fees required to receive them (for example, the loan fee for a Direct Loan).** You may also include the fees required for non-federal student loans (that is, non-federal loans that must be considered Estimated Financial Assistance [EFA] for the student when packaging aid). In all cases, you can either use the exact loan fees charged to the student or an average of fees charged to borrowers of the same type of loan at your school. To be included in the COA, any loan fees for private loans must be charged to the borrower during the period of enrollment for which the loan is intended.
- **For less than half-time students, room and board for a limited duration.** Schools have the option to include in the COA for a less-than-half-time student an allowance for room and board for up to three semesters (or equivalent), with no more than two of the semesters being consecutive at any one school. You are not required to monitor COA components from other schools attended by the student.
- **For students living in housing located on a military base or housing for which they receive a military housing allowance (Basic Allowance for Housing, or "BAH"), the room and board COA component shall include an allowance for board only. This applies to:**
  - independent students who receive, or whose spouses receive, a military housing allowance (BAH) or who live on a military base; and
  - dependent students who are living with parents who are receiving a military housing allowance (BAH) or who live on a military base.

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### Free room and board/tuition waivers

Guerrero University saves some of its Resident Assistant jobs for students with exceptional financial need. All Resident Assistants receive a waiver of room and board charges. If the student quits the job, the waiver is removed, and the student has to pay the room and board charges. All the students have the room and board charges in their cost of attendance. For students who are Resident Assistants because of their financial need, Guerrero must count the room and board waiver as estimated financial assistance. The waiver would not be counted as untaxed income, but if included in the AGI, such a waiver would be reported as "grant and scholarship aid reported to the IRS" and would be excluded from total income in the EFC formula.

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### Checking foreign diplomas

If you hire a transcription/diploma evaluation service to aid in the process of determining student eligibility, the cost of evaluating a foreign credential must be incurred as a charge of admission prior to enrollment in an eligible program and thus cannot be included in COA. For more detail on checking foreign diplomas, see *Volume 1*, Chapter 1.

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### Costs for programs that become eligible in the middle of a year

When awarding aid, you may not count toward the student's Cost of Attendance (COA) any costs incurred in any payment period before the program gained Title IV eligibility nor any costs incurred in periods that the student has already completed.

For more details on how programs gain Title IV eligibility, see *Volume 2*, Chapter 5 of the FSA Handbook.



## Treatment of Estimated Financial Assistance component of COA

HEA Sec. 480(j)

DCL GEN 06-05

If the source of assistance is a state and is designated by the state to offset a specific component of the student's COA, the amount of that assistance may be excluded from both COA and EFA. You may exclude such assistance on a student-by-student basis, but if it is excluded, it must be excluded for both COA and EFA. If the amount excluded is less than the allowance provided in the student's COA, you must exclude the lesser amount.

## Changes in Pell COA

For more on when changes in Pell COA necessitate a recalculation of a Pell award, see *Volume 3*, Chapter 3.

## COA for intersessions and modules

Whether or not you merge an intersession or module with a standard term, you must not include costs in a student's COA for an intersession or module period of enrollment for which the student is not expected to be enrolled.

## Limitations to tuition and fees COA component

**NEW** →

HEA Sec 472 COA includes tuition and fees normally assessed a student carrying the same academic workload as determined by the institution.

34 CFR 668.14(b)(3) Prohibits requesting or charging any student a fee for processing or handling any application, form, or data required to determine eligibility for, and amount of, Title IV HEA program assistance.

34 CFR 668.14(b)(21) Prohibits imposing a penalty on any student because of a student's inability to meet his or her financial obligations to the school as a result of the delayed disbursement of the proceeds of a Title IV loan due to compliance with Title IV requirements.

## Exceptions to the normal cost allowances

The following are the exceptions to the normal cost of attendance allowances:

- For students who are enrolled **less than half-time**, only the costs for tuition and fees and allowances for books and supplies, transportation, room and board for a limited duration, and dependent care expenses may be included as part of the cost of attendance (miscellaneous expenses and personal expenses may not be included).
- Generally, the cost of attendance for **correspondence study** is restricted to tuition and fees, which often include books and supplies. If the costs of books and supplies are separate, then they may also be counted in the cost of attendance. If the student is fulfilling a required period of residential training, the cost of attendance can also include required books and supplies, an allowance for travel, and room-and-board costs specifically incurred for the period of residential training (as mentioned in Chapter 1 of *Volume 1*, a student isn't eligible to receive FSA aid for correspondence courses unless the student is enrolled in an associate, bachelors, or graduate-degree program).
- The cost of attendance for **incarcerated students** is limited to tuition and fees and required books and supplies. Remember that an incarcerated student is ineligible for Title IV loans, and if the student is in a federal or state penal institution, he is ineligible for Pell Grants as well.
- You have the authority to use **professional judgment** to adjust the cost of attendance on a case-by-case basis to allow for special circumstances. Such adjustments must be documented in the student's file. (See "Professional Judgment" in the *Application and Verification Guide*.)

## Limitations to tuition and fees component

**NEW** →

**Tuition discounting:** In establishing the tuition and fees component of Title IV applicants, you must use an amount that is required for all students in the same course of study. Therefore, a recipient of Title IV aid cannot be assessed charges that are higher than what is charged to a student not receiving aid under the Title IV programs.

Offering a discount to students who pay early is not permitted because Title IV recipients may not be able to, and should not be required to, meet that requirement and would, therefore, in effect be assessed higher amounts than other students. Of course, it would be permissible for you to provide the discount to all Title IV eligible students without regard to when their charges are paid. However, doing so would require an adjustment to such students' cost of attendance.

**Overtime charges:** A school may not use Title IV funds to pay overtime charges for a student who fails to complete his or her academic program within the normal time frame. Section 472 of the HEA defines cost of attendance as the tuition and fees normally assessed a student carrying the same academic workload required of all students in the same course of study.



Overtime charges are in addition to normal tuition and fees, and since they are not charges normally assessed, they may not be included in a student's cost of attendance for Title IV purposes, and therefore Title IV funds may not be used to pay charges, even if a student obtains a student's (or parent's) authorization to do so.

This restriction applies to both clock-hour and credit-hour programs. For example, some clock-hour programs assess "overtime charges" for students who don't complete the program within an established timeframe. Some credit-hour programs also charge additional tuition or fees for each course a student takes if the student fails to complete his/her program(s) within an established timeframe. In both cases, such charges may not be counted in the Title IV COA and Title IV funds may not be used to pay for the additional charges.

**Finance charges:** You may not use Title IV funds to pay finance charges or fees that are incurred because a student utilizes a financing method provided by the school to pay for educational expenses over time. Because students or families choose to incur these additional expenses rather than paying the balance due at registration, the additional charges are not considered educational expenses, and may not be included in a student's cost of attendance.

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**Cost of attendance for a distance education student**

The law prohibits you from making a distinction based on the mode of instruction when determining the cost of attendance for a student receiving all or part of the student's instruction through distance education. However, you have the authority to use professional judgment to adjust the cost of attendance on a case-by-case basis to allow for special circumstances. For example, you may exclude transportation costs if you determine that such costs will not be incurred by a student. Such adjustments must be documented in the student's file. (See "Professional Judgment" in the Application and Verification Guide.)

## Pell Grant Cost Example 1: Prorating total costs by lesser of two fractions

You may take the student's entire cost of attendance (tuition and fees, room and board, etc.) and multiply it by the lesser of the two fractions that represent the length of the academic year. If the lesser fraction is one, then you don't prorate the cost of attendance. One fraction is based on credit or clock hours and the other is based on weeks of instructional time, as shown in this example.

Let's use the example of a program that charges \$10,500, awards 18 semester credits, and is completed by most full-time students within 20 weeks of instructional time.

$$\frac{\text{Credit/clock hours in academic year definition} = 24}{\text{Credit/clock hours awarded} = 18}$$

$$\frac{\text{Weeks in academic year definition} = 30}{\text{Weeks provided} = 20}$$

Since the fraction using credit hours is the lesser fraction, the program cost of \$10,500 is multiplied by 24/18 to find the full-year Pell cost.

$$\$10,500 \times 24/18 = \$14,000$$

The full-time cost is \$14,000. Note: If one of the fractions is equal to one, for instance, if the program awards 24 credit hours, then the prorated cost is the same as the original cost of attendance.

## Pell Grant Cost Example 2: Prorating academic costs & living expenses separately

As an alternative, you can separately prorate the costs associated with credit or clock hours (tuition and fees, books and supplies, loan fees) and the costs associated with weeks of instructional time (room and board, miscellaneous expenses, disability expenses, transportation, dependent care, study abroad, reasonable costs associated with employment as part of a cooperative education program). Using our earlier example of a program lasting 20 weeks and awarding 18 credit hours, and specifying that the student's tuition, books, supplies, etc., come to \$4,500 and living expenses amount to \$6,000, the calculation would look like this:

$$\frac{24 \text{ credit hours}}{18 \text{ credit hours}} \times \$4,500 = \$6,000$$

$$\frac{30 \text{ weeks}}{20 \text{ weeks}} \times \$6,000 = \$9,000$$

In this example, the student's Pell budget is the sum of the two prorated costs, or \$15,000.

## Pell Grant Cost Example 3: Prorating costs for a non-term program longer than an academic year

Costs must also be prorated if they are charged for a period longer than an academic year. You may use either of the proration methods shown in Examples 1 and 2. We'll use the example of a program awarding 1,000 clock hours and providing 40 weeks of instructional time. Let's assume that the school uses the regulatory minimums in defining the academic year as 900 clock hours and 26 weeks. The total costs over the 40 weeks, including tuition and living expenses, is \$5,900. If we use the method in Example 1, this amount must be prorated by the lesser of the following two fractions:

$$\frac{\text{Credit/clock hours in academic year definition} = 900}{\text{Credit/clock hours awarded} = 1000} \quad \text{OR} \quad \frac{\text{Weeks in acad. year definition} = 26}{\text{Weeks provided} = 40}$$

The lesser of the two fractions is the one based on weeks (26/40). Multiply the total program cost by this fraction to determine the Pell costs for a full academic year:  $\$5,900 \times 26/40 = \$3,835$ .

### **Pell Grant cost of attendance for a consortium program**

A student receiving a Pell Grant for attendance at two schools through a consortium agreement may have costs from both schools at the same time. The student's cost of attendance is calculated in the same way as for a student taking classes at only one school. The student's charges for tuition and fees and books and supplies at the consortium schools have to be combined into a single charge for a full academic year for purposes of the Pell calculation.

The school paying the student may choose to use actual charges for the student, which would simply be the sum of the actual charges at both schools. Of course, if the student isn't attending full-time, your school will have to prorate these tuition and fees and books and supplies charges so that they are the correct amounts for a full-time, full-year student.

If the disbursing school uses average charges, then the average full-time charges at each of the schools must be prorated and combined. If the student is taking a full-time load at each school, the full-time tuition and fees charges for an academic year at each school can be averaged to determine the tuition and fee cost. However, if the student is taking an unequal course load, the disbursing school must prorate the charges based on the number of hours the student is taking at each school.

### **Pell Grant cost of attendance for a co-op program**

If a student has a co-op job for the first term, the tuition and fees for that period can be prorated over the full academic year for the program (which must include at least 24 semester/trimester hours, 36 quarter credit-hours, or 900 clock-hours, as well as 30 weeks of instructional time, or, for clock-hour programs, 26 weeks). This prorated amount is then added to the other cost of attendance components to arrive at the total cost for a full-time student for a full academic year.

For the rest of the year, your school can either use the cost of attendance with the projected amount or can recalculate the student's tuition and fees at the end of the first term to determine a new cost of attendance for the remaining payment periods. This decision must be consistent with your school's overall policy on recalculating for changes in a student's costs. (See the discussion of Pell Grant recalculations in Chapter 3 of this volume for more information.) Note that the cost of attendance can also include employment-related expenses.

### Alternate example of waived or paid COA component

The state in which Guerrero University was founded charges all full-time students the same tuition charge. However, in-state students receive a voucher to cover the difference between what most states consider in-state versus out-of-state tuition. Guerrero has two options. The first option would allow Guerrero to include the same tuition charge in the full-time COA for all students and include the amount of the voucher as estimated financial assistance (EFA) in the respective students' financial aid packages. Alternatively, Guerrero could exclude the amount of the voucher from both COA and EFA because the voucher must be used to explicitly pay a specific component of the COA. Regardless of the option Guerrero chooses, it must apply the option consistently.

### WIA reimbursement contracts

Some WIA contracts operate on a reimbursement basis; that is, the student must fulfill the terms of the contract before WIA will reimburse the school for tuition and fee costs. If the student doesn't fulfill the terms of the contract, the school is left with an unpaid tuition and fees charge. The school isn't permitted to hold the student liable for the unpaid tuition and fees. Contracts are established this way to offer schools an incentive to properly train and place students enrolled in the training programs. However, if a tuition and fees charge is included in an FSA aid recipient's budget, the student would be liable for any outstanding charges that are not reimbursed by WIA. Therefore, schools that enter into reimbursement contracts must remove the tuition and fees component from the FSA budget because, under these contracts, schools are prohibited from holding the student liable for outstanding charges.

### Costs waived or paid by other sources

When a specific component of a student's cost of attendance is waived or explicitly paid by another source, special treatment may be necessary. In some situations, the student is assessed the normal tuition and fees charge with an offsetting credit issued. In other situations, the student is never charged tuition and fees at all. Although this section discusses this concept in terms of tuition and fee charges, it applies to any of the components of a student's cost of attendance.

In some cases, such as under Workforce Investment Act (WIA) programs, a student's tuition and fees are paid by another organization or are waived. The student's costs are based on what the school is actually charging the student, based on the agreement between the school and the student.

If the student is charged for the tuition and fees, even if the charge is eventually paid by someone besides the student (e.g., a scholarship agency or other source of aid), then that tuition and fee amount is included in the cost of attendance in most circumstances (see sidebar on "Alternate example of waived or paid COA component"). The tuition and fees payment would then be counted as estimated financial assistance. The charge is documented in the same way as for any non-WIA student—for instance, in your school's contract with the student or in the agreement with the WIA agency. (If your school charges the student for tuition and fees, your school would have to expect the student to pay the charge if the WIA agency or other source of assistance doesn't pay on the student's behalf.)

If the student is never charged for tuition and fees, then the cost of attendance wouldn't include the tuition and fees component. Some WIA agreements with schools provide that the school can't charge the tuition and fees to the student, even if WIA doesn't cover the costs. If your school is prohibited under such an agreement from charging tuition and fees to the student, then the tuition and fees aren't included in the student's cost of attendance, and, therefore, that amount would not be included as estimated financial assistance.

Even if there's no tuition and fees component, the student's budget still includes the other costs listed previously, such as an allowance for living expenses. The option to either include the cost and aid in both COA & EFA versus excluding both from COA & EFA only applies to non-federal sources of assistance, and only when that assistance is designated to offset specific components of COA (i.e., tuition, room and board).

## COSTS FOR PERIODS OTHER THAN NINE MONTHS

The cost of attendance used to package Campus-Based aid and Direct/ Direct PLUS loans and TEACH covers the student's actual period of enrollment. Therefore, if the student will be attending for more than 9 months, you must use a higher cost of attendance that includes living expenses, such as room and board, for the longer period of time. If the student will be attending for less than 9 months, you must use a lower cost of attendance. You can choose to prorate the allowances you use for 9 months, or you can calculate the cost in any other **reasonable** way.

When calculating for periods other than nine months, be sure to use the rules for the corresponding EFC type. There are three types of EFC for periods other than 9 months, each with their own treatment: EFC for dependent students; EFC for independent students without dependents other than a spouse; and EFC for independent students with dependents other than a spouse. For the full discussion of the treatment for these various EFC types, see chapter three of the Application and Verification Guide (AVG).

### *Adjusting costs for Pell*

The types of costs included in the Pell budget are the same as those for the other FSA programs; however, Pell costs are always based on the costs for a *full-time student for a full academic year*.

For Pell, costs for programs or enrollment periods longer or shorter than an academic year must be prorated so that they are the costs for one full academic year. This is true for both parts of the academic year definition: if either the number of weeks or the number of clock/credit hours differs from the academic year standard, the costs must be prorated to determine the full-time, full-year Pell budget. The need to prorate Pell costs is most likely to occur in these situations:

- a term-based program that provides less than the weeks of instructional time in an academic year;
- a non-term program that provides less than 24 semester hours, 36 quarter hours, or 900 clock hours and/or provides less than the weeks of instructional time in an academic year; or
- a program that is longer than an academic year, where the costs for the entire program are charged at the beginning of the program.

There are two ways to prorate Pell costs, as shown in the previous examples. Both of these examples are based on a program that is shorter than an academic year. The third example shows how costs are prorated when they are charged for a program that is longer than an academic year. Note that prorating the cost of attendance usually does not affect the amount of Pell Grant the student receives. However, you're required to report the full-time, full-year Pell budget when reporting disbursements to COD.\*

\*If the student is in a category where costs are limited, such as less-than-half-time enrollment, those costs that are allowable must be based on costs for a full-time student for a full academic year. For instance, the tuition component of the Pell cost of attendance for a less-than-half-time student must be based on the tuition costs that would be incurred by a full-time student attending a full academic year.

## Costs for a period other than 9 months

For Direct Loans, Campus-Based aid, and TEACH, the cost of attendance used for packaging must reflect the student's cost for that period that he or she is actually enrolled.

For instance, if a student is completing her program of study by taking a 1/2-time course load for the fall semester at your school, and that's the only term that she'll be attending in the award year, you could use the actual tuition and fee charges for the student's costs. If you use average costs for living expenses for a 9-month academic year for students in that program, you may divide your average costs by the number of terms in the academic year to find the cost for this enrollment period (assuming the terms are substantially equal in length).

For Pell Grants, you could either use an average tuition cost for a full-time, full-year student in the program or prorate the student's actual tuition for the fall term to arrive at a full-year, full-time cost. Costs for living expenses may also be average costs for a full academic year—if a full-year average cost is used, it doesn't have to be prorated for Pell Grant awards.

## Costs for full program charged at start

A school may charge the total tuition cost for a program at the beginning of the first period of enrollment. If the program is longer than an academic year, for Direct/Direct PLUS Loans and Campus-Based aid, the tuition costs apply only to the first period of enrollment. For Pell, you must prorate these charges to reflect the academic year in accordance with the procedures outlined in Chapter 3.





# Calculating Pell and Iraq & Afghanistan Service Grant Awards

## CHAPTER 3

*Pell Grant awards are based on the 9-month Expected Family Contribution (EFC) on the student's valid SAR or ISIR, the academic year structure (see Chapter 1), and the cost of attendance for a full-time student for a full academic year (see Chapter 2). The Scheduled Award amounts are specified on the Pell Payment Schedules released by the Department. For term-based programs, awards for part-time students are also based on enrollment status, using the part-time charts in the Pell Grant Disbursement Schedules.*

*In this chapter, we'll show you how to calculate Pell Grant and Iraq & Afghanistan Service Grant payments for your students, using the appropriate formula for the term or non-term calendar.*

### SCHEDULED AWARD, AWARD YEAR, & ANNUAL AWARD

The Scheduled Award is the maximum amount the student can receive during the award year, if he or she attends *full-time* for a *full* academic year. The award year begins on July 1 of one year and ends on June 30 of the next year. For example, the 2014-15 award year begins July 1, 2014, and ends June 30, 2015.

The student's *Scheduled Award* is established by the Pell Grant payment schedule that the Department issues prior to the start of each award year. The amount of the Scheduled Award is always taken from the full-time payment schedule, and is based on the student's EFC and Cost of Attendance. The *annual award* is the maximum amount a student would receive during a full academic year for a given enrollment status, EFC, and COA. Note that for a full-time student, the annual award will be the same as the Scheduled Award.

At a term school, a part-time student will have an *annual award* that is less than the Scheduled Award. If the student attends part-time, the student's annual award is taken from the 3/4-time, 1/2-time, or less-than-1/2-time disbursement schedules. For instance, if a student's Scheduled Award is \$5,730, but the student is enrolled as a 1/2-time student in a term program, the student's annual award would only be \$2,865.

Cost	Pell payment schedule					
	Expected Family Contribution					
	0	500	1000	1500	2500	3000
2,000						
3,000						
4,000						
5,730 +	5730					

Cost	Pell payment schedule					
	Expected Family Contribution					
	0	500	1000	1500	2500	3000
2,000						
3,000						
4,000						
5,730 +	2,865					

### CHAPTER 3 HIGHLIGHTS

Calculations for:

- Zero EFC treatment for children of soldiers
- Iraq & Afghanistan Service Grants
- Credit-hour term programs with fall through spring standard terms that provide 30+ weeks of instructional time and certain other standard term programs (Formula 1 or Formula 3)
- Credit-hour term programs with fall through spring standard terms that provide less than 30 weeks of instructional time (Formula 2 or Formula 3)
- Any credit-hour term programs including nonstandard term programs (Formula 3)
- Clock-hour programs and non-term credit-hour programs (Formula 4)
- Pell/Iraq & Afghanistan Service Grant LEU
- Summer terms, crossover payment periods, and mini-sessions
- Transfer students
- Recalculations (required and optional)

### Appendices to Chapter 3

Appendix A - Formula 2: Calculations for standard-term programs with less than 30 weeks in fall through spring

Appendix B - Formula 5: Calculations for correspondence study programs

Appendix C - Formula summaries for all five Pell formulas

### The Sequester and Iraq & Afghanistan Service Grants



E-Announcement Dec 24, 2013

DCL GEN-14-10

The Budget Control Act (BCA) of 2011 put into place a federal budget cut known as the sequester. The Pell Grant program is exempt from the effects of the sequester. As such, Pell Grant Payment Schedules will be unchanged under the sequester. Unlike Pell, the Iraq & Afghanistan Service Grant is not exempt from the effects of the sequester. Iraq & Afghanistan Service Grant awards first disbursed after Oct 1, 2013, require reductions of 7.2% from the award amount for which the student would otherwise have been eligible to receive (on or after October 1, 2014, the reduction is 7.3%).

**Scheduled Award limit**

34 CFR 690.63(g)

**Pell payment schedules for 2014-15**<http://www.ifap.ed.gov/ifap/wst.jsp>

DCL GEN-14-01

**Pell Grant awards for 2014-15**

The maximum Pell Grant award has increased to \$5,730. Due to the passage of the Consolidated Appropriations Act of 2012 (CAA), the maximum eligible EFC for the 2014-15 award year has increased, to 5157. For 2014-15, students must be eligible for at least \$587 in order to be Pell Grant eligible. For more detail, see the Pell Grant Payment and Disbursement Schedules and accompanying guidance in Dear Colleague Letter GEN-14-01, available on the IFAP website.

**Minimum Pell Grant for 2014-15**

HEOA Section 401(b)(4)

DCL GEN-13-06

The HEOA eliminated the \$400 minimum award and instead set a new minimum award at 10 percent of the maximum award appropriated each year. Because mid-points are used for the EFC and COA columns in constructing the Pell Payment & Disbursement Schedules, the minimum Pell award for a full-time student is actually slightly higher than 10 percent of the maximum Pell award. Students who are eligible for less than \$587 are not Pell eligible for 2014-15.

**Ground rules for Pell****Fractions**

When using fractions, be careful to multiply first, and then divide to avoid an incorrect result. For example, here's the correct way to prorate a \$2,150 Scheduled Award for a payment period that is a nonstandard term of 10 weeks of instructional time, for a program that has 30 weeks of instructional time.

$$\$2,150 \quad \times \quad \frac{10}{30} \quad \text{is multiplied as} \quad \frac{2,150 \times 10}{30} = 716.67$$

In this case, if you divide the fraction to get a decimal (.33333...) and then round the decimal either down (.33) or up (.34), your calculation will result in a number that's too low (709.50) or too high (731).

**Rounding**

The Common Origination and Disbursement System (COD) accepts cents and whole dollar amounts in payment amounts for Pell. When rounding, you may round up if the decimal is .50 or higher; round down if its less than .50. When rounding for a student expected to be enrolled for more than one payment period in the award year, alternate rounding up and down. The amount used to round (whether it be a dollar or penny) is carried forward to the next payment and applied before the rounding calculation is performed for that payment period. Your policy on rounding must be applied equally to all students.

**Important: These rounding rules do not apply if the amount disbursed would exceed the student's Scheduled Award or place the student's LEU over 600%.**

For more on LEU for Pell and Iraq & Afghanistan Service Grants, see "Pell and Iraq & Afghanistan Service Grant LEU" later in this chapter.

**Second Pell Grant Scheduled Award repeal and crossover payment periods**

2 Pell in an Award Year repealed

34 CFR 690.64

To conform with the removal of second Pell Grant Scheduled Award availability, you are no longer required to assign a crossover payment period to the award year in which the student would receive the greater Pell award, but are free to assign crossover payment periods to the award year that best meets the needs of your students and maximizes a student's eligibility over the two award years in which the crossover payment period occurs (you must source Pell funds from the award year to which the payment period is assigned), provided that you never make a payment that will result in the student receiving more than his or her Scheduled Award for an award year. For more detail on crossover payment periods, see the section on crossover payment periods later in this chapter.

**Pell Grant Administrative Cost Allowance**

34 CFR 690.10

HEA Sec. 489(a)

For each student that receives a Pell Grant at your school each award year, your school is paid \$5 to help pay the associated administrative costs. This money must be used solely to pay for the costs of administering the Federal Pell Grant, Federal Perkins Loan, Federal Work-Study, and FSEOG programs.

## Additional Aid Eligibility for Children of Soldiers: Zero EFC treatment or Iraq & Afghanistan Service Grant

*July 30, 2010 E-Announcement; February 11, 2011 E-Announcement; February 21, 2012 E-Announcement, April 26, 2013 E-Announcement, DCL GEN-14-10*

An otherwise Pell-eligible student whose parent or guardian died as a result of U.S. military service in Iraq or Afghanistan after September 11, 2001, may receive increased amounts of federal student aid if the student was less than 24 years old when the parent or guardian died, or was enrolled at an institution of higher education at the time of the parent or guardian's death. There are two different provisions for such students, depending on whether the student has an EFC that falls within the range for Pell eligibility or not.

### ***Zero EFC treatment for children of soldiers***

A school must use an EFC of 0 to package all federal student aid if the student meeting the above criteria has a Pell-eligible EFC. (Note that the zero EFC is only used for packaging purposes; you do not actually change the student's calculated EFC.)

When submitting an origination to COD for a student of this type, you must include the CPS transaction containing the Department of Defense Match Flag set to "Y," or the award will not be accepted.

A student with an EFC that is not Pell eligible is potentially eligible to receive an award under the new Iraq & Afghanistan Service Grant program (see Iraq & Afghanistan Service Grant below).

### ***Iraq and Afghanistan Service Grant***

To receive the Iraq & Afghanistan Service Grant, the student must have an EFC that is not Pell eligible. (The student must meet the other criteria for Pell eligibility.) Iraq & Afghanistan Service Grants are made under the same terms and conditions as Pell, and disbursements for each payment period are calculated in the same manner as described in this chapter for Pell.

Due to the sequester, all Iraq & Afghanistan Service Grant award amounts first disbursed on or after October 1, 2013 and before October 1, 2014 must be reduced by 7.2% (7.3% after October 1, 2014). For example, a student otherwise eligible for a Grant of \$5,730 (the maximum Scheduled Award for 2014-15) the grant would be reduced by \$412.56, resulting in a grant of \$5,317.44.

When submitting an origination to COD for a student receiving an Iraq & Afghanistan Service Grant, you must include the CPS transaction containing the DoD Match Flag set to "Y," or the award will not be accepted. The award may not exceed the student's cost of attendance. Iraq and Afghanistan Service Grants are not considered Estimated Financial Assistance for packaging purposes. For more detail on packaging awards, see Chapter 7 of this volume.

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### ***Identification of eligible students and notification by ED:***

The Department will notify the student when a student appears to meet the criteria for Zero EFC treatment for children of soldiers or the Iraq & Afghanistan Service Grant, based on a match with a Department of Defense (DoD) file of eligible dependents. The match will be performed when a student submits a FAFSA or FAFSA correction (and periodically thereafter). When an eligible student is identified, ED will generate a Central Processing System (CPS) transaction for the student, and the resulting ISIR will include a "DoD Match Flag," associated comment code 298, and the parent or guardian's date of death.

Use the flag and date of the parent or guardian's death, along with the student's calculated EFC, to determine if the student is eligible for either Zero EFC treatment for children of soldiers or an award under the Iraq & Afghanistan Service Grant program. ED will also send a letter to each matched student that informs the student of his or her possible increase in eligibility for FSA funds. The letter advises the student to contact his or her financial aid administrator for more information.

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**Full-time enrollment status for students with intellectual disabilities enrolled in comprehensive transition and postsecondary programs**

34 CFR 668.230-233

HEA Sec. 484(s)

Students enrolled in certain programs for students with intellectual disabilities may qualify to receive aid as a full-time student by meeting the full-time enrollment status criteria using alternative credit “equivalencies.” These equivalent credits, earned from audited courses and other normally non-credit activities undertaken as part of a program for students with disabilities may be awarded for purposes of determining enrollment status. For more detail, see Chapter 1 of Volume 1 of the FSA Handbook.

**TERMS AND PAYMENT METHODS FOR CALCULATING PELL**

Generally, if all the coursework is scheduled to be completed within a specific time frame, the program can be considered term-based. Term-based programs can have either standard terms or nonstandard terms. Pell Grants are usually calculated differently for the two types of terms. Standard term programs may be treated similarly to nonstandard term programs if the program does not conform to a traditional academic calendar or meet certain other conditions. When calculating Pell, you must use the same formula for all years in a student’s program.

***Standard terms***

Standard terms are semesters, trimesters, or quarters, as these words are traditionally used. In traditional usage, an individual semester or trimester provides about 14 to 17 weeks of instructional time and full-time is defined as at least 12 semester or trimester hours. The program’s academic calendar generally consists of three terms, one each in fall, spring, and summer. In traditional usage of the term “quarter,” an individual quarter provides about 10 to 12 weeks of instructional time, and full-time is defined as at least 12 quarter hours. The program’s academic calendar generally includes three quarters in the fall, winter, and spring and often a summer quarter as well.

***Nonstandard terms***

Any term that isn’t one of the standard terms described above is a nonstandard term. Sometimes schools refer to terms by standard names when they are, in fact, nonstandard terms. For example, a program may be made up of terms called quarters, but progress is measured in semester hours. **If a student’s program contains any nonstandard terms, it cannot be considered a standard term program.**

***Non-term programs***

Non-term programs may be measured in either clock-hours or credit-hours. **If a student’s program contains coursework not offered for completion within set beginning and end dates, the program cannot be considered a term-based program.**

## CREDIT-HOUR TERM-BASED PROGRAMS

### ***Annual award based on enrollment status***

In a term-based program, academic progress is always measured in credit hours, and the student's annual award depends on his or her enrollment status. Your school's standards for enrollment status must meet the minimum regulatory requirements, which are discussed in further detail in *Volume 1: Student Eligibility* (Chapter 1).

For standard terms, the minimum enrollment standards are:

Full-time: 12 semester hours per semester/trimester  
12 quarter hours per quarter  
3/4-time: 9 semester hours per semester/trimester  
9 quarter hours per quarter  
1/2-time: 6 semester hours per semester/trimester  
6 quarter hours per quarter  
Less-than-1/2-time: less than half of the workload of the minimum full-time requirement.

If the student is enrolled full-time, then the annual award is the Scheduled Award, which is based on the full-time payment schedule. If the student is attending part-time, you must use the 3/4-time, 1/2-time, or less than 1/2-time disbursement schedules, depending on the number of credit hours in which the student enrolls. If the student is enrolled less-than-half-time, it will also affect the cost components that are used in the student's Budget (see Chapter 2). *Schools do not have the discretion to refuse to pay an eligible part-time student, including during a summer term or intersession.*

On the appropriate full-time or part-time Payment or Disbursement schedules, use the student's Cost of Attendance and EFC to look up the Pell annual award for the year at that enrollment status. Most student aid software programs, such as EDEExpress, will do this for you automatically, but you can also refer to the Pell schedules online at the IFAP website.

### ***Pell Grant payments by term***

Pell Grants must be paid in installments over the course of a program of study to help meet the student's cost in each payment period. The payment period affects when Pell funds are disbursed and the exact amount to be disbursed. For credit-hour term programs, the payment period is the term. If the student doesn't enroll in one of the terms, he or she won't receive a portion of the award for that payment period. If the student's enrollment status changes in the next term, his or her annual award will be different for that term. (See discussion of terms and payment methods.)

### **Academic calendar and enrollment status changes**

Because the academic calendar for a program determines which Pell formula you use, you need to review the conditions for the use of each formula if the calendar for the program changes. This is particularly true if you are using Formulas 1 and 2, since they have the most restrictive conditions.

If a student's enrollment status changes during the year, your school may have to recalculate the student's Pell Grant payment based on the new enrollment status. At the end of this chapter we'll discuss when a school is required to recalculate due to a change in enrollment status.

34 CFR 690.63

34 CFR 690.80(b)

### **Enrollment status under consortium agreement**

The enrollment status of a student attending more than one school under a consortium agreement is based on all the courses taken that apply to the degree or certificate at the home institution.

The disbursing school may have to make some adjustments if the coursework at the other school is measured in different units.

### **Enrollment status for cooperative education**

In a cooperative education program, your school assesses the work to be performed by the student and determines the equivalent academic course load. The student's enrollment status is based on the equivalent academic course-load.

**Consortium Different Units Example**

Chris is taking 6 semester hours at Dalaran University, the home institution, and 9 quarter hours at Sarven Technical Institute. To determine his enrollment status, Dalaran needs to convert the hours at Sarven into semester hours. Because a quarter-hour is about two-thirds of a semester hour, Dalaran multiplies the number of quarter-hours by two-thirds:

$$9 \text{ quarter hours} \times \frac{2}{3} = 6 \text{ semester hours.}$$

Then the hours taken at both schools can be added together:

$$\begin{array}{l} 6 \text{ semester hrs. at Dalaran} \\ + 6 \text{ semester hrs. at Sarven} \\ \hline 12 \text{ semester hours} \end{array}$$

Linda is also taking 6 semester hours at Dalaran University and 9 quarter hours at Sarven Technical Institute, but her home institution is Sarven Technical Institute. Because Sarven is paying her, it needs to convert the semester hours taken at Dalaran into quarter hours:

$$6 \text{ semester hours} \times \frac{3}{2} = 9 \text{ quarter-hours.}$$

Then, the hours taken at both schools can be added together:

$$\begin{array}{l} 9 \text{ quarter hours at Sarven} \\ + 9 \text{ quarter hours at Dalaran} \\ \hline 18 \text{ quarter hours} \end{array}$$

**Variations in enrollment status standards**

If any program uses standard terms, the enrollment status standards in the program don't have to be proportional—for instance, a program could have a 15-hour standard for full-time enrollment, but set a 9-hour minimum for 3/4-time status and a 6-hour minimum for 1/2-time status.

In addition, your school's academic standard may differ from the enrollment standard used by the financial aid office for FSA purposes. For example, your school may define full-time as six hours during the summer; however, the financial aid office uses 12 hours as full-time for all terms, including the summer term. Your school must apply its FSA full-time enrollment standards consistently to all students enrolled in the same program of study for all FSA purposes. For more on enrollment status, see Volume 1, Chapter 1.

**Enrollment status for students taking regular and correspondence courses**

If a student is enrolled in a non-correspondence study program, but correspondence coursework is combined with regular coursework, the correspondence courses must meet the following criteria to be included in the student's enrollment status:

- The courses must apply toward the student's degree or certificate or must be remedial work to help the student in his or her course of study.
- The courses must be completed during the period required for the student's regular coursework, e.g., a term.
- The amount of correspondence work counted can't be more than the number of credit hours of regular coursework in which the student is enrolled.

If the student is taking at least a half-time load of correspondence courses, the student would be paid as at least a half-time student, regardless of the credit hours of regular coursework. A student will be paid as a less-than-half-time student for any combination of regular and correspondence work that is less than 6 credit hours or the appropriate equivalent of half-time.

Enrollment Status for Enrollment in Correspondence and Regular Coursework			
Regular Work	Correspondence Work	Adjusted Total Coursework	Enrollment Status
3	3	6	Half-time
3	6	6	Half-time
3	9	6	Half-time
6	3	9	Three-quarter time
6	6	12	Full-time
2	6	4	Less-than-half-time

This chart assumes that the school defines full-time enrollment as 12 credit-hours per term, and half-time enrollment as 6 credit hours per term. As you can see in the second and third examples, the number of correspondence hours counted in the total course load was adjusted so that the correspondence hours never exceeded the regular hours taken. Note that in the last example, the student is eligible for payment based on half-time enrollment in correspondence courses, because not all of the correspondence work can be counted towards enrollment status.



## FORMULA 1: CREDIT-HOUR TERM-BASED PROGRAMS

To use Formula 1, the program must meet one of two sets of requirements.

For a program with a traditional academic calendar, the program:

- must have an academic calendar that consists, in the fall through spring, of two semesters or trimesters, or three quarters (note that summer may not be a standard term);
- must have at least 30 weeks of instructional time in fall through spring terms;
- must not have overlapping terms; and
- must define full-time enrollment for each term in the award year as at least 12 credit-hours and must measure progress in credit hours.

Other programs offered in standard terms may use Formula 1 if they start the terms for different cohorts of students on a periodic basis (for example, monthly). These programs:

- must have an academic calendar that consists exclusively of semesters, trimesters, or quarters;
- must have at least 30 weeks of instructional time in any two semesters or trimesters or any three quarters;
- must start the terms for different cohorts of students on a periodic basis (for example, monthly);
- must not allow students to be enrolled in overlapping terms and must stay with the cohort in which they start unless they withdraw from a term (or skip a term) and re-enroll in a subsequent term.
- must define full-time enrollment for each term in the award year as at least 12 credit-hours and must measure progress in credit-hours.

For Formula 1, the term is the payment period, and you divide the student's award by the number of terms in the program's FSA academic year.

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### Requirements to be able to use Formula 1

34 CFR 690.63(a)(1)

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### Basic Pell calculations

Pell payment schedules: 34 CFR 690.62

Pell formulas: 34 CFR 690.63

"Crossover" payment periods (e.g., summer sessions):

34 CFR 690.64

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### Consistent use of formula

You must use the same formula for a program for all payment periods in an award year.

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### Standard term composed of shorter terms or modules

Remember that you can combine shorter terms or modules into a standard term that meets the requirements for Formula 1. See the discussion of academic calendars in Chapter 1 for examples.

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### Alternate calculation

If you're working with a standard-term program that meets the rules for Formula 1 or Formula 2, you may divide the annual award by the number of all the terms (including the summer term) in the award year.

## Formula 1: Basic Calculation

In Formula 1, the annual award is simply divided by the number of terms in the fall through spring at a school with a traditional academic calendar.

Take the case of Jeff, who is enrolled full-time in a program that has an academic year of 30 weeks of instructional time and 24 semester hours. The program has fall and spring semesters that provide a total of 30 weeks of instruction and a 12 week summer nonstandard term with 12 semester hours as full-time. Jeff has a Scheduled Award of \$3,050, and since he is enrolled full-time, that is also his annual award. Since the fall through spring has standard terms, it doesn't matter that the summer term is nonstandard; you still calculate summer payment based on Formula 1.

$$\frac{\$3,050}{2} = \$1,525 \text{ disbursement for a semester}$$

The same formula would be used if Jeff enrolled in a program that has fall, winter, and spring quarters that provide at least 30 weeks of instruction and has a summer term with 12 quarter hours as full-time. The only difference is that Jeff's annual award of \$3,050 is divided by 3.

$$\frac{\$3,050}{3} = \$1,016.66 \text{ disbursement for each payment period}$$

Note that Jeff is receiving a full Scheduled Award because he is attending for two semesters or three quarters as a full-time student and has no remaining eligibility for the summer payment period included in the award year.

## Formula 1: Basic Calculation Nontraditional Academic Calendar

Majel is enrolled full-time at Roddenberry University in a program that has an academic year of 36 weeks of instructional time and 36 quarter hours and is offered exclusively in quarters. A new cohort of students starts a quarter on the first workday of each month, and a student is not allowed to take courses in overlapping terms outside that student's cohort.

Any three quarters of the program provide at least 36 weeks of instructional time since each quarter is 12 weeks of instructional time in length. To be full-time, a student must be enrolled in at least 12 quarter hours for a quarter. Majel has a Scheduled Award of \$3,000, and since she is enrolled full-time, that is also her annual award.

Because any three quarters are at least 30 weeks of instructional time and the academic year encompasses three quarters, Majel's payment for each payment period is calculated by dividing the annual award by 3:

$$\frac{\$3,000}{3} = \$1,000$$

Note that Majel is receiving a full Scheduled Award because she is attending for three terms as a full-time student and has no remaining eligibility for the next payment period if it is included in the same award year.

## Formula 1: Enrollment status change

Micki enrolls full-time in the fall semester. She has a cost of \$10,000 and EFC of 100, so her Scheduled Award, taken from the full-time payment schedule, is \$5,595. Since she's attending full-time, this is also her annual award. If your school defines its academic year as 30 weeks of instructional time and 24 semester hours, Micki's annual award is divided by 2 to arrive at the disbursement for the fall semester.

$$\frac{\$5,595}{2} = \$2,797.50 \text{ for Fall}$$

Micki decides that a full-time schedule is too ambitious, so she enrolls in the spring term as a 3/4-time student. Her EFC is the same, and even though her tuition is slightly less, the Pell award is still based on full-time costs. However, her annual award is now based on the 3/4-time disbursement schedule, so her spring payment will be less than her fall payment.

$$\frac{\$4,196}{2} = \$2,098 \text{ for Spring}$$

Note that Micki's Scheduled Award is still \$5,595, and she has only received \$4,895.50. This means that she is still eligible for up to \$699.50 in Pell funds from her Scheduled Award if she attends a summer term assigned to the same award year.

## FORMULA 2: STANDARD-TERM PROGRAMS WITH LESS THAN 30 WEEKS IN THE FALL THROUGH SPRING

Formula 2 may be used for programs that would qualify for Formula 1 except that the program's academic calendar provides less than 30 weeks of instructional time in the fall through spring terms. Like Formula 1, it simplifies the calculation payments by providing for the same calculation for all payment periods in the award year. Only a small number of schools use Formula 2; therefore, it is covered in Appendix A of this chapter.

## FORMULA 3: GENERAL FORMULA FOR ANY TERM-BASED PROGRAM

Any term-based program may use this formula for Pell calculations, but you *must* use this formula for a term-based program that does not qualify for Formulas 1 or 2 (for instance, a program that uses only nonstandard terms).

To calculate the payment for the term, you must prorate the annual award that you looked up on the appropriate Pell Grant payment or disbursement schedule. Unlike the term calculation in Formula 1, the annual award can't simply be divided evenly among the terms. Instead, you must multiply the annual award by a fraction that represents the weeks of instructional time in the term divided by the weeks of instructional time in the program's academic year.

$$\frac{\text{weeks* in term}}{\text{weeks* in academic year (at least 30)}}$$

If the resulting amount is more than 50 percent of the annual award, your school generally (see exception in sidebar) must make the payment in at least two disbursements in that payment period regardless of whether the term is a standard term or a nonstandard term. A single disbursement for a payment period can generally not be for more than 50 percent of the annual award. You may disburse more than 50 percent of the annual award once the student has completed half of the weeks of instructional time in the program's academic year definition.

### Enrollment status standards for nonstandard terms

If you are using Formula 3 for a program that contains standard terms, the minimum enrollment standards previously discussed would still apply for the standard terms. However, if a program has nonstandard terms, the enrollment standard must be calculated for the nonstandard terms. The full-time enrollment status is determined for a nonstandard term based on the length of the term in relation to the academic year.\*\*

$$\text{Credit hours in academic year} \times \frac{\text{weeks* in nonstandard term}}{\text{weeks* in academic year (at least 30)}}$$

\*These fractions use weeks of instructional time as defined in Chapter 1, which are not necessarily the same number as the calendar weeks in an academic year.

\*\* If the resulting number isn't a whole number, it is rounded up to the next whole number. For example, 3.3 is rounded up to 4 if the program's coursework is offered in whole credits. If the program's coursework is offered in fractions, the full-time enrollment status need not be rounded. For example, 3.3 would remain 3.3 as full-time, and a student taking 3.4 credits in the term would be full-time.

## Disbursing more than 1/2 the annual award and the 50% Requirement

34 CFR 690.63(f)

If the disbursement for the payment period results in more than 1/2 of the annual award and occurs after half of the weeks of instructional time of the academic year have passed during the payment period, you can make a disbursement of the full payment for the payment period.

For example, your school has a program that must use Formula 3.

The program has 3 terms with 17, 14, and 6 weeks of instructional time and defines its academic year as 30 weeks of instructional time and 24 semester hours. Debbie is attending half-time for all three terms. Her payments for each payment period are 17/30, 14/30, and 6/30 of her half-time annual award. For the first term, you may disburse 15/30 of her award at the beginning of the term and the final 2/30 only after the 15th week of instructional time in the term. However, if Debbie establishes eligibility in the 16th week of the term, you can make a disbursement of 17/30 of the annual award at that time. Her award for the 2nd and 3rd terms may be disbursed in a single disbursement.

## When to use Formula 3

- If a term program uses only nonstandard terms, or if a term program has standard terms but does not qualify for Formulas 1 or 2, you must use Formula 3 for Pell calculations.
- Any term program can opt to use Formula 3. However, standard term programs that qualify for Formula 1 or 2 generally prefer to use Formula 1 or 2.

## Regulatory citations

Formula 3 described: 34 CFR 690.63(a)(3)

Enrollment status for nonstandard terms:

34 CFR 668.2

Disbursement cannot exceed 50% of the annual award:

34 CFR 690.63(f)

## Fractions

Remember when using fractions, multiply first, and then divide.

Dividing the fraction first to produce a decimal can cause an error if you need to round the decimal up or down.

After you determine the number of credit-hours required for full-time enrollment, you can then determine the less-than-full-time status for the nonstandard term using the following formula:

$$\frac{\text{Credit hours student takes in the nonstandard term}}{\text{Credit hours required for full-time enrollment in the nonstandard term}}$$

### Formula 3: Payments for standard terms

Hodge College has a semester-based program with a 2-semester academic calendar that comprises 28 weeks of instructional time. The program's academic year is defined as 24 semester hours and 30 weeks of instructional time. If both semesters are 14 weeks in length, the Pell payment for a full-time student with a Scheduled Award of \$4,550 would be calculated as follows:

$$\frac{14 \text{ weeks* in term}}{30 \text{ weeks* in academic year}} \times \$4,550 = \$2,123.33$$

### Formula 3: Payments for nonstandard terms of equal length

Just a few miles down the road from Hodge, Greenway University has a program that consists of four 8-week terms. Greenway University defines the academic year as 40 quarter hours and 32 weeks of instructional time. Because this program does not use standard terms (semesters, trimesters, or quarters), Greenway University must use Formula 3 to calculate Pell disbursements for students in the program. Let's use the example of a student who attends all four terms for 10 quarter-hours each term in the 2014-2015 award year, and has a Scheduled Award of \$3,750.

Because the program has nonstandard terms, Greenway University must determine the number of credit hours required for full-time enrollment in each term, as follows:

$$\frac{8 \text{ weeks* in term}}{32 \text{ weeks* in academic year}} \times 40 \text{ quarter hours} = 10 \text{ quarter hours}$$

A student enrolled for 7 hours could be paid as a half-time student ( $7/10 = .7$ , which is less than  $3/4$  [.75] but greater than  $1/2$  [.5]). Since the student in our example will be enrolled for 10 hours each term, she is a full-time student and her annual award is the same as her Scheduled Award. This is a term-based, credit-hour program, so the payment period is the term.

To determine the student's payment for each payment period, multiply her annual award by the length of the nonstandard term compared to the length of the academic year:

$$\frac{8 \text{ weeks* in term}}{32 \text{ weeks* in academic year}} \times \$3,750 = \$937.50$$

\*These fractions use weeks of instructional time as defined in Chapter 1, which will not necessarily be the same number as the calendar weeks in an academic year.



### Formula 3: Payments for nonstandard terms of unequal length

Bob is enrolled in a semester-hour program at Dalaran University that has a 10-week nonstandard term between two 12-week nonstandard terms. The terms do not overlap. The academic year for the program is defined as 34 weeks of instructional time and 24 semester hours. Courses are offered in whole credits. Dalaran must use Formula 3 to calculate Pell Grant payments for students in this program. He enrolls for 6 semester hours in each of the three terms. Because the program has nonstandard terms, Dalaran must determine the number of credit hours required for full-time enrollment in each term, as follows.

For the first and third term:

$$\frac{12 \text{ weeks}^* \text{ in term}}{34 \text{ weeks}^* \text{ in academic year}} \times 24 \text{ semester hours} = 8.47 \text{ (round up to 9)}$$

For the second term:

$$\frac{10 \text{ weeks}^* \text{ in term}}{34 \text{ weeks}^* \text{ in academic year}} \times 24 \text{ semester hours} = 7.06 \text{ (round up to 8)}$$

A student must enroll in 9 semester hours (rounded up from 8.47) in the first and third terms, and 8 semester hours (rounded up from 7.06) in the second term, to be full-time. Bob is enrolled half-time in the first and third terms (6 semester hours/9 semester hours = .67). He is enrolled three-quarter time in the second term (6 semester hours/8 semester hours = .75). The cost of attendance does not need to be prorated because the fall through spring terms provide the same number of weeks of instructional time as in the academic year definition. Further, the school has determined the costs for a full-time student for a full academic year.

The half-time disbursement schedule shows that Bob is eligible for an annual award of \$2,075. Because this is a term-based credit-hour program, the payment period is the term. To calculate Bob's payment for the first and third terms, the school uses the fraction 12/34:

$$\frac{12 \text{ weeks}^* \text{ in term}}{34 \text{ weeks}^* \text{ in academic year}} \times \$2,075 = \$732.35$$

Bob's payment for each of the first and third terms will be \$723.53.

Since Bob's enrollment status for the middle term is three-quarter time, the payment for that term is based on a three-quarter-time annual award of \$3,075. To calculate the payment for the middle term, the school uses the fraction 10/34:

$$\frac{10 \text{ weeks}^* \text{ in term}}{34 \text{ weeks}^* \text{ in academic year}} \times \$3,075 = \$904.41$$

Bob's payment for the middle term (the second payment period) is \$915.58.

\*These fractions use weeks of instructional time as defined in Chapter 1, which will not necessarily be the same number as the calendar weeks in an academic year.

**Formula 4 requirements**

34 CFR 690.63(a) and (e). All clock-hour and non-term credit-hour programs must use Formula 4.

**Enrollment status standards for clock-hour and other non-term programs**

For non-term programs, the enrollment minimums are:

Full-time in credit hours: 24 semester hours, 24 trimester hours, or 36 quarter hours per academic year.

Less than 1/2-time status is defined as less than half of the workload of the minimum full-time requirement.

Full-time in clock hours: at least 24 clock hours per calendar week.

**Coursework completion requirement & withdrawal/re-entry**

Students in non-term programs must successfully complete a payment period to receive subsequent payments. We'll discuss the effect of withdrawal and re-entry into a program in Volume 5.

**Receiving less than the Scheduled Award due to crossover**

A student may also receive less than a Scheduled Award in an award year, if the program crosses award years and the student's Pell Grant award in one of the award years is for a portion of the program that is less than a full academic year.

**FORMULA 4: CLOCK-HOUR AND NON-TERM CREDIT-HOUR PROGRAMS****Checking 1/2-time enrollment status**

For clock-hour programs and for non-term credit-hour programs, enrollment status only makes a difference if the student is attending less-than-half-time. If that's the case, only certain components of the cost of attendance are used. (See discussion in Chapter 2.)

The annual award for a student in a clock-hour or non-term credit-hour program is taken from the full-time payment schedule, even if the student is attending less than full-time.

**Calculating payment amounts**

Pell Grants must be paid in installments over the course of the academic year or program of study to help meet the student's cost in each payment period. The payment period determines when Pell funds are disbursed and the exact amount to be disbursed. You must use the rules discussed in Chapter 1 to determine the payment periods for clock-hour and non-term credit-hour programs.

In non-term programs, the student's Pell award is not reduced for part-time enrollment unless the student is enrolled less than half-time in which case the student's cost of attendance must be adjusted. However, if the program is less than an academic year (in either clock/credit hours or weeks of instructional time), students enrolled in that program won't receive a full Scheduled Award.

As in the case of the other formulas, you must perform comparable prorations of the award for each payment period in the student's program. The calculation for the payment period prorates a student's Scheduled Award based on the number of credit or clock hours in the payment period as they compare to the credit or clock hours in the defined academic year or the number of weeks of instructional time in the payment period as they compare to the weeks of instructional time in the academic year. To determine the payment for a payment period, multiply the student's Scheduled Award by the lesser of:

$$\frac{\text{Number of credit/clock hours in the payment period}}{\text{Number of credit/clock hours in the program's academic year}}$$

or

$$\frac{\text{Weeks* in the payment period}}{\text{Weeks* in the program's academic year (at least 30 for credit-hour, at least 26 for clock-hour)}}$$

\*These fractions use weeks of instructional time as defined in Chapter 1, which are not necessarily the same number as the calendar weeks in an academic year.

## Payments for credit-hour non-term program (Formula 4)

Chance is enrolled at Tinkers Technical Institute (TTI) and has a Scheduled Award of \$4,250. His program is 24 quarter hours and 20 weeks of instructional time in length. The academic year for the program is defined as 36 quarter hours and 30 weeks of instructional time. TTI has established two payment periods of 12 quarter hours and 10 weeks\* each for Chance's program. To determine the disbursement for the payment period, TTI must multiply the Scheduled Award by the lesser of the fraction comparing the hours in the payment period to the hours in the academic year, or the fraction comparing the weeks in the payment period to the weeks in the academic year. The two possible calculations would be as follows:

- 1)  $\frac{12 \text{ quarter-hours in payment period}}{36 \text{ quarter-hours in academic year}} \times \$4,250 = \$1,416.66$ ; or
- 2)  $\frac{10 \text{ weeks* in payment period}}{30 \text{ weeks* in program's academic year}} \times \$4,250 = \$1,416.66$

Since the two resulting fractions (12/36 and 10/30) are the same, there technically is no "lesser" fraction and you can use either to get \$1,416.66. Thus, Chance's payment for the first payment period will be \$1,416.66. Chance can receive this payment when he begins the program. TTI can make the payments of \$1,416.66 for the second payment period after TTI has determined that Chance has successfully completed 12 quarter hours and 10 weeks of instructional time of the program.

## Payments for clock-hour program (Formula 4)

Chance is enrolled in a program 900 clock-hours and 22 weeks of instructional time in length at Evers Technical Institute (ETI) and is eligible for a Scheduled Award of \$2,650. ETI defines the academic year for the program based on the regulatory minimums: 900 clock hours and 26 weeks of instructional time. To calculate Chance's payment, ETI calculates the payment for each payment period as follows: It multiplies the Scheduled Award (\$2,650) by the lesser of the fraction comparing the hours in the payment period to the hours in the academic year, or the fraction comparing the weeks in the payment period to the weeks in the academic year. The two possible calculations would be as follows:

- 1)  $\frac{450 \text{ clock-hours in the payment period}}{900 \text{ clock-hours in the academic year}} \times \$2,650 = \$1,325$ ; or
- 2)  $\frac{11 \text{ weeks* in the payment period}}{26 \text{ weeks* in the program's academic year}} \times \$2,650 = \$1,121.15$

Chance's payment for the first payment period will be \$1,121.15. He can get this payment when he begins the program. He can receive his second payment of \$1,121.15 after he successfully completes the 450 clock-hours in the first payment period.

\*The fractions in these examples use weeks of instructional time as defined in Chapter 1, which will not necessarily be the same number as the calendar weeks in an academic year.

**Formula 5: Correspondence Study**

Formulas 5A & 5B are formulas that must be used for correspondence students. Because there are only a small number of Pell Grants made to correspondence students, the formulas for correspondence study programs are covered in Appendix B of this chapter.

**Alternate calculation that includes summer term**

If you're working with a standard-term program that meets the rules for Formula 1 or Formula 2, you may divide the annual award by the number of all the terms (including the summer term) in the award year.

**Crossover Pell and Withdrawal**

For details on how to perform Return of Title IV Funds calculations in a crossover Pell situation, see Volume 5, Chapter 2 of the FSA Handbook.

**Crossover payment periods**

34 CFR 690.64

You are free to assign crossover payment periods to the award year that best meets the needs of your students and maximizes a student's eligibility over the two award years in which the crossover payment period occurs (you must source Pell funds from the award year to which the payment period is assigned), provided that you never make a payment that will result in the student receiving more than his or her Scheduled Award for an award year.

**SUMMER TERMS & OTHER  
"CROSSOVER PAYMENT PERIODS"**

Payment periods don't always fall neatly into one award year or another. When a payment period falls into two award years—that is, it begins before July 1 and ends on July 1 or later—it's called a "crossover payment period."

The formula for calculating the payment for a crossover payment period is the same as that for any other payment period in the award year.

***Crossover payment from the proper award year***

For Pell purposes, you must consider a crossover payment period to occur entirely within one award year and calculate the student's Pell award and disburse Pell funds from the award year selected (if you only have a valid SAR/ISIR from one award year, you must rely on that record and the award year to which the valid SAR/ISIR pertains).

You may assign the Pell award to a different award year than the rest of the student's Title IV aid. You can make a payment for a crossover payment period out of either award year, if the student has a valid SAR/ISIR for the award year selected. You may assign two consecutive payment periods to the same award year. For example, you could treat summer 2014 and summer 2015 as both being in the 2014-15 award year. You may not make a payment which will result in the student receiving more than his or her Scheduled Award for an award year.

Besides these considerations, the decision about which award year to use is usually based on the student's remaining eligibility in the earlier award year.

***Term schools: using the formula for summer session***

If your school offers a summer term in addition to fall through spring terms that qualify for formula 1 or 2, you will calculate the student's payment for the summer term using the same formula that you used to calculate payments for the other terms in the award year to which the summer term is assigned. If you use formula 3 for Pell Grant calculations in any of the terms in an award year, then you must use formula 3 for *all* terms in that program that occur in that award year, including the fall through spring terms. (Note that if your program is a standard-term program in the fall through spring and does not define full-time enrollment in the summer as at least 12 credit hours, you must use formula 3 for Pell calculations for all terms in the award year.) With regard to enrollment status, your school must apply its definition of full-time status for the summer term consistently for *all* FSA program purposes.

### ***The cost of attendance for summer terms***

Costs for summer terms are figured in the same way as for any other payment period; that is, the costs are based on a full-time student for a full academic year. If your school has fall and spring semesters that comprise an academic year, you can't add the costs for the summer term to the costs for the fall and spring semesters. The award for the summer term is still based on the costs for one academic year. However, if the academic year definition includes the summer term, then the costs for the summer term *must* be included in the cost for a full academic year.

If the student was previously enrolled in the award year, you may be able to use the same cost of attendance for the summer term that you used for the immediately preceding term that the student attended. However, this isn't possible if the costs are different from the fall through spring such as a different tuition charge per credit hour or you are required to recalculate the cost of attendance. (See the end of this chapter for information on when recalculations are required.) If it's necessary to base the student's cost of attendance on the summer term, you must prorate the summer costs to the length of an academic year to establish the cost for a full academic year. (See Chapter 2 on prorating costs in the Pell Grant program.)

If the summer session is the first term in the award year for that student (for example, your school is paying a student for the summer 2014 term from the 2014-15 award year), you must establish the student's full-year cost based on the costs for the *summer* term. If the student enrolls in another term in that award year, you may have to recalculate the student's costs for the later term.

**Minisession enrollment status example**

Bob is enrolled in a summer session with three-week minisessions that his school, Falcon University, has combined into 1 term. Falcon U. is using Formula 1 to calculate Bob's combined term, and knows it must define full-time enrollment as at least 12 credit hours, even though the individual component minisessions may have originally considered full-time to be something less than 12 credit hours. Bob is enrolled for 6 credits during the combined summer minisession term. Bob's enrollment status is equal to the proportion of his credits to the school's definition of full-time for the combined term. Therefore, Bob should be credited with half-time enrollment status for the combined summer term.

**Formula 3 minisessions and other nonstandard terms**

If you use Formula 3 for any of the summer minisessions, or any other nonstandard term (e.g., a winter intersession), remember that you must also use it for all other terms in the award year, including fall through spring.

**Summer minisessions**

If a term-based school offers a series of minisessions that overlap two award years (by “crossing over” the June 30 end date for one award year), these minisessions may be combined and treated as one term. However, schools are not required to combine these minisessions unless they overlap each other.

When you combine minisessions into a single term (i.e., payment period), the weeks of instructional time in the combined term are the weeks of instructional time from the beginning of the first minisession to the date the last minisession ends. The student's enrollment status for the entire payment period must be calculated based on the total number of credits the student is projected to take for all sessions. You must project the enrollment status for a student on the basis of the credits the student has:

- pre-registered or registered to take for all sessions;
- committed to take for all sessions in an academic plan or enrollment contract; or
- committed to take for all sessions in some other document.

When you combine the minisessions into a single term, a student cannot be paid more than the amount for one payment period for completing any combination of the minisessions. If the minisessions are not combined into a single payment period, you must treat each minisession as a separate nonstandard term and generally must use Formula 3 to calculate Pell Grant payments. If, for each minisession, you define full-time as at least 12 credit hours, you may be able to use Formula 1 or 2 if the program otherwise qualifies for one of these formulas.

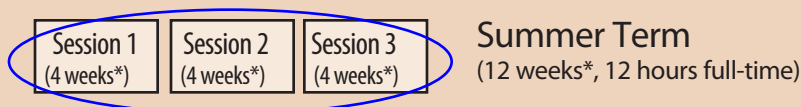
If a combined minisession term crosses over the June 30-July 1 date, the combined term must be treated as a crossover payment period, regardless of what classes students attend. If your program has 2 summer sessions and only 1 of the sessions crosses over the award year date boundary and you do not combine the sessions into a larger term, then only the term that actually spans the award year boundary is considered a crossover payment period.

If the minisessions are combined in a single term and a student does not begin attendance in all of the minisessions that he or she was expected to attend, recalculation of prior disbursements is required based on the resulting changed enrollment status as discussed later in this chapter.



## Combined minisessions into one term

Gary enrolls part time at Jackson University, which defines its academic year as 24 semester hours and 30 weeks of instructional time. In addition to fall and spring semesters, Jackson offers three summer minisessions. Each minisession provides 4 weeks of instructional time. Jackson can either combine the minisessions into a single nonstandard term, or treat each session as a separate nonstandard term. The school chooses to combine the sessions into a single payment period providing 12 weeks of instructional time with full-time enrollment in this period defined as 12 semester hours. If Jackson meets the conditions for use of Formula 1 in its fall and spring semesters, it can use Formula 1 to calculate Pell payments for this summer session.



Gary enrolls for 3 semester hours in each of the minisessions, so he's enrolled three-quarter time (9 hours total in the combined term). His applicable Scheduled Award is \$3,550 and his annual award (from the 3/4-time disbursement schedule) is \$2,663. To calculate Gary's payment, Jackson simply divides the annual award by 2, the number of terms in the fall through spring:  $\$2,663 / 2 = \$1,331.50$ .

## Minisessions treated as nonstandard terms

Suppose Jackson didn't combine these minisessions. If it defined full-time enrollment for each 4-week minisession as less than 12 semester hours, it would have to calculate all Pell payments for the program using Formula 3. Because these are nonstandard terms, Jackson would have to determine Gary's enrollment status for each minisession by prorating the standard for full-time enrollment in a full academic year (24 semester hours):

$$24 \text{ semester hours} \times \frac{4 \text{ weeks* in term}}{30 \text{ weeks* in academic year}} = 3.2 \text{ semester hours (round up to 4**)}$$

For each of the 4-week terms, a full-time student must enroll in 4 semester hours, and based on that standard, the 3 semester hours that Gary is attending in each minisession count as 3/4 time enrollment status. Note that Jackson would use the Pell cost of attendance for a full-time student attending a full academic year. Jackson would determine his payment for each minisession (assuming his Scheduled Award remains unchanged across both award years):

$$\frac{4 \text{ weeks* in term}}{30 \text{ weeks* in academic year}} \times \$2,663 = \$355.06$$

Gary would receive \$355.06 for each of the minisessions, for a total of \$1,065.18 for the summer. Again, these payments for one or more minisessions that are in the prior award year may need to be reduced if Gary had previously received payments for the fall and spring semesters in the same award year. Also, Jackson must use Formula 3 for the fall through spring terms.

\*These fractions use weeks of instructional time as defined in Chapter 1, which are not necessarily the same number as the calendar weeks in an academic year.

\*\* since Jackson only offers courses in whole credits

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**Transfer student**

34 CFR 690.65

Mid-year transfer: "Dear Colleague" Letter GEN-00-12

Percent of remaining eligibility: 34 CFR 690.65(d)

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**NSLDS financial aid history and transfer monitoring**

Before disbursing FSA funds to a transfer student, you must obtain a financial aid history for the student and you must inform NSLDS about the transfer student so that you can receive updates through the Transfer Student Monitoring Process. The financial aid history will not only identify Pell Grant disbursements that the student received at other schools, but also tell you if the student is ineligible for any FSA aid due to default or overpayment, if the student has reached or exceeded the annual or aggregate loan limits, or if the student has reached the Pell lifetime eligibility limit (LEU). There are several ways for you to get a student's financial aid history from NSLDS. You can:

- use the NSLDS Financial Aid History section of the ISIR;
- log on to the NSLDS Professional Access website and access the data online for a student;
- for multiple students, use the FAT 001 Web report, which you submit from the Reports tab on the NSLDS site (you retrieve the results through SAIG); or
- send a batch TSM/FAH Inform file to request aid history data for several students, which will be returned in either extract or report format through SAIG. The TSM/FAH processes and batch file layouts are posted on the IFAP website at the NSLDS reference materials link under Processing Resources.

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**Why percentages are used**

The reason for using percentages when calculating remaining eligibility is that a student may have different Scheduled Awards at different schools/programs. For example, the costs of attendance at the two schools may be different. The percentages are also used to compare the portions of a student's total eligibility that have been used at both schools. (If the student's Scheduled Award is the same at both schools, the financial aid administrator can find the amount of the student's remaining eligibility simply by subtracting the amount received at the first school from the Scheduled Award.)

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**Transfers and remaining eligibility**

34 CFR 690.65

**Note:** Following the appropriate procedures relative to the figure reported in **% Sch. Used** will ensure that a transfer student does not receive more than 100 percent of the student's Scheduled Award. Therefore, school B may ignore the actual grant and overpayment amounts from school A in school B's calculations.

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**REMAINING ELIGIBILITY, TRANSFER STUDENTS**

The Pell payment for a transfer student is calculated in the same way as for any new student. That is, you must calculate payments for each payment period following the rules given in this chapter. However, a transfer student's remaining Pell eligibility at your school is reduced if the student received Pell funds for the same award year at any prior schools. You can identify the student's prior Pell disbursements when you review his or her Financial Aid History in NSLDS (see sidebar).

**Calculating remaining eligibility**

Once you've identified the Pell amounts that a transfer student has already received for the ongoing award year, you must calculate the percentage of the Scheduled Award that has been used. This percentage is calculated by dividing the amount disbursed at the previous school by the student's Scheduled Award at that school (COD calculates this and you can refer to COD to see what the percentage of remaining eligibility will be for a student).

$$\frac{\text{Pell disbursed at prior school}}{\text{Scheduled Award at prior school}} = \% \text{ of Scheduled Award used}$$

Then subtract this percentage from 100 percent. The result is the maximum percentage of the Scheduled Award that the student may receive at your school. Note that a transfer student receives the same payments as any other student until the limit (100 percent of a Scheduled Award) is reached. **You give the student the full amount for each payment period, rather than trying to ration the remaining amount by splitting it evenly across the remaining terms.** Remember that there is no longer any provision for awarding a second Pell Grant Scheduled Award during a single award year.

A transfer student must repay any amount received in an award year that exceeds his or her Scheduled Award, unless the school that disbursed the award was at fault by failure to follow the administrative requirements in 34 CFR 668.

**Payment period for a transfer student at a non-term school**

When a student transfers into a non-term credit-hour or clock-hour program at a new school, that student is starting a new payment period. For non-term programs, you must use the payment period rules described in Chapter 1 to determine the payment periods for the remainder of the student's program.

However, for a transfer student, the length of the program is the number of clock or credit-hours and the number of weeks of instructional time that the student will be required to complete in the new program. If the remaining clock or credit-hours *or weeks of instructional time* are half an academic year or less, then the remaining hours and weeks of instructional time constitute one payment period.

## AWARDING REMAINING PELL ELIGIBILITY

Consider a student who is eligible for Federal Pell Grant funds and who transfers from one school (school A) to another school (school B) within the same award year. Before paying any Pell funds to the student, school B must determine the percentage of eligibility remaining for the student. After transferring, a student's remaining Pell Grant eligibility for a Pell Scheduled Award during an award year is equal to the percentage of the student's Scheduled Award that remains unused, multiplied by the student's Scheduled Award at the new school.

School B may pay the student a Pell Grant only for that portion of an academic year in which the student is enrolled and in attendance at school B. The grant must be adjusted, as necessary, to ensure that the funds received by the student for the award year do not exceed the student's Scheduled Award for that award year or the student's maximum Lifetime Eligibility Used (LEU 600% in COD).

The award for each payment period is calculated using the (full) Scheduled Award. The student receives a full award until the student has received 100 percent of the student's remaining eligibility for a Scheduled Award or 600% LEU (i.e., 6 scheduled awards over the course of the student's academic career, see LEU section later in this chapter). This avoids a school having to ration the remaining amount by splitting it evenly across the remaining terms. Remember that there is no longer any provision for awarding a second Pell Grant Scheduled Award during a single award year.

To calculate a transfer student's remaining eligibility for a Scheduled Award, school B must first determine what percentage of the Scheduled Award the student used at school A. On the student's current ISIR, on the Financial Aid History Page, in a section headed *Pell Payment Data*, school B will find an entry for *% Sch. Used*. School B subtracts the percentage listed under *% Sch. Used* from 100%.

The remainder is the unused percentage of the student's Scheduled Award—the percentage the student may receive at school B. (Use percentages rather than dollars because a transfer student may have different Scheduled Awards at the two schools; using percentages rather than dollars adjusts for this possible difference.) School B then multiplies the percent of eligibility remaining times the Scheduled Award at the new school. The result is the maximum amount of Federal Pell Grant funds the student may receive for his/her first Scheduled Award (see sidebar) at school B during the balance of the award year.

### Avoiding Pell Grant overawards

34 CFR 690.79

A Pell Grant overaward can be caused by a school making an error in reading the (correct) Pell Payment Schedule, for example, using the wrong EFC or COA. A Pell Grant overaward can also be caused by a school using the wrong payment schedule, as when it uses the full-time schedule to determine the award for a student who is not registered as a full-time student, or who reduced his/her enrollment schedule to less than full time before beginning attendance in all classes.

A Pell Grant overaward can also result if an applicant enters incorrect data on a FAFSA and the EFC derived from the incorrect data is smaller than it should be (for more detail about the FAFSA and EFC data, see the *Application and Verification Guide*). A Pell overaward also exists if the student scheduled to receive it fails to begin class or is otherwise determined to be ineligible for FSA assistance (for example, having exceeded the lifetime eligibility used [LEU]) in COD.

Finally, an overaward exists whenever a student is scheduled to or is receiving a Pell Grant for attendance at two or more schools concurrently. All of these Pell Grant overawards must be corrected (for more detail on the requirements and methods of resolving overawards, see Volume 5, Chapter 1).

Besides avoiding these mistakes, schools should also be sure to submit timely Pell actual disbursement records to COD, according to the Annual Deadline Date Notice Rules as published on IFAP.

## Transfer Student Remaining Eligibility Example



On August 1, 2014, Lucas enrolled at Penny's Hair Academy (PHA). After completing 400 of the 900 clock hours in his program, Lucas had to relocate, and he withdrew from school.

On February 1, 2015, having settled into his new home, Lucas enrolled at Marion's Esthetics Institute (MEI) as a transfer student. Lucas was awarded 400 clock hours of transfer credit in MEI's 1,000 clock-hour program (the program definition of an academic year is 900 clock hours and 30 weeks of instructional time). Lucas's program is 600 clock hours and 20 weeks of instructional time.

When the financial aid officer (FAO) at MEI examined Lucas's 2014–2015 ISIR, he found the following entry:

%Sch. Used: 50.0    As Of: 01/28/2014    Pell Verification    EFC: 0

The FAO subtracted the 50% used previously from 100% and found that the percentage of Lucas's scheduled award that remained unused was 50%. Therefore, Lucas was eligible to receive 50% of his scheduled Pell award of \$4,850 during the balance of the award year. In addition, the FAO used the 600 hours and 20 weeks of instructional time remaining in Lucas's program to establish the appropriate two payment periods (per 34 CFR 668.4(b)), each of 300 clock hours and 10 weeks of instructional time.

The aid officer performed the required multiplication and determined that Lucas could receive as much as \$2,425 ( $.50 \times \$4,850 = \$2,425$ ) if he remained enrolled at MEI for the balance of the year.

During the first payment period, Lucas received \$1,617 ( $\$4,850 \times 300$  hours in the period  $\div$  900 hours in the academic year) in Pell funds.

However, in the second payment period, Lucas could only receive funds until his total Pell at MEI reached \$2,425 (his total for the year reached \$4,850). Therefore, for the second payment period at MEI, Lucas could only receive \$808 ( $\$2,425 - \$1,617 = \$808$ ).

On February 5, 2015, Lucas came to the FAO at MEI and inquired about a loan like the one he had at PHA. The FAO examined Lucas's ISIR and his record in NSLDS and determined that Lucas had received \$1,750 in loan funds (from his first-year loan of \$3,500) while attending PHA.

The FAO tells Lucas that because there is an overlap of the two school's academic years, Lucas is only eligible to receive a loan for the balance of his eligibility as a first-year student—\$1,750. In addition, the FAO tells Lucas that the one-half of his loan will be disbursed within a few days, and the balance will be disbursed when Lucas has successfully completed 300 clock hours (half of the hours in the remainder of his program) and half the weeks of instructional time in the loan period.

### ***Pell Grant and Iraq & Afghanistan Service Grant Lifetime Eligibility Used (LEU)***

Per the Consolidated Appropriations Act of 2012 (CAA), a student's maximum duration of Pell eligibility is 6 Scheduled Awards, as measured by the percentage of "Lifetime Eligibility Used" (LEU) field in COD (one Scheduled Award equals 100% LEU). A separate maximum of 600% LEU also applies to Iraq & Afghanistan Service Grant awards, however, since there are so few of these awards, they are not maintained in COD at this time. A student is ineligible to receive further Pell or Iraq & Afghanistan Service Grant funds if they have reached or exceeded the 600% limit for the applicable program (i.e. Pell or Iraq & Afghanistan Service Grant). For Pell, this limitation is not limited to students who received their first Pell Grant on or after July 1, 2008, as was the previous limit of 9 Scheduled Awards. Instead, it is tracked to the beginning of the program (1973-74).

The LEU levels for Pell and Iraq & Afghanistan Service Grants are separate and are tracked independently. For example, a student might have 400% Pell LEU and 300% Iraq & Afghanistan Service Grant LEU and still be potentially eligible for either program, or 600% Pell LEU and 400% Iraq & Afghanistan Service Grant LEU and be potentially eligible for only an Iraq & Afghanistan Service Grant award. Rounding rules do not apply if the amount disbursed would place the student's LEU over 600%.

The Department provides weekly Pell LEU reports through the SAIG Mailbox under Message Class PGLEXXOP (where XX = the year) for your Pell-eligible applicants (and students who listed your school code on their FAFSA) who have a Pell LEU greater than or equal to 450%. The COD website will show the current Pell LEU level for all aid recipients (updated as transactions are processed). COD also provides the LEU for the Pell Multiple Reporting Record (MRR), Pell Reconciliation Report, and Pell Year to Date file.

Students will fall into one of the following categories, which will have various effects:

- (Code "N" on the student's ISIR under Lifetime Limit Flag): Student not on report—Students in this category have LEU of less than 400%. These students' Pell-awards will be awarded as normal, since even if they receive a full Scheduled Award for 2014-15, they will not go over the 600% LEU maximum.
- (Code "H" on the student's ISIR under Lifetime Limit Flag): LEU greater than 400% but less than or equal to 500%—Students in this category will likely have Scheduled Award eligibility for 2014-15. However, a student's 2014-15 Pell eligibility may be reduced if, for example, another Pell disbursement is reported after a report has been created, putting the student's 2014-15 baseline LEU over 500%.
- (Code "C" on the student's ISIR under Lifetime Limit Flag): LEU greater than 500% but less than 600%—These students will not have full Pell eligibility for 2014-15, since their baseline LEU has less than 100% remaining.

### **Pell & Iraq & Afghanistan Service Grants & LEU**

Consolidated Appropriations Act of 2012

HEA Section 401(c)

DCL GEN-12-01, DCL GEN-13-14

E-Announcements August 13, 2012

2014-15 ISIR Guide

Due to the passage of the Consolidated Appropriations Act of 2012 (CAA), a student may receive a total of 6 Pell or Iraq & Afghanistan Service Grant Scheduled Awards, measured by percentage of Scheduled award(s) disbursed (Lifetime Eligibility Used, or "LEU" field in COD up to 600 percent). This limitation is not limited to students who received their first grant on or after July 1, 2008, as was the previous limit of 9 Scheduled awards.

### **Declining and/or returning Pell funds**

DCL GEN-12-18

A student may decline or return all or part of a disbursement of Pell Grant funds that they are otherwise eligible to receive or have received (returns may only be made in the same award year as the funds were received). This should be a rare action on the part of students and need not be advertised as a possibility by your school. For more detail on the requirements of declining or returning Pell funds, see DCL GEN-12-18.



## Pell Grant LEU Disputes



E-Announcement June 27, 2013

E-Announcement April 18, 2014

A school or student may dispute the accuracy of a student's Pell Grant data which resulted in the student's LEU level in COD. It is the responsibility of the student's current school to coordinate the resolution of the dispute, as described in the E-Announcement published to IFAP on June 27th, 2013. Note that Pell Grant and Iraq & Afghanistan Service Grant LEU levels are independent of one another and are tracked separately (for example, a student may be at 650% Pell LEU, but only 400% IASG LEU).

- (Code "E" on the student's ISIR under Lifetime Limit Flag): LEU 600% or higher—These students will have no Pell eligibility for the 2014-15 award year, as they have already exceeded the maximum lifetime eligibility used amount as defined in the CAA.

To aid in identifying students who are approaching their LEU limits, COD has been updated to return warning code 177 or 178 when a student's Pell LEU is near or exceeds 600%. Also, you will be able to see this data in the Common Record Response, and the Central Processing System (CPS) reports Pell Grant LEU limit flags and percentages on SARs and ISIRs. Students' Pell LEU status is also visible in the NSLDS system. COD calculates a student's LEU to 3 decimal places, and you may round awards as described earlier under "Ground rules for Pell," however, you may not round up if that would cause the student to exceed either their Scheduled Award or 600% LEU.

Currently, Iraq & Afghanistan Service Grant LEU levels are tracked manually by the Department and are not automatically populated in COD or on the students' ISIR. COD has implemented a hard reject (Edit 201) for Pell actual disbursements for Pell recipients with a Pell LEU greater than 600%.

To calculate an award for a student whose LEU level will reduce their eligibility (i.e. an LEU greater than 500% but less than 600%, either code H or C on the Lifetime Limit Flag on the ISIR), first subtract their LEU % from 600%, then multiply the student's Scheduled Award by the resulting percentage. For example, Jack has 534% LEU on his SAR. His school subtracts 534% from 600%, leaving him with 66% of a Scheduled Award remaining. His Scheduled Award for 2014-15 is \$5,645, so his school multiplies \$5,645 by .66, which equals \$3,725.

For students whose eligibility is less than a full Scheduled Award, you award the student a Pell or Iraq & Afghanistan Service Grant as you would for a transfer student who received Pell at another school during the same award year. That is, you determine the student's remaining Pell eligibility, as a % of LEU, and then award each payment until that eligibility is used (see the earlier section in this chapter entitled "transfer students").



## PELL RECALCULATIONS

In certain cases, you may have to recalculate the student's Pell Grant after the initial calculation or disbursement, to account for changes to the student's costs, EFC, or enrollment status.

### ***Change in the EFC (recalculation required)***

If the student's EFC changes due to corrections, updating, or an adjustment, and the EFC change would change the amount of the Pell award, you must recalculate the Pell award for the entire award year. If, as a result of the recalculation, the student has received more than his or her award amount, then the student has received an overpayment. In some cases, you may be able to adjust an award by reducing or canceling later payments to the student in the same award year.

A student selected for verification can be paid based on the corrected output document that you receive during the "verification extension" (120 days after the student's last day of enrollment, not to extend beyond the deadline date established by a Federal Register notice). For example, if you receive a reprocessed ISIR reflecting the results of the student's verification during the extension period and the ISIR has a lower EFC than the previous ISIR (increasing the student's eligibility), you calculate the student's Pell Grant based on the valid ISIR.

### ***Student doesn't begin attendance in all classes within a term (recalculation required)***

If the student doesn't begin attendance in *all* of his or her classes, resulting in a change in the student's enrollment status, you must recalculate the student's award based on the lower enrollment status. A student is considered to have begun attendance in all of his or her classes if the student attends at least one day of class for each course in which that student's enrollment status was determined for Federal Pell Grant eligibility. Your school must have a procedure in place to know whether a student has begun attendance in all classes for purposes of the Federal Pell Grant Program. The Department does not dictate the method a school uses to document that a student has begun attendance. However, a student is considered not to have begun attendance in any class in which the school is unable to document that attendance.

### ***Change in enrollment status for clock-hour programs and programs without terms (recalculation not required)***

Pell Grant payments to students in clock-hour programs and programs without terms are always based on the full-time payment schedule; therefore, no recalculation of Pell eligibility is required for changes in the hours taken by students in clock-hour programs and non-term programs.

### ***Change in enrollment status between terms (recalculation required)***

In a term program that uses credit-hours, you must calculate a student's payment for each term based on the enrollment status for that term. If a student attended full-time for the first term and then enrolled half-time in the second term, you must use the half-time enrollment status to calculate the student's payment for the second term.

## Pell Recalculations

34 CFR 690.80

### Initial Calculation

An initial calculation is the first calculation that is made on or after the date the school has received an ED-produced EFC\* such as the student's initial SAR or ISIR with an official EFC and uses the enrollment status at the time of the initial calculation. If you've estimated the student's eligibility prior to receiving a SAR or ISIR for the student, you must confirm prior estimated eligibility or determine the student's eligibility at the time the SAR or ISIR is received.

You should document the date that you initially calculate a student's Pell Grant. The earliest date is the date of receipt of an ED-produced EFC\*, such as on a SAR or ISIR (assuming the school has a documented or projected enrollment status for the student). If you fail to document the date of the initial calculation, you must use the later of (a) the date that the SAR or ISIR is first received and the student's enrollment status as of that date or (b) the date the student enrolls.

Your school is considered to have received the ISIR on the date it was processed. This date is labeled "Processed Date" on the ISIR. In the case of a SAR, your school is considered to have received it on the date processed unless you document a later date. The processing date on a SAR is the date above the EFC and, on a SAR Acknowledgment, the "Transaction Processed Date."

\*Note: An ED-produced EFC may be an EFC from a SAR/ISIR, FAA Access, or FAFSA on the Web.

### Enrollment change: required recalculation example

Ryne registers for a full-time course load (15 credit hours), and Danbury College makes a first-term disbursement on that basis 10 days before the term starts. When the term starts, Ryne only begins attendance in three classes (9 credit hours). Danbury must recalculate Ryne's Pell award based on the lower enrollment status. Any difference between the amount Ryne received and his new recalculated award is an overpayment. See Volume 5 for a discussion of overpayments.

### NSLDS reporting requirement



You must report changes to a student's enrollment status to NSLDS in a timely manner. Any change requiring a recalculation of award may also require an update to the student's enrollment status.

## Changes to the EFC

There are three ways that a student's EFC can change:

1. **Corrections.** The student may have to correct a mistake that was reported on the original FAFSA or SAR/ISIR. This frequently occurs as a result of verification, but it may also be a result of the student's own review of the SAR/ISIR.
2. **Updating.** In some cases, a student is required to update changes to dependency status, household size, and the number in college (see *Volume 1, Student Eligibility* for details).
3. **Professional Judgment.** You may, on a case-by-case basis, adjust one or more of the data elements used to calculate the EFC. In some cases, you might make an adjustment during the award year to reflect a student's changed circumstances. For example, if a wage-earning parent dies after the student's first semester, you could adjust the adjusted gross income in the EFC formula to reflect the loss of income. You may also determine that a dependent student should be considered independent.

If the student has already been paid based on the original EFC, the award will have to be recalculated.

## Tuition and fee charges and recalculation

If the school recalculates a student's Pell Grant due to a change in enrollment status, continuing to charge tuition and fees for credit hours no longer included in the student's enrollment status for Pell Grant purposes does not affect the requirement to recalculate the student's Pell Grant.

For example, Jackie enrolls as a full-time student with 12 credits but never starts attendance in a 3-credit class that starts after the college's "add/drop" date. Jackie's award must be recalculated as three-quarter time even though the college charges tuition for any classes dropped after the "add/drop" date and continues to charge Jackie for 12 credits.

## SAR/ISIR with different EFC

If you receive a SAR or ISIR with an EFC different from the one you used for the payment calculation, you must first decide which document is valid. If the new information is the correct information, the new SAR or ISIR is the valid record. In most cases, you must recalculate the student's Pell award for the entire award year based on the new EFC. For more information on SARs, ISIRs, and EFC, see the *Application and Verification Guide*.

## Change in enrollment status within a term (optional recalculations)

The regulations don't require any recalculation for changes in enrollment status after the student has begun attendance in all of his or her classes. However, your school can have a policy of recalculating an award if a student's enrollment status changes within a term. If such a policy is established, it must be applied consistently to all students in a program. For example, if the school chooses to recalculate for a student whose enrollment status increases from half-time to full-time, it must also recalculate for a student whose enrollment status decreases. If the school establishes a policy allowing optional recalculations for an educational program, this policy must be in writing.

Your school's policy may set a date after which Pell Grants will not be recalculated for enrollment status changes. For example, a school can establish a policy that it will recalculate Pell awards only for enrollment changes that occur up to the "add/drop" date of a term. This policy is true regardless of whether there is compressed coursework. The initial calculation of a student's Pell Grant may occur subsequent to the "add/drop" date of the term, including terms with compressed coursework.

If that is the case, you must use the student's effective enrollment status on the date of the initial calculation, and there would be no recalculations of the student's Pell Grant for the term due to a subsequent change in enrollment status, assuming the student began attendance in each class. If the student's payment for the term is being disbursed in a subsequent payment period, you may pay the student only for the coursework completed in the term.

In the case of programs offered with compressed coursework or modules within the terms, the school may adopt a policy of setting the date based on the add/drop date of the last class in which the student enrolls, or is expected to enroll, for the term. In this circumstance, the school must take into account all adjustments to the enrollment status, both increases and decreases, up to the add/drop date of the student's last class.

If a school doesn't establish a policy for recalculation within a term, a student who begins attendance in all classes would be paid based on the initial calculation, even if his or her enrollment status changes before the disbursement is made. If the student withdraws from all of his or her classes (or doesn't begin attending any classes), you must follow the procedures discussed in *Volume 5*.

## Change in cost of attendance (recalculation required for an enrollment status change; otherwise optional)

You're not required to recalculate Pell awards for cost changes during the award year. For instance, if the student gets accepted into on-campus housing after the fall term and your student budget for on-campus housing is lower, you're not required to recalculate the student's Pell award. If you choose to recalculate for changes in costs, you have to consistently apply that recalculation policy.

If you recalculate a Pell award because the student's enrollment status has changed, you must also take into account any changes in the student's costs at that time. For example, if a student enrolls full-time for the first semester and then drops to less than 1/2-time during that semester, the student's costs will change, because only certain cost components are allowed for less than 1/2-time students. If your school's policy is to recalculate for the enrollment change, you must use the cost for a less-than-half-time student *for a full year* to calculate the student's less-than-half-time award. You must not combine the two costs or average them.

### ***COA changes between payment periods***

A school may have a policy of recalculating awards when the cost of attendance changes from one payment period to the next—for example, because of changes to the student's tuition and fee costs, or because a student's living situation changes (such as when a student moves off campus). Schools also have the option to establish a policy to recalculate financial aid awards when a student's costs change *within* an award year, as long as the recalculation policy is carried out for all students whose costs change.

### ***COA changes within a payment period***

You may establish a policy of recalculating for cost changes from one payment period to the next, and at the same time, have a policy not to recalculate for cost changes *within* a payment period. You also have the option to establish a policy to recalculate financial aid awards when a student's costs change within a payment period. For instance, if a student with no dependents moves from a dormitory to off-campus housing at midterm, the school may wish to recalculate the student's award for that payment period.

For Pell purposes, such a policy is acceptable if it's carried out for all students whose costs change within the payment period.

You may not recalculate the payment for a payment period that took place *before* the cost change. For instance, in the example, if the student lives in the dormitory during the first quarter and then moves off campus for the second and third quarters, the recalculation would only affect the payments for the second and third quarters.

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### **Enrollment change within payment period**

Juan registers for a full-time course load at Coulton College, and Coulton initially calculates a full-time award for him. He begins attending all of his classes but subsequently drops to half-time. Depending on Coulton's recalculation policy, Juan may still be paid based on full-time enrollment as long as he's otherwise eligible for payment. On the other hand, if Coulton did not receive Juan's first processed valid SAR or ISIR with an official EFC until after he dropped to half-time enrollment, the Pell initial calculation would be based on his enrollment status at the time the output document was received (half-time).

# Chapter 3 Appendices:

## APPENDIX A— FORMULA 2: CALCULATIONS FOR STANDARD-TERM PROGRAMS WITH LESS THAN 30 WEEKS IN FALL THROUGH SPRING

## APPENDIX B—FORMULA 5: CALCULATIONS FOR CORRESPONDENCE STUDY PROGRAMS

## APPENDIX C— PELL FORMULA SUMMARIES

## APPENDIX A

### FORMULA 2: CALCULATIONS FOR STANDARD-TERM PROGRAMS WITH LESS THAN 30 WEEKS IN FALL THROUGH SPRING

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#### Using Formula 2

34 CFR 690.63(a)(2), 690.63(c)

The regulations provide an option for standard-term programs whose fall through spring terms provide less than 30 weeks of instructional time. Formula 2 may be advantageous for your summer term calculations. You may use Formula 2 if the program:

- has an academic calendar that consists of two semesters or trimesters (in the fall through the following spring) or three quarters (in the fall, winter, and spring);
- does not have overlapping terms; and
- measures progress in credit-hours and defines full-time enrollment for each term in the award year as at least 12 credit-hours.

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#### Formula 2 Alternative Calculation

Under Formula 2, you can perform the same alternate calculation as performed under Formula 1 ~~if~~ if the weeks of instructional time in the defined academic year are the same as the total number of weeks of instructional time in all the terms in the award year. See the example for alternate calculation under the discussion of Formula 1 earlier in this chapter.

## Formula 2: calculation for standard terms with Fall through Spring terms less than 30 weeks

The regulations offer an alternative formula for standard-term programs with fall through spring standard terms that provide less than 30 weeks of instructional time. The significant effect of this formula is to allow you to pay the same Pell amount for the summer term as you would for one of your traditional fall through spring terms. To use this formula, the program must have two semesters or trimesters (in the fall through the following spring) or three quarters (in the fall, winter, and spring), with no overlapping terms, and define full-time enrollment for each term in the award year as at least 12 credit hours.

Let's take the example of Juan, who is attending Coulton College, which has fall and spring semesters of 14 and 15 weeks, and a summer term of 10 weeks. Coulton defines the academic year of Juan's program as 24 semester hours and 30 weeks.\* His Scheduled Award is \$3,390, and he is attending as a full-time student. Because the fall and spring terms provide less than the minimum 30 weeks of instructional time for an academic year, Juan's full-time award is prorated as follows:

$$\frac{29 \text{ weeks* in term**}}{30 \text{ weeks* in academic year}} \times \$3,450 = \$3,335$$

This prorated amount is then divided by the number of terms:  $\frac{\$3,335}{2} = \$1,667.50$

Juan will receive \$3,335 for his attendance in both semesters. Note that this is less than his Scheduled Award; he may be able to receive the remaining amount if he enrolls in a summer term.

The difference between Formula 2 and Formula 3 lies in whether you must make a separate calculation for each term. Under Formula 2, you do not have to perform a separate calculation based on the length of each term. Juan's Pell eligibility as a full-time student would be \$1,667.50 under Formula 2. If Coulton used Formula 3, the annual award would be prorated based on the length of each term: 14 weeks (14/30), 15 weeks (15/30), and 10 weeks (10/30), and Juan's payments for the payment periods would be \$1,556.33, \$1,667.50, and \$1,111.66, respectively.

Juan has remaining Pell eligibility for the summer term under both formulas. His summer payment would only be different for each formula if Coulton chose to pay the summer term out of the subsequent award year. (Note that Juan's Scheduled Award and his summer payment would then be based on the EFC for the following award year.)

\*These fractions use weeks of instructional time as defined in Chapter 1, which are not necessarily the same number as the calendar weeks in an academic year.

\*\*Fall through spring.

**Correspondence program highlights**

- Pell cost of attendance limited to tuition and fees (and in some cases, books and supplies)
- The enrollment status for correspondence students can never be more than 1/2-time
- The enrollment status for a student who is taking both correspondence and regular coursework may be greater than 1/2-time
- Timing of payments within payment periods is different for correspondence students
- Formula 5A or 5B used to calculate awards for correspondence students

**Enrollment status cites for correspondence**

Term classes — 34 CFR 690.66(c)(2)  
 Combined with regular study — 34 CFR 690.8

**Academic coursework**

The term academic coursework does not necessarily refer to credits. If a student does not earn any credits until the end of the program, it may refer to the lessons or other measures of learning within a course or a program. For instance, if a course or program is made up of 40 equal lessons, the student reaches the halfway point as follows:

- If the student successfully completes the first 20 lessons before the calendar midpoint of the academic year, the second payment period does not begin until the calendar midpoint.
- If the student completes the first half of the academic year before successfully completing the first 20 lessons, the second payment period does not begin until the student successfully completes the first 20 lessons.

**Annual award**

The annual award for a student in a non-term correspondence program is always taken from the half-time Disbursement Schedule because a correspondence student can't receive more than half of a Scheduled Award. For a student in a term correspondence program, the annual award is determined from the half-time Disbursement Schedule or the less-than-half-time Disbursement Schedule, as appropriate.

34 CFR 690.66(a)(1) and (2)

**APPENDIX B****FORMULA 5: CALCULATIONS FOR CORRESPONDENCE STUDY PROGRAMS**

Students enrolled in correspondence courses are eligible for aid under FSA programs only if the courses are part of a program leading to an associate's, a bachelor's, or a graduate degree. Also, to be eligible, a correspondence program must meet the criteria for an eligible program (see *Volume 2 of the FSA Handbook: Institutional Eligibility and Participation*).

**PELL COST OF ATTENDANCE (CORRESPONDENCE)**

The cost of attendance for correspondence programs is limited to tuition and fees, and in certain cases, books and supplies. Traditionally, books and supplies have been included as part of the correspondence program's tuition. If books and supplies are not included in the program's tuition, they may be counted as costs, for either a residential or nonresidential period of enrollment. As always, the cost of attendance must be based on the costs for a full-time student for a full academic year for the relevant component (for correspondence COA, there would be no room and board, etc.). If the student's program or period of enrollment, as measured in credit-hours, is longer or shorter than an academic year as measured in credit-hours, the tuition and fees for the program or enrollment period must be prorated. Because the correspondence study cost of attendance for the nonresidential component only includes costs associated with credit-hours, your school always uses the credit-hour-related fraction to prorate the cost of attendance as follows (because there are no costs associated with weeks of instructional time in the correspondence cost of attendance, your school has to prorate the cost only if the number of hours in the program is shorter or longer than in an academic year):

Credit-hours in program's definition of an academic year  
 Credit-hours to which the costs apply

The resulting amount is the full-time, full-academic-year cost used for calculating Pell Grant eligibility. When there is a residential portion in a correspondence student's program, Formula 3 or 4 (whichever applies) is used to calculate the student's payment for a payment period for a residential portion. Refer to Formula 3 or 4 guidelines, including cost of attendance determinations, for this circumstance.



## PELL ENROLLMENT STATUS (CORRESPONDENCE)

Students enrolled in programs of correspondence study are considered to be no more than half-time students, even if they're enrolled in enough coursework to be full-time. However, if the correspondence study is combined with regular coursework, the student's enrollment status might be more than half-time.

A student enrolled only in a non-term correspondence program always has his or her award calculated based on the half-time Disbursement Schedule. For a student enrolled in a term-based correspondence program, your school must determine whether the student is enrolled half-time (6 or more credit hours in a term) or less-than-half-time (less than 6 credit-hours in a term). Special rules are used to determine the student's enrollment status when the student is enrolled in a combination of regular and correspondence coursework.

## PELL CORRESPONDENCE PAYMENT PERIODS & TIMING OF PAYMENTS

For a *non-term* correspondence program, there must be two equal payment periods in each academic year. Each payment period is the lesser of half the academic year or half the program (measured in credit hours). In addition, you can't disburse a Pell payment for the first payment period until the student has completed 25 percent of the work in the academic year or the program, whichever is shorter. You can't make the second payment until the student has completed 75 percent of the work in the academic year or program.

For a *term*-based correspondence program, as for other term-based programs, the payment period is the term. However, you can't disburse the Pell for a payment period until the student has completed 50 percent of the lessons or completes 50 percent of the work for the term, whichever is later.

If the correspondence program has a required period of *residential training*, you must treat the residential training as an additional payment period and determine the payment for that payment period using either Formula 3 or Formula 4. Note that the correspondence portion of the program is still treated as a separate portion of the program that's divided into two equal payment periods.

## PELL CALCULATIONS IN CORRESPONDENCE PROGRAMS

Formula 5 is used for students enrolled only in correspondence courses (not including residential components of correspondence programs). There are two versions of Formula 5: Formula 5A (which is similar to Formula 4) is used for non-term programs, and Formula 5B (which is similar to Formula 3) is used for term-based programs. For a residential component of a correspondence program, your school must use either Formula 3 or Formula 4. If the residential component is a term, your school uses Formula 3; otherwise, it uses Formula 4.

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### Correspondence payment periods

Non-term — 34 CFR 690.66(b)

Term — 34 CFR 690.66(c)(3),(c)(4)

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### Correspondence multiple Formulas exception

If a correspondence student has one or more payment periods in an award year that contain only correspondence study and one or more payment periods in the same award year that contain a residential portion, your school would use two different formulas for determining a student's payment for each payment period. This instance is the only one in which a school would use two different Pell formulas within the same award year for students in the same program.

For non-term correspondence programs, this step of the calculation is similar to the step under Formula 4. For term correspondence programs, this step is the same as under Formula 3.

For the Pell calculation, you are required to determine the number of weeks of instructional time in the program by preparing a written schedule for the lessons that the student will submit. A non-term correspondence program must require at least 12 hours of preparation per week. A term-based correspondence program must require at least 30 hours of preparation per semester hour or at least 20 hours of preparation per quarter-hour during the term.

### ***Non-term correspondence program—Formula 5A***

You first multiply the annual award (taken from the half-time disbursement schedule) by the lesser of:

$$\frac{\text{Number of credit-hours in the payment period}}{\text{Credit-hours in program's academic year definition}}$$

or

$$\frac{\text{Weeks* in the payment period}}{\text{Weeks* in program's academic year definition}}$$

### ***Term correspondence program—Formula 5B***

You multiply the annual award (taken from the half-time or less-than-half-time Disbursement Schedule) by the weeks of instructional time in the term divided by the weeks in the academic year:

$$\frac{\text{Weeks* in term}}{\text{Weeks in program's academic year definition}}$$

A single disbursement for a payment period can never be more than 50 percent of the annual award. If the resulting amount is more than 50 percent of the annual award, your school must make the payment in at least two disbursements in that payment period. You may not disburse an amount that exceeds 50 percent of the annual award until the student has completed the period of time in the payment period that equals 50 percent of the weeks of instructional time in the program's academic year definition.

\*Note: The fractions on this page use weeks of instructional time as defined in Chapter 1, which are not necessarily the same number as the calendar weeks in an academic year.

## APPENDIX C FORMULA SUMMARIES

### Formula 1 Summary

Standard-term, credit-hour programs, with 30 weeks of instructional time (or waiver applies). For a program with a traditional academic calendar, the program:

- must have an academic calendar that consists, in the fall through spring, of two semesters or trimesters, or three quarters (note that summer may not be a standard term);
- must have at least 30 weeks of instructional time in fall through spring terms;
- must not have overlapping terms; and
- must define full-time enrollment for each term in the award year as at least 12 credit hours and must measure progress in credit hours.

Other programs offered in standard terms may use Formula 1 if they start the terms for different cohorts of students on a periodic basis (for example, monthly). These programs:

- must have an academic calendar that consists exclusively of semesters, trimesters, or quarters;
- must have at least 30 weeks of instructional time in any two semesters or trimesters or any three quarters;
- must start the terms for different cohorts of students on a periodic basis (for example, monthly);
- must not allow students to be enrolled in overlapping terms and the students must stay with the cohort in which they start unless they withdraw from a term (or skip a term) and re-enroll in a subsequent term.
- must define full-time enrollment for each term in the award year as at least 12 credit hours and must measure progress in credit hours.

#### **Step 1: Determine Enrollment Status**

Full-time, three-quarter-time, half-time, or less-than-half-time

#### **Step 2: Calculate Pell COA**

Full-time, full academic year costs.

#### **Step 3: Determine Annual Award**

If the student's enrollment status is full-time, the annual award is taken from the full-time payment schedule (Scheduled Award). If the student's enrollment status is 3/4-time, 1/2-time, or less-than-1/2 time, the annual award is taken from the appropriate part-time Disbursement Schedule.

#### **Step 4: Determine Payment Periods**

Payment period is the academic term.

#### **Step 5: Calculate Payment for a Payment Period**

Annual Award

$\frac{\text{Annual Award}}{2}$  for programs with semesters or trimesters;  $\frac{\text{Annual Award}}{3}$  for programs with quarters

**OR**

For alternate calculation:

Annual Award

$\frac{\text{Annual Award}}{\text{Number of terms in the award year}}$

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## Formula 2 Summary

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Standard-term, credit-hour programs, with fewer than 30 weeks of instructional time, and waiver does not apply

- Enrollment for at least 12 credit-hours each term required for full-time status
- Program terms don't overlap
- Academic calendar includes 2 semesters/trimesters (fall and spring) or 3 quarters (fall, winter, and spring)
- Fall through spring terms are less than 30 weeks of instructional time

### Step 1: Determine Enrollment Status

Full-time, three-quarter-time, half-time, or less-than-half-time

### Step 2: Calculate Pell COA

Full-time, full academic year costs.

Cost for fall through spring terms prorated. If fall through spring terms provide the same number of credit hours as are in the academic year definition, prorated COA is the same as non prorated COA.

### Step 3: Determine Annual Award

If the student's enrollment status is full-time, the annual award is taken from the full-time payment schedule (Scheduled Award). If the student's enrollment status is 3/4-time, 1/2-time, or less-than-1/2 time, the annual award is taken from the appropriate part-time Disbursement Schedule.

### Step 4: Determine Payment Periods

Payment period is the academic term.

### Step 5: Calculate Payment for a Payment Period

$$\text{Annual award} \times \frac{\text{Weeks of instructional time in fall through spring terms}}{\text{Weeks of instructional time in program's academic year definition}} \div \begin{matrix} 2 \text{ (if semesters} \\ \text{or trimesters)} \\ \text{OR} \\ 3 \text{ (if quarters)} \end{matrix}$$

**OR**

For alternate calculation:

$$\frac{\text{Annual Award}}{\text{Number of terms in the award year}}$$


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## Formula 3 Summary

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Any term-based, credit-hour programs; may include those qualifying for Formulas 1 and 2.

### **Step 1: Determine Enrollment Status**

Full-time, three-quarter time, half-time, or less-than-half-time.

### **Step 2: Calculate Pell COA**

Full-time, full academic year costs.

Cost for program or period not equal to academic year prorated. Two fractions are compared:

$$\frac{\text{Hours in program's definition of academic year}}{\text{Hours to which the costs apply}}$$

$$\frac{\text{Weeks of instructional time in program's definition of academic year}}{\text{Weeks of instr. time in the enrollment period to which the costs apply}}$$

The entire cost is multiplied by the lesser of the two fractions to determine Pell COA.

### **Step 3: Determine Annual Award**

If the student's enrollment status is full-time, the annual award is taken from the full-time payment schedule (Scheduled Award). If the student's enrollment status is 3/4-time, 1/2-time, or less-than-1/2-time, the annual award is taken from the appropriate part-time Disbursement Schedule.

### **Step 4: Determine Payment Periods**

Payment period is the academic term.

### **Step 5: Calculate Payment for a Payment Period**

$$\frac{\text{Weeks of instructional time in the term}}{\text{Weeks of instructional time in the program's academic year definition}}$$

A single disbursement can't exceed 50% of the annual award.

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## Formula 4 Summary

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Clock-hour programs and credit-hour programs without terms, residential portion of non-term correspondence programs.

### **Step 1: Determine Enrollment Status**

At least half-time or less-than-half-time.

### **Step 2: Calculate Pell COA**

Full-time, full academic year costs.

Cost for program or period not equal to academic year prorated. Two fractions compared:

$$\frac{\text{Hours in program's definition of academic year}}{\text{Hours to which the costs apply}}$$

$$\frac{\text{Weeks of instructional time in program's definition of academic year}}{\text{Weeks of instructional time in the enrollment period to which the costs apply}}$$

The entire cost is multiplied by the lesser of the two fractions to determine Pell COA.

### **Step 3: Determine Annual Award**

Always taken from full-time payment schedule (equal to Scheduled Award). Does not mean students are always considered full-time.

### **Step 4: Determine Payment Periods**

Length of payment period measured in credit or clock hours. Minimum of 2 equal payment periods required for programs shorter than an academic year, or 2 equal payment periods in each full academic year (or final portion longer than half an academic year) for programs longer than or equal to an academic year.

### **Step 5: Calculate Payment for a Payment Period**

Annual award multiplied by the lesser of:

$$\frac{\text{The number of credit or clock-hours in the payment period}}{\text{The number of credit or clock-hours in the program's academic year}}$$

**OR**

$$\frac{\text{The number of weeks of instructional time in the payment period}}{\text{The number of weeks of instructional time in the program's academic year}}$$

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Note: A single disbursement can't exceed 50% of the annual award.

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## Formula 5A Summary

Correspondence programs non-term correspondence component. For residential portion, use Formula 4 to calculate payment periods and amounts. The schedule for the submission of lessons must reflect a workload of at least 12 hours of preparation per week of instructional time.

### Step 1: Determine Enrollment Status

Enrollment status is never more than half-time.

### Step 2: Calculate Pell COA

Full-time, full academic year costs (for applicable components).

Cost for program or enrollment period not equal to academic year prorated according to the following formula:

For tuition and fees:

$$\text{Costs} \times \frac{\text{Credit-hours in program's definition of academic year}}{\text{Credit-hours to which costs apply}}$$

### Step 3: Determine Annual Award

Annual award taken from half-time Disbursement Schedule

### Step 4: Determine Payment Periods

Length of payment period measured in credit hours.

The first payment period is the period of time in which the student completes the lesser of the first half of the academic year or the first half of the program. (First payment can be made only after the student has completed 25% of the lessons or otherwise completed 25% of the work scheduled, whichever comes last.)

The second payment period is the period of time in which the student completes the lesser of the second half of the academic year or the second half of the program. (Second payment may be made only after the student has submitted 75% of the lessons or otherwise completed 75% of the work scheduled, whichever comes last.)

### Step 5: Calculate Payment for a Payment Period

Annual award is multiplied by the lesser of:

$$\frac{\text{Number of credit hours in the payment period}}{\text{Number of credit hours in the program's academic year}}$$

**OR**

$$\frac{\text{Weeks of instructional time in the payment period}}{\text{Weeks of instructional time in the program's academic year}}$$

Note: A single disbursement can't exceed 50% of the annual award.

## Formula 5B Summary

Programs of study by correspondence, term correspondence component. During each term, the written schedule for the submission of lessons must reflect a workload of at least 30 hours of preparation per semester hour or at least 20 hours of preparation per quarter-hour.

### **Step 1: Determine Enrollment Status**

Enrollment status is never more than half-time.

### **Step 2: Calculate Pell COA**

Full-time, full academic year costs (for applicable components).

Cost for program or enrollment period not equal to academic year prorated according to the following formula:

For tuition and fees:

$$\text{Costs} \times \frac{\text{Credit-hours in program's definition of academic year}}{\text{Credit-hours to which costs apply}}$$

### **Step 3: Determine Annual Award**

Annual award taken from half-time or less-than-half-time Disbursement Schedule.

### **Step 4: Determine Payment Periods**

Length of payment period is the academic term.

### **Step 5: Calculate Payment for a Payment Period**

Annual award multiplied by:

$$\frac{\text{Weeks of instructional time in the term}}{\text{Weeks of instructional time in program's academic year definition}}$$

When there is a residential portion in a term-based correspondence program, Formula 3 is used to calculate the student's payment for a payment period for the residential portion.

A single disbursement cannot exceed 50% of the annual award.

# Calculating TEACH Grants

## CHAPTER 4

*In this chapter, we will illustrate the amounts a student may receive under the TEACH Grant program and show how to determine the correct grant award for each payment period. For more detail on TEACH Grant criteria and eligibility, see Volume 1, Student Eligibility. For more on payment periods, see Chapter 1 of this volume, and for cost of attendance, see Chapter 2 of this volume.*

### TEACH GRANT BASICS

The TEACH Grant program is a non-need-based grant program that provides up to \$4,000 per year to students who are enrolled in an eligible program and who agree to teach in a high-need field, at a low-income elementary or secondary school\* as a highly qualified teacher, for at least four years within eight years of completing the program for which the TEACH Grant is awarded. The student must sign a service agreement to this effect and complete all required counseling prior to receiving a TEACH Grant.

If the student subsequently fails to meet the requirements of the service agreement, the TEACH Grant will be treated as a Direct Unsubsidized loan, and the student must repay the TEACH funds, with interest accrued from the date of disbursement, through the Department's Teach Grant Servicer. For more details on the TEACH Grant service agreement, eligibility, and conversion from a grant to a loan, see Volume 1.

With respect to enrollment status, the program must require an undergraduate student to enroll for at least 12 credit-hours in each term in the award year to qualify as full-time. For a graduate student, each term in the award year must meet the minimum full-time enrollment status established by your school for a semester, trimester, or quarter.

\*For more information on "low-income" school eligibility and the Teacher Cancellation Low Income program, see: <https://www.tcli.ed.gov/CBSWebApp/tcli/>

### CHAPTER 4 HIGHLIGHTS

- Award amounts
- Calculating a TEACH Grant for a payment period
- Calculating TEACH for a payment period that occurs in two award years
- TEACH for transfer students
- Correspondence study and TEACH
- Frequency of payment
- Recalculation of TEACH Grants

### TEACH Grant regulations

34 CFR 686

Scheduled, annual, and aggregate awards

34 CFR 686.21

### Packaging TEACH Grants

The amount of a student's TEACH Grant, in combination with any Pell Grant or other estimated financial assistance, may not exceed the student's cost of attendance. However, TEACH Grants may replace the EFC for packaging purposes. See Chapter 7 for packaging rules.

### The Sequester and TEACH Grants



DCL GEN-13-27, DCL GEN-14-10

E-Announcement Dec 24, 2013

On August 2, 2011, Congress passed the Budget Control Act (BCA) of 2011, which put into place a federal budget cut known as the sequester. All disbursements of TEACH awards made during the Federal Fiscal Year 2014 (on or after Oct 1, 2013, and before Oct 1, 2014) must be reduced by 0.89% from the award amount the student would otherwise be eligible to receive. TEACH Grant awards where the first disbursement is on or after Oct 1, 2014 must be reduced by 7.3% from the award amount the student would otherwise be eligible to receive.

*TEACH Grant Scheduled, Annual, and Aggregate Awards*

The TEACH Grant award amounts are similar to Pell awards in that there is a Scheduled Award, which is the maximum that a full-time student would earn for a year, and an Annual Award, which is the amount a student would receive by enrolling for a year in an enrollment status (e.g. full-time, three-quarter-time, half-time, or less-than-half-time). The Scheduled Award for TEACH is \$4,000, and the annual awards are:

Full-time .....	\$4,000
3/4-time .....	\$3,000
1/2-time .....	\$2,000
less-than-1/2-time .....	\$1,000

A student may receive up to \$16,000 in TEACH grants for undergraduate and post-baccalaureate study, and up to \$8,000 for a TEACH-eligible master’s degree program.

**CALCULATING TEACH GRANT PAYMENTS FOR PAYMENT PERIODS**

As for other FSA programs, for purposes of calculating a TEACH Grant for a payment period, the definition of an academic year must include, for undergraduate programs of study (including those post-baccalaureate programs that are TEACH Grant eligible), both the required credit or clock-hours and weeks of instructional time (see Chapter 1).

The formula you will use to calculate the amount of a student’s TEACH Grant that will be awarded for a payment period depends on the academic calendar used by the student’s program. These formulas are the same as for Pell Grants, with the exception of master’s degree programs. For details on these payment formulas, see Chapter 3 of this volume. For master’s degree programs, a TEACH Grant eligible program’s academic year must be defined as at least the required number of weeks of instructional time and the minimum number of credit or clock-hours that a full-time student would be expected to complete in the weeks of instructional time.

Note that no payment for a payment period may be less than \$25.

**TEACH regulations**

- Calculating TEACH for a payment period  
34 CFR 686.22
- Timing of payments & Lump sum payments  
34 CFR 686.33
- TEACH Grant Academic Year  
34 CFR 686.22(h)
- Crossover payment periods  
34 CFR 686.23
- Transfer students  
34 CFR 686.24

**Payment for a payment period from two Scheduled Awards**

34 CFR 686.22(i)

When a student’s payment period spans two different Scheduled Awards, the student’s payment for the payment period is calculated based on the total credit or clock-hours and weeks of instructional time in the payment period, and is the remaining amount of the Scheduled Award being completed plus an amount from the next Scheduled Award, (if available) up to the payment for the payment period.

*Crossover payment periods*

In the same way as for Pell, if a student enrolls in a payment period that is scheduled to occur in two award years, the entire payment period must be considered to occur within one of those award years, and the school must pay the student for that payment period with funds from that award year. There is no requirement for a TEACH Grant crossover payment period to be placed in the same award year as Pell.

In most cases, it is up to the school to determine the award year in which the payment period will be placed. However, if more than six months of a payment period is scheduled to occur within one award year, you must place that payment period in that award year.

*Payment within payment period & retroactive payment*

Within each payment period, you may pay the student at such times and in such installments as you determine will best meet the student's needs. You may pay a student TEACH Grant funds in one lump sum for all prior payment periods for which the student was eligible within the award year as long as the student has signed the agreement to serve prior to disbursement of the TEACH Grant (for more details on the agreement to serve and TEACH Grant eligibility, see Volume 1).

*Transfer students*

A student who receives a TEACH Grant at one institution and subsequently enrolls at a second institution may receive a TEACH Grant at the second institution if the second institution obtains the student's valid SAR or ISIR with an official EFC.

The second institution may pay a TEACH Grant only for that period in which a student is enrolled in a TEACH Grant-eligible program at that institution. The second institution must calculate the student's award using the appropriate formula, unless the remaining balance of the Scheduled Award at the second institution is the balance of the student's last Scheduled Award and is less than the amount the student would normally receive for that payment period.

A transfer student must repay any amount received in an award year that exceeds the amount which he or she was eligible to receive.

A student may not receive TEACH Grant payments concurrently from more than one school.

**Required TEACH Grant counseling**

34 CFR 686.32

Before receiving a TEACH Grant, a student must, among other requirements, complete initial and subsequent counseling on the TEACH website. You must ensure that exit counseling is conducted with each TEACH Grant recipient when that student ceases to attend the school at a time determined by the school. The exit counseling must be in person, by audio-visual presentation, or by interactive electronic means (such as the TEACH Grant website: <https://teach-ats.ed.gov/ats/index.action>).

In each case, you must ensure that an individual with expertise in the FSA programs is reasonably available shortly after the counseling to answer the grant recipient's questions. (In the case of a grant recipient enrolled in a correspondence program or a study abroad program approved for credit at the home school, the grant recipient may be provided with written counseling materials within 30 days after he or she completes the program.)

It is the school's responsibility to see that TEACH recipients receive exit counseling when the student is no longer enrolled in the program. You will receive reports from the Department on all students who have completed counseling. If the student doesn't complete the exit counseling session on the TEACH website, you must ensure that exit counseling is provided either in person, through interactive electronic means, or by mailing written counseling materials (such as the PDF version of the exit counseling program on the TEACH website) to the grant recipient's last known address. In the case of unannounced withdrawals, you must provide this counseling within 30 days of learning that a grant recipient has withdrawn from school (or from a TEACH Grant-eligible program).

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**TEACH Grant Formula 1**

34 CFR 686.22(a)(1),(b)

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**TEACH Grant Formula 2**

34 CFR 686.22(a)(2),(c)

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**TEACH Grant Formula 3**

34 CFR 686.22(a)(3),(d)

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**TEACH Grant Formula 4**

34 CFR 686.22(a)(4),(e)

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**TEACH Grant Formula 5**

34 CFR 686.25

**TEACH GRANT FORMULAS**

The requirements for calculating a TEACH Grant payment for a payment period are exactly the same as Federal Pell Grant program requirements and use the same formulas as the Pell Grant program. TEACH Grant Formulas 1, 2, 3, 4, and 5 are identical to the corresponding Pell formulas. The school disburses a TEACH Grant, like Pell, over the hours and weeks of instruction in an eligible program's academic year, as defined by the school.

As with Pell Grants, TEACH Grant Scheduled Awards are divided into at least two payments based on the payment periods in a year. The calculation formula you use depends on the academic calendar of a student's eligible program and would be the same formula used to calculate payments of Pell Grants for that academic program. For students ineligible for Pell Grants, such as master's degree students, you must use the calculation formula that corresponds to the academic calendar of the eligible student's program. Refer to Chapter 3 of this volume on Pell Grants for a more detailed explanation of these formulas.

A student's payment for a payment period is calculated based on the coursework in the student's TEACH Grant-eligible program. For a TEACH Grant, the school must ensure that the student's courses are necessary for the student to complete the student's TEACH Grant eligible program.



## RECALCULATING TEACH GRANTS

### *Recalculating for changes in enrollment status*

If a student's enrollment status changes from one term to another within the same award year, you **must** recalculate the TEACH Grant award for the new payment period, taking into account any changes in the cost of attendance.

If a student's projected enrollment status changes during a payment period after the student has begun attendance in all of his or her classes for that payment period, you may (but are not required to) establish a policy under which you recalculate such a student's TEACH Grant award. Any such recalculations must take into account any changes in the cost of attendance. In the case of an undergraduate or post-baccalaureate program of study, if such a policy is established, it must match your Pell Grant recalculation policy, and you must apply the policy to all students in the TEACH-eligible program.

If a student's enrollment status changes during a payment period before the student begins attendance in all of his or her classes for that payment period, you must recalculate the student's enrollment status to reflect only those classes for which he or she actually began attendance.

### *Recalculating for changes in cost of attendance*

If a student's cost of attendance changes during the award year and his or her enrollment status remains the same, your school **may**, but is not required to, establish a policy under which you recalculate the student's TEACH Grant award. If you establish such a policy, you must apply it to all students in the program.

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## TEACH Recalculations

34 CFR 686.35



# Direct Loan Periods and Amounts

## CHAPTER 5

*The rules for awarding Direct Loans are different than for Pell Grants and other FSA programs. For Direct Subsidized/Unsubsidized Loans, there are annual loan limits that vary by grade level, and there are aggregate limits on the total (cumulative) loan amount that may be outstanding at one time. The loan period, payment period, and disbursements within that period may not always correspond to the payment periods you use for Pell Grants. The requirement to prorate Direct Subsidized/Unsubsidized Loan limits under certain circumstances is different than the requirements for calculating Pell Grants.*

To request Direct Loan or Direct PLUS Loan funds for a student, a school must certify that the borrower is eligible for the loan award, and must provide specific amounts and dates for each disbursement of the loan award.

A borrower's eligibility for a Direct or Direct PLUS Loan is calculated differently than for a Pell Grant. There are no fixed tables such as the Pell Grant Payment and Disbursement Schedules that determine award amounts. Direct Subsidized/Unsubsidized Loans have annual and aggregate limits that are the same for all students at a given grade level and dependency status. In general, you may not originate a loan for more than the:

- amount the borrower requests;
- borrower's cost of attendance (see Chapter 2);
- borrower's annual or aggregate limit as described in this chapter); or
- borrower's unmet financial need (as determined using the rules in Chapter 7 of this volume).

In Direct Loans, the loan certification is part of the loan origination record sent electronically to the Common Origination and Disbursement system (COD). You must provide this certification each time you make a loan under a Master Promissory Note (MPN).

The school's origination includes the borrower's grade level, loan period, anticipated disbursement dates, and the amounts of the disbursements (using the rules described in this chapter).

### CHAPTER 5 HIGHLIGHTS:

#### ■ Measurements of academic and loan periods

- Loan periods, academic terms, & program length
- Scheduled Academic Year (SAY) may be used for credit-hour programs with standard terms and certain nonstandard term programs
- Borrower-Based Academic Year (BBAY) may be used as an alternative to an SAY for programs also offered in an SAY
- BBAY must be used for clock-hour, non-term, and nonstandard-term programs, and for standard-term credit-hour programs without an SAY
- "SE9W" (a program with terms substantially equal in length, with each term comprised of 9 or more weeks of instructional time)

#### ■ Annual Loan Limits

- Direct Subsidized/Unsubsidized Loan limits for dependent undergraduates, independent undergraduates, and dependent undergraduates whose parents can't get PLUS, and graduate/professional students
- Undergraduate limits based on grade level
- Undergraduate limits must be prorated for a program or remaining portion of a program less than an academic year
- Direct Loan limits for transfer students, teacher certification coursework, and coursework necessary for enrollment in an eligible program

#### ■ Aggregate Loan Limits

- Loan information provided through "Financial Aid History" on SAR, ISIR, and on NSLDS website.
- Enhanced Aggregate Information displays on the NSLDS website.

**Period of enrollment (loan period)**

34 CFR 685.102(b)

The period of enrollment for which a Direct PLUS Loan is intended must coincide with an academic period established by the school for which institutional charges are generally assessed (e.g., semester, trimester, quarter, length of the student's program, or academic year). The period of enrollment is also referred to as the loan period.

**Minimum and maximum loan periods**

34 CFR 685.301(a)(10)

→ **Maximum:** Generally the school's academic year. Greater than an academic year if the loan is for the length of a program that is longer than an academic year, and you apply the annual loan limit to that longer period.

→ **Minimum in standard term programs and SE9W programs:** one academic term.

→ **Minimum in all other programs; i.e., clock hour, non-term, and other nonstandard term:** Except for certain transfer students, the lesser of the academic year; the student's program; the remaining portion of the program; or the remaining portion of an academic year. For transfer students whose period of enrollment overlaps that of a period of enrollment for which the student received a loan at a prior school, the remaining portion of the program or academic year, regardless of whether the new school accept transfer credits from the prior school. In this case the school may originate a loan for an amount that does not exceed the remaining balance of the student's annual loan limit.

These loan periods also apply to programs that are a mixture of standard terms and nonstandard terms not offered in a traditional academic calendar.

**Reporting Academic Year and Loan period to COD**

GEN-13-13

**Reporting Non-credential Teacher Certification Program Information**

150% Electronic Announcement #10) Feb 28, 2014)

You must report all Subsidized Loans made to borrowers in certain Teacher Certification programs that do not award a credential to the COD system. For more detail on requirements and procedures, see 150% Electronic Announcement #4 on IFAP.

**LOAN PERIODS, ACADEMIC TERMS, & PROGRAM LENGTH**

It's important to define the loan period (sometimes referred to as the *period of enrollment*) at the beginning of the loan awarding process, because the length of the loan period will determine the timing and amount of disbursements. This discussion assumes that your school has already established its academic measurements. If you have not already done so, see Chapter 1 of this volume for a discussion of eligible programs, academic years, payment periods, and conversion of clock-hours/credit-hours.

With the passage of the subsidized loan eligibility time limit (aka the 150% limit), it is more important than ever that you accurately report academic year dates and loan period start and end dates for all types of Direct Loans to COD. You must also update a loan's previously reported loan period dates or academic year dates if the borrower's actual attendance is different from the anticipated dates that were the basis for an initial reporting to COD. Some examples of when you must update loan data in COD include:

- If the borrower requests that a loan, or a disbursement of a loan be cancelled;
- when the borrower does not begin attendance, or does not begin attendance on at least a half-time basis, in a payment period that was included in the originally reported loan period and you did not make any disbursements for that payment period;
- when you determine that the borrower is not eligible to receive a Direct Loan for a payment period that was part of the originally reported loan period (for example, failure to meet SAP standards, the borrower has an overpayment, or a change in circumstances makes the borrower ineligible for a subsidized loan);
- when the borrower withdraws during a payment period that was included in the originally reported loan period, and as a result, the entire amount of the loan that was intended for that payment period is returned under the Return of Title IV Aid (R2T4) calculation;
- for clock-hour programs, non-term credit hour programs, and certain types of nonstandard term credit-hour program, the borrower fails to progress to the next payment period or academic year as scheduled.

For more detail on the requirements of the 150% subsidized loan limit, see the *Subsidized Loan Eligibility Time Limitation* section later in this chapter. For details on submitting date and academic year data to COD, see Dear Colleague Letter GEN-13-13, available on IFAP.

Generally, if a credit-hour program uses standard terms (semesters, trimesters, or quarters), or has nonstandard terms that are substantially equal in length, with each term at least 9 weeks in length (see "Nonstandard SE9W terms" sidebar later in this chapter), the *minimum* loan period is a single academic term (e.g., a semester).

As an example, if a student will be enrolled in the fall semester only and will skip the spring semester, you may originate a loan for that term alone. (Remember, however, that the loan amount must be based on the reduced costs and EFC for that term, rather than for the full academic year.)

For all other programs, including clock-hour and non-term credit-hour programs, the minimum loan period is the lesser of:

- the academic year as defined by the school (see Chapter 1);
- the length of the student's program (if the program is shorter than an academic year); or
- the remaining portion of the program (if the remaining portion of the student's program is less than an academic year).

Also, for these other programs, you may originate a loan for the remaining portion of the academic year if:

- a student transfers into the school with credit or clock-hours from another school, and the prior school originated a loan for a period of enrollment that overlaps the period of enrollment at the new school, or
- a student completes a program at a school, where the student's last loan to complete that program had been for less than an academic year, and the student then begins a new program at the same school.

In the first case, the end date of the loan period for the remaining balance is the end of the academic year at the first school from which the student transferred. In either of these cases, the loan amount must not exceed the remaining balance of the student's annual loan limit at the loan level associated with the new program.

For all programs, the **maximum** loan period for annual loan limits is generally the school's academic year. However, you can have more than one loan in an academic year up to the annual loan limit.

### Direct Loans at multiple schools

Unlike Pell Grants, it is possible for a student who is separately enrolled and eligible at multiple schools to get a Direct Subsidized/Unsubsidized Loan (and for a graduate/professional student or parent to receive a Direct PLUS Loan) at more than one school for the same period. The schools that the student is attending are responsible for coordinating to make sure that the total amount of the loans the student receives does not exceed the applicable annual loan limit. In addition, the schools must ensure that there is no duplication of non-institutional costs when determining the student's cost of attendance. (Note that in this case, which is different than the consortium arrangements discussed in Volume 2, loan funds awarded at one school are not to be included as estimated financial assistance by any other school the student is attending when determining the student's loan eligibility for the same period.)

### FSA Assessments



For a guide to reviewing and evaluating your procedures regarding Direct Loans, see the Direct Loans module of FSA Assessments: <http://ifap.ed.gov/qahome/fsaassessment.html>.

## Effect of the Sequester on Loans

### DCL GEN-14-10

On August 2, 2011, Congress passed the Budget Control Act (BCA) of 2011, which put into place an automatic federal budget cut known as the sequester. The sequester has the following effects on the Direct Loan program:

**For Direct Subsidized and Unsubsidized Loans:** Under the sequester, when the first disbursement of the loan is made after December 1, 2013, and before October 1, 2014, the loan fee will be 1.072 percent of the amount of each disbursement (1.073 after October 1, 2014).

**Direct PLUS Loans:** For both student and parent borrowers, when the first disbursement of the loan is made after December 1, 2013, and before October 1, 2014, the loan fee will be 4.288 percent of the amount of each disbursement (4.292 after October 1, 2014).

## Originating a loan

A financial aid administrator should be aware of the responsibility incurred in originating and disbursing a loan. The school, not the Department, determines the borrower's eligibility for a Direct Loan. Schools that originate and disburse loans for ineligible borrowers, or for loan amounts that exceed loan limits or the borrowers' need, are subject to administrative actions such as a fine, limitation, suspension, and termination, as well as liabilities such as repayment to the government of interest and costs it has paid on the ineligible loans. A school may not originate a loan for a period that includes hours in an academic year in which the student is no longer enrolled (regardless of whether a student has ceased attendance or advanced to the next academic year). Similarly, you may not condition the disbursement of a loan on anything other than the eligibility criteria.

## Refusing to originate a loan or originating for less than maximum eligibility

HEA Sec. 479(A)(c), 34 CFR 685.301(a)(8), DCL GEN-11-07

On a case-by-case basis, you may refuse to originate the loan for an individual borrower, or you may originate a loan for an amount less than the borrower's maximum eligibility. However, you may NOT limit borrowing by students or parents on an across-the-board or categorical basis. Similarly, you may originate a loan for an amount less than the borrower's maximum eligibility. However, you must ensure that these decisions are made on a case-by-case basis, and do not constitute a pattern or practice that denies access to borrowers because of race, sex, color, income, religion, national origin, age, or handicapped status. Also note that your school cannot engage in a practice of originating FSA Loans only in the amount needed to cover the school charges, nor limit Direct Unsubsidized borrowing by independent students. When you make a decision not to originate a loan or to reduce the amount of the loan, you must document the reasons and provide the explanation to the student in writing.

## Checklist for loan origination

For all Title IV loans, you must document the student's cost of attendance, expected family contribution (EFC), and estimated financial assistance in the student's file. This information must be made available to the Department upon request.

### *The school must confirm that the borrower meets the definition of eligible borrower by doing the following:*

- For parents receiving a Direct PLUS Loan, ensuring the **student** has completed a FAFSA (review student's SAR/ISIR);
- Determining that the student is enrolled at least half-time and making satisfactory academic progress (see *Volume 1*);
- Reviewing the NSLDS information on the ISIR to ensure that the student is not in default, does not owe an overpayment on an FSA grant or loan (see *Volume 1*), and will not exceed the annual or aggregate loan limits (as described in this chapter);
- Ensuring that the amount of the loan, in combination with other aid, will not exceed the student's financial need (see Chapter 7 of this volume); and
- Ensuring that the loan disbursement dates meet cash management and disbursement requirements.

### *For a Direct Subsidized/Unsubsidized Loan, the school must also:*

- Determine the student's Pell Grant eligibility and, if eligible, include the grant in the student's aid package;
- For a Direct Unsubsidized Loan, first determine the student's eligibility for a Direct Subsidized Loan;
- Ensure that the amount of the loan will not exceed the student's annual or aggregate loan limit; and
- Prorate the annual loan limit for an undergraduate enrolled in a program or remaining period of study that is shorter than an academic year (as described in this chapter).



## ANNUAL LOAN LIMITS

Direct Subsidized and Unsubsidized Loans have annual loan limits, based on the student's dependency status and grade level. There are higher Direct Unsubsidized annual loan limits for borrowers enrolled in certain health professions programs, and special loan limits for certain students who are not enrolled in a degree or certificate program. In some cases, for undergraduate students, the annual loan limits must be prorated (reduced). The annual loan limits are the maximum amounts that a student may receive for an academic year. The actual loan amount that a borrower is eligible to receive may be less than the annual loan limit.

Depending on the academic calendar of the program, a student who has reached the annual loan limit cannot receive another Direct Subsidized or Unsubsidized Loan until he or she either begins another academic year, or, in some cases, progresses within an academic year to a grade level with a higher annual loan limit.

### Direct Loan limits

Ensuring Continued Access to Student Loans Act of 2008 (ECASLA) (Dear Colleague Letter GEN-08-08)

HEA Sec. 425(a)(1)(A)

HEA Sec. 428(b)(1)(A)

HEA Sec. 428H(d)

34 CFR 685.203

### Minimum Direct Loan amount

When originating Direct Loans in the COD system, there is no minimum loan amount.

## Annual Loan Limits: Basic Principles

### Annual loan limits

- Direct Subsidized and Unsubsidized Loans have annual loan limits.
- There is an overall annual loan limit for Direct Subsidized and Unsubsidized Loans, a limited subset of which may be comprised of subsidized loans.
- An undergraduate student who is ineligible for Direct Subsidized Loans may receive up to the total subsidized/ unsubsidized annual loan limit in Direct Unsubsidized Loans.
- The Direct Subsidized Loan annual loan limits are the same for both dependent and independent undergraduates.
- Dependent students have lower total subsidized/ unsubsidized annual loan limits than independent students; if a dependent student's parent(s) cannot borrow a Direct PLUS Loan, the student becomes eligible for the higher total subsidized/unsubsidized annual loan limits that apply to an independent student, allowing the dependent student to receive additional Direct Unsubsidized Loan funds.
- The annual loan limits apply to the academic year (that is, the annual loan limit is the maximum loan amount that a student may receive for one academic year).
- The student's maximum annual loan limit increases as the student progresses to higher grade levels.
- For undergraduate students, the loan limit must be prorated if the student is attending a program (or remaining portion of a program) that is less than an academic year.
- For loan periods beginning July 1, 2012, graduate/ professional students are no longer eligible to receive Direct Subsidized Loans.

### Annual Loan Limit Progression: SAY/BBAY

- For Direct Subsidized, Direct Unsubsidized, and Direct PLUS Loans, a school must use either a Scheduled Academic Year (SAY) or a Borrower-Based Academic Year (BBAY) to determine when a student is eligible for a new annual loan limit.
- An SAY generally begins/ends at the same time each year; a BBAY "floats" with the student's enrollment.
- A traditional calendar program or an SE9W program with a comparable calendar may use an SAY.
- A clock-hour or non-term program, or a program that does not have an SAY must use a BBAY.
- In a clock-hour or non-term credit-hour program, or a program with nonstandard terms that are not SE9W, the borrower must successfully complete the credit/clock hours and weeks of instructional time in the FSA academic year before the borrower is eligible for a new annual loan limit.
- In a standard-term or SE9W program, it is possible for a student to advance a grade level and become eligible for a higher loan amount within an academic year.

### **Subsidized and Unsubsidized loans**

DCL GEN-11-07

DCL GEN-11-16

The federal government pays the interest on a Direct Subsidized student loan during: in-school status, authorized deferment periods, and, for loans first disbursed before July 1, 2012, and after July 1, 2014, the grace period. For Direct Subsidized Loans with a first disbursement date on or after July 1, 2012 and before July 1, 2014, the student is responsible for paying the interest that accrues during the grace period.

The student is responsible for paying the interest on a Direct Unsubsidized student loan during all periods. If you participate in the Direct Loan program, you may not choose to offer only Subsidized or Unsubsidized Direct Loans; you must offer the type of Direct Loan for which the student is eligible.

### **Graduate/professional student subsidized loans**

E-Announcement January 11, 2012

DCL GEN-11-16

For loans made for periods of enrollment (loan periods) beginning on or after July 1, 2012, graduate and professional students are no longer eligible to receive Federal Direct Subsidized Loans.

### **Increasing the loan amount when student changes dependency status during the academic year**

For any type of educational program (whether term-based or non-term, credit-hour or clock-hour), a dependent student who has already borrowed up to the annual loan limit within an academic year may be eligible to receive additional loan funds if his or her dependency status changes to independent during that same academic year.

### **Increased Direct Unsubsidized limits for independent undergraduate students and dependent undergraduate students whose parents can't get PLUS**

34 CFR 685.203(c)(1)(ii)

DCL GEN 11-07

### *Direct Subsidized and Unsubsidized Loan limits for a dependent undergraduate student*

Dependent undergraduate students (excluding dependent undergraduates whose parents are unable to obtain Direct PLUS Loans) are eligible for an additional \$2,000 in Direct Unsubsidized Loan funds each academic year.

For these students, the annual loan limits are:

- \$3,500 combined Direct Subsidized and/or Direct Unsubsidized plus \$2,000 additional Direct Unsubsidized for dependent first-year undergraduates;
- \$4,500 combined Direct Subsidized and/or Direct Unsubsidized plus \$2,000 additional Direct Unsubsidized for dependent second-year undergraduates; and
- \$5,500 combined Direct Subsidized and/or Direct Unsubsidized plus \$2,000 additional Direct Unsubsidized for dependent third-, fourth-, or fifth-year undergraduates.

These loan limits represent the total of all Direct Subsidized and Unsubsidized Loans a dependent undergraduate student may borrow at each level of study for a single academic year. For example, a dependent first-year undergraduate may receive up to \$5,500 in Direct Subsidized and Unsubsidized Loans for a single academic year, but no more than \$3,500 of this amount may be subsidized. A dependent first-year undergraduate who has no subsidized loan eligibility could receive up to the full \$5,500 in Direct Unsubsidized Loans.

### *Increased Direct Unsubsidized limits for independent undergraduate students and dependent undergraduate students whose parents can't get PLUS*

There are higher additional unsubsidized annual loan limits for independent undergraduate students. These higher additional Direct Unsubsidized Loan limits also apply to dependent undergraduate students whose parents are unable to borrow Direct PLUS Loans due to adverse credit or other documented exceptional circumstances.

- \$3,500 combined Direct Subsidized and/or Direct Unsubsidized plus \$6,000 additional Direct Unsubsidized for independent first-year undergraduates;
- \$4,500 combined Direct Subsidized/and or Direct Unsubsidized plus \$6,000 additional Direct Unsubsidized for independent second-year undergraduates; and
- \$5,500 combined Direct Subsidized and/or Direct Unsubsidized plus \$7,000 additional unsubsidized for independent third-, fourth-, or fifth-year undergraduates.

As with the loan limits for dependent undergraduates, these loan limits represent the total of all Direct Subsidized and Unsubsidized Loans that an independent undergraduate student (or a dependent undergraduate whose

parent is unable to obtain a Direct PLUS Loan) may borrow at each level of study, for a single academic year. For example, an independent, first-year undergraduate may receive up to \$9,500 in Direct Subsidized/Unsubsidized Loans for a single academic year, but no more than \$3,500 of this amount may be subsidized.

Note that a dependent undergraduate whose parent is unable to obtain a Direct PLUS Loan is not eligible to receive both the \$2,000 in additional Direct Unsubsidized loan funds described here, and the additional \$6,000 or \$7,000 in Direct Unsubsidized that is available to independent undergraduates and dependent undergraduates whose parents are unable to obtain Direct PLUS Loans.

### *Direct Subsidized/Unsubsidized Loan limits for graduate and professional students*

The Budget Control Act of 2011 eliminated subsidized loan eligibility for graduate and professional students for loan periods of enrollment beginning on or after July 1, 2012. The annual loan limit for graduate or professional students is \$20,500 in Direct Unsubsidized Loans per academic year. (See the end of this section for situations where a program combines graduate and undergraduate study, or a student with a graduate degree is pursuing an undergraduate program.)

The regulations define a graduate/professional student as a student who is enrolled in a program or course above the baccalaureate level or in a professional program and has completed the equivalent of 3 academic years of full-time study either prior to entering the program or as part of the program itself. Also, a student who is receiving Title IV aid as an undergraduate student can't be considered a graduate/professional student for that same period of enrollment.

There are several rules to consider if a student is simultaneously taking undergraduate and graduate courses. A student in an undergraduate program can't get the graduate loan limits based on taking graduate coursework as a part of the undergraduate program. A student enrolled in preparatory coursework has an annual loan limit of \$2,625 if the student is taking coursework in preparation for enrollment at the undergraduate level, and an annual loan limit of \$5,500 if taking coursework in preparation for enrollment at the graduate level (see "Direct Loan limits for preparatory coursework & teacher certification" chart later in this chapter). A student enrolled in teacher certification coursework is considered a fifth-year undergraduate student for purposes of annual loan limits.

In contrast, a graduate student who is taking some undergraduate coursework is eligible for the graduate loan limits if the student is enrolled at least half-time in courses (either graduate or undergraduate) that can be applied to the graduate program requirements. However, the student must already be admitted into the graduate program. A borrower with a bachelor's degree who is taking preparatory work for graduate school (or whose full admission to the graduate program is contingent upon completion of certain undergraduate courses) is not eligible for graduate loan limits.

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### **Entrance counseling requirements for Graduate/Professional PLUS borrowers**

For entrance counseling requirements for Graduate/Professional PLUS—see *Volume 2, Chapter 6, Providing Consumer Information*.

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### **Example: additional unsubsidized for independent undergraduate**

Dottie is a first-year independent undergraduate student at Ferrar's Institute. Her COA is \$14,500, her EFC is 1800, and she is receiving a \$2,981 Pell Grant. Dottie qualifies for a Direct Subsidized Loan of \$3,500. She may also receive the maximum additional Direct Unsubsidized Loan amount of \$6,000 to cover most of her unmet need. Her total loan amount in Direct Subsidized and Unsubsidized Loans is \$9,500. (Note that Dottie's loan eligibility would be the same if she were a dependent undergraduate whose parent was unable to obtain a Direct PLUS Loan.)

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### **Direct Loans for students whose parents have ended financial support and refuse to file a FAFSA**

Schools may offer a dependent student a Direct Unsubsidized loan if the student's parents have ended financial support and refuse to file a FAFSA. For more detail, see Chapter 5 of the *Application and Verification Guide* and DCL GEN-08-12.

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### **Direct PLUS Loans for graduate/professional students**

DCL GEN-06-02

DCL GEN-11-07

Direct PLUS Loans for graduate/professional students were authorized by the Higher Education Reconciliation Act of 2005, effective July 1, 2006. Previously, Direct PLUS Loans were only available to parents of dependent undergraduates.

## Eligible health professions disciplines & accreditors

The following disciplines are eligible for the increased unsubsidized loan limits. (Must be accredited by the agency shown in italics.)

### ■ Doctor of Pharmacy

*Accreditation Council for Pharmacy Education*

### ■ Graduate in Public Health

*Council on Education for Public Health*

### ■ Doctor of Chiropractic

*Council on Chiropractic Education,  
Commission on Accreditation*

### ■ Doctoral Degree in Clinical Psychology

*American Psychological Association, Committee on Accreditation*

### ■ Masters or Doctoral Degree in Health Administration

*Commission on Accreditation of Healthcare Management Education*

### ■ Doctor of Naturopathic Medicine, Doctor of Naturopathy

*Council on Naturopathic Medical Education*

### ■ Doctor of Allopathic Medicine

*Liaison Committee on Medical Education*

### ■ Doctor of Osteopathic Medicine

*American Osteopathic Association,  
Bureau of Professional Education*

### ■ Doctor of Dentistry

*American Dental Association,  
Commission on Dental Accreditation*

### ■ Doctor of Veterinary Medicine

*American Veterinary Medical Association,  
Council on Education*

### ■ Doctor of Optometry

*American Optometric Association,  
Council on Optometric Education*

### ■ Doctor of Podiatric Medicine

*American Podiatric Medical Association,  
Council on Podiatric Medical Education*

## HEAL program phaseout

The Health Education Assistance Loan (HEAL) Program, administered by the Department of Health and Human Services, was gradually phased out from 1995-1999.

## Foreign schools not HEAL-eligible

Foreign schools were not eligible to participate in the HEAL Program, and they may not award the increased Direct Unsubsidized Loan amounts to health profession students.

## Direct PLUS Loan amounts for parents & graduate/professional students

There are no fixed annual or aggregate loan limits for Direct PLUS Loans. A graduate or professional student may be awarded a Direct PLUS Loan for up to the student's COA minus other EFA (see Chapter 7 for packaging rules). Therefore, a graduate/professional student may have additional PLUS eligibility beyond the maximum unsubsidized loan limits. Similarly, the total Direct PLUS Loan amount borrowed by one parent or borrowed separately by more than one parent on behalf of a dependent student (including a non-custodial parent) may not exceed the student's estimated cost of attendance minus other financial aid awarded for the period of enrollment. This is the only borrowing limit for Direct PLUS Loans. For more on borrower eligibility, see *Volume 1*, Chapter 6.

## Increased unsubsidized eligibility for health professions students

To replace loan funds that otherwise would have been available under the HEAL Program, certain health professions students may borrow increased Direct Unsubsidized Loan amounts. Schools may award the increased unsubsidized amounts to students who are enrolled at least half-time in a health professions discipline that was eligible under the HEAL Program, or in certain naturopathic medicine programs. The program must be accredited by specific accrediting agencies (see sidebar). The increased unsubsidized amounts that an eligible health professions student may receive are in addition to the regular annual loan limits.

The disciplines that were eligible under the HEAL Program and the approved accrediting agencies for these disciplines are shown in the loan limit chart for the increased unsubsidized amounts at the end of this section. Note that the HEAL Program required a need analysis test, while need analysis (represented by the EFC) is not required for Direct Unsubsidized Loans. Because the increased annual Direct Unsubsidized Loan limits are intended to replace funds that would have been available previously under the HEAL Program, the annual loan limits for the increased Unsubsidized amounts are the same as the HEAL Program annual loan limits. In addition to the health professions disciplines that were eligible under the HEAL Program, domestic schools may also award additional Direct Unsubsidized Loan amounts to a student who is enrolled in a program that leads to a Doctor of Naturopathic Medicine (N.M.D.) degree or a Doctor of Naturopathy (N.D.) degree, if the program is accredited by the Council on Naturopathic Medical Education (CNME).

A chart at the end of this section shows the annual loan limits for the increased unsubsidized loan amounts, which vary by discipline and academic year length. The combined subsidized/unsubsidized aggregate loan limit for graduate and professional health professions students who are eligible to receive the increased unsubsidized amounts is \$224,000. Not more than \$65,500 of this amount may be in subsidized loans, for those students who may have received subsidized loans for graduate/professional study prior to July 1, 2012. If a student receives the additional Direct Loan amounts on the basis of study in a health profession program but then leaves that program and enters a program in a different field, the student is no longer eligible for the increased Direct Loan limits. However, the additional loan amounts received on the basis of health professions study are not counted toward the normal aggregate loan limit for that student.

## ANNUAL LOAN LIMIT PROGRESSION

### Academic Year & loan limits

The academic year is used as the basis for the student's annual loan limits. (The award year concept for Pell and the Campus-Based programs is not a factor for Direct Subsidized/Unsubsidized Loans.) The loan period is often equivalent to an academic year, but there are also many situations where this is not the case. In this section, we'll discuss how you can match the student's loan periods to his/her enrollment and your school's academic calendar. (If you are not familiar with the definition of an academic year, see Chapter 1 of this Volume.)

### Annual Limits for Sub/Unsub Loans

	<i>Subsidized</i>	<i>Total (subsidized &amp; unsubsidized)</i>
<b>Dependent Undergraduates (excluding dependent students whose parents can't get PLUS)</b>		
First Year.....	\$ 3,500	\$ 5,500
Second Year.....	\$ 4,500	\$ 6,500
Third Year and Beyond.....	\$ 5,500	\$ 7,500
<b>Independent Undergraduates &amp; Dependent Students whose parents can't get PLUS</b>		
First Year.....	\$ 3,500	\$ 9,500
Second Year.....	\$ 4,500	\$ 10,500
Third Year and Beyond.....	\$ 5,500	\$ 12,500
<b>Graduate &amp; Professional Students (all years).....</b>	<b>\$ 0*</b>	<b>\$20,500</b>

*Note: All undergraduate annual loan amounts are subject to proration.*

### Aggregate Limits for Sub/Unsub Loans

	<i>Subsidized</i>	<i>Total (subsidized &amp; unsubsidized)</i>
<b>Dependent Undergraduates (excluding those whose parents can't borrow PLUS) .....</b>	<b>\$ 23,000</b>	<b>\$31,000</b>
<b>Independent Undergrads &amp; Dependent Students whose parents can't get PLUS.....</b>	<b>\$ 23,000</b>	<b>\$ 57,500</b>
<b>Graduate &amp; Professional Students.....</b>	<b>\$ 65,500**</b>	<b>\$ 138,500**</b>

*See guidance later in this chapter on additional unsubsidized eligibility for students in certain health professions programs, special loan limits for preparatory & teacher certification coursework, and the 150% subsidized eligibility limitation.*

*\* Effective for loan periods beginning on or after July 1, 2012, graduate and professional students are no longer eligible for Direct Subsidized Loans.*

*\*\*Aggregate loan limits for graduate and professional students include loans received for undergraduate study. The \$65,500 subsidized aggregate loan limit shown here for graduate and professional students includes subsidized loans received for loan periods beginning before July 1, 2012, and prior subsidized loans received for undergraduate study.*



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## Academic Year

See Volume 3, Chapter 1 for a discussion of academic year requirements.

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## Standard Terms

34 CFR 668.4

Standard terms are semesters, trimesters, or quarters. See Chapter 3 of this volume for more detail on standard terms.

A standard-term program may use an SAY if it has a traditional academic calendar (i.e., has terms that start at about the same time each year, where, for example, the fall and spring semesters or the fall, winter, and spring quarters normally make up the academic year).

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## Nonstandard “SE9W” Terms

34 CFR 685.301(b)(3)

If a credit-hour program has nonstandard terms, the terms are substantially equal in length, and each term is at least 9 weeks of instructional time in length, then the terms, for annual loan limit progression purposes, are referred to throughout this chapter as “SE9W.”

The length of terms is measured in weeks of instructional time, as defined in Chapter 1. Nonstandard terms are substantially equal if no term in the loan period is more than 2 weeks of instructional time longer than any other term in that loan period.

A nonstandard program with SE9W terms may use an SAY if it has a fixed academic calendar comparable to a traditional academic calendar (i.e., terms that start at about the same time each year, where 2 or more nonstandard terms normally make up the academic year in the fall through spring).

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## SE9W SAY Example

Great Plains Business College has programs with an academic calendar using semester hours with four terms, each with 12 weeks of instructional time in length, with three of the terms offered over the fall through spring and the fourth term offered in the summer. Great Plains defines its academic year as 36 weeks of instructional time and 24 semester hours. As “quarters” using semester hours, the terms are nonstandard terms.

Because these terms are nonstandard terms that are substantially equal and at least nine weeks of instructional time in length (SE9W), and are offered in a fixed schedule that encompasses the FSA academic year (plus the summer term), with an academic calendar comparable to a traditional calendar, you may use an SAY or BBAY 1 for these programs.

## *Two types of academic years for monitoring annual loan limits: Scheduled Academic Year (SAY) and Borrower Based Academic Year (BBAY)*

There are two types of academic years that may be used to monitor annual loan limits for Direct Subsidized/Unsubsidized Loans: a Scheduled Academic Year (SAY) or a Borrower-Based Academic Year (BBAY). (Note that although there is no annual loan limit for Direct PLUS Loans, Direct PLUS Loans are awarded for the same SAY or BBAY period that is used for Direct Subsidized/Unsubsidized Loans.)

An SAY corresponds to a traditional academic year calendar that is published in a school’s catalogue or other materials (for example, fall and spring semesters, or fall, winter, and spring quarters, or, for a nonstandard SE9W program, an academic calendar comparable to a traditional academic calendar). An SAY is a fixed period of time that begins and ends at the same time each year.

A BBAY does not have fixed beginning and ending dates. Instead, it “floats” with a student’s (or group of students’) attendance and progression in a program of study. There are 3 types of BBAY, described below.

If a program is offered in an SAY calendar, you have the option of using either an SAY or BBAY 1 to monitor the annual loan limits for students in that program. You **must** use a Borrower Based Academic Year (BBAY) to monitor the annual loan limits for any academic program that does not meet the definition of a program allowed to use an SAY. However, there are significant differences between the different types of BBAY:

- BBAY 1, for credit-hour programs using a Scheduled Academic Year with standard terms or nonstandard SE9W terms.
- BBAY 2, for credit-hour programs not using an SAY, with standard terms or nonstandard SE9W terms.
- BBAY 3, for clock-hour programs, non-term programs, any nonstandard-term program, or a program with standard and nonstandard terms not described above.

We will describe the differences between the SAY, BBAY 1, BBAY 2, and BBAY 3 in more detail in the following pages.

## *Credit-hour programs with traditional calendar using standard terms or nonstandard SE9W terms with a comparable calendar: may use SAY*

As noted previously, an SAY corresponds to a traditional academic year calendar, and usually begins and ends at the same time each calendar year (for example, beginning on the first day of the fall semester and ending on the last day of the spring semester). An SAY must meet the FSA requirements for an academic year (as defined in Chapter 1). An SAY may include one or more terms that a student does not attend.

Summer terms are generally not considered to be part of the SAY, but for loan limit purposes they may be treated as a “trailer” to the preceding SAY or as a “header” to the following SAY. Your school has the option to establish a policy that designates its summer term as either a trailer or



header to the SAY for all students. You can also choose to make different designations for different educational programs, or for different students, as long as you ensure that there is no overlap in academic years. Note that a fixed designation of the summer term can limit a student's eligibility. For instance, if you always treat your summer term as a trailer to a preceding fall-spring SAY, a student who receives the full annual loan limit for fall-spring would have no remaining loan eligibility for summer.

The annual loan limit applies to the SAY, plus the summer trailer or header. Once the calendar period associated with all of the terms in the SAY and the summer header or trailer (if any) has elapsed, a student regains eligibility for a new annual loan limit.

#### *Credit-hour programs with an SAY: may use BBAY 1*

If a program is offered in a SAY, you have the option of using a BBAY as an alternative to the SAY for monitoring annual loan limit progression. Unlike an SAY, a BBAY is not a fixed period that begins and ends at the same time each year. Instead, a BBAY's beginning and ending dates depend on the individual student's enrollment.

For programs with an SAY, a BBAY must include the same number of terms as the SAY that would otherwise be used (not including any summer "trailer" or "header"). For example, if the SAY includes three quarters (fall, winter, spring), a BBAY would consist of any three consecutive terms. A BBAY may include terms the student does not attend if the student could have enrolled **at least half-time** in those terms, but (unlike an SAY) it must begin with a term in which the student is actually enrolled (even though the student may be enrolled less-than-half-time for the first term and not eligible for a loan for that term). Also, any minisessions (summer or otherwise) that run consecutively within a term **must** be combined and treated as a single term.

Like an SAY, a BBAY must meet the minimum FSA requirements for an academic year. However, a BBAY that includes a summer term may include fewer than 30 weeks of instructional time or fewer credit hours than the minimum number required for an SAY. This is because a summer term may be shorter than a standard term in an SAY, but is recognized as academically equivalent to a standard term when used as one of the terms in a BBAY. (NOTE: This exception applies only to a BBAY used as an alternative for a program with an SAY.)

You may use BBAYs for all students, only for students in certain programs, or on a student-by-student basis. For example, you could use a BBAY for students enrolled in a program that begins in a term other than the first term of the SAY. You can even alternate BBAYs and SAYs for a student, provided the academic years don't overlap. This treatment may allow a student to receive another loan sooner than would be allowed under an SAY standard.

As with an SAY, the annual loan limit applies to the BBAY. Once the calendar period associated with all of the terms in the BBAY has elapsed, a student regains eligibility for a new annual loan limit.

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#### **Treatment of summer minisessions**

Summer minisessions must be grouped together as a single trailer or header term if the program is to have a BBAY, or they can be treated separately and assigned to different SAYs. If the summer minisessions are grouped and treated as a single term, the summer COA cannot include costs for a minisession for which the student is not expected to be enrolled.

*Standard-term programs and nonstandard term SE9W programs without a SAY: BBAY 2*

If a program with standard terms or nonstandard SE9W terms is not offered in a traditional academic year calendar (SAY), a BBAY **must** be used. If the program uses semesters or trimesters, a BBAY generally consists of any two consecutive terms (similarly, with quarters, any three consecutive terms). If the program uses SE9W nonstandard terms, a BBAY consists of the number of consecutive terms that coincide with the weeks of instructional time in the program’s academic year.

As with the optional BBAY that may be used for programs with an SAY, the BBAY may include terms that a student does not attend (as long as the student could have enrolled at least half-time in those terms), but it must begin with a term in which the student is actually enrolled (even though the student may be enrolled less-than-full-time for the first term and not eligible for a loan for that term). Unlike the optional BBAY for programs offered in an SAY, there is no exception to the minimum FSA academic year requirements for a BBAY that includes a summer term: the BBAY for standard-term programs that are not offered in a traditional academic calendar, or a comparable calendar if SE9W nonstandard terms, must always include enough terms to meet the minimum FSA academic year requirements for weeks of instructional time.

The annual loan limit applies to the BBAY. Once the calendar period associated with all of the terms in the BBAY has elapsed, a student regains eligibility for a new annual loan limit.

**Alternating SAY/BBAY 1**

This treatment may allow a student to receive another loan sooner than would be allowed under an SAY standard. For instance, if you normally use an SAY consisting of fall and spring semesters with a summer trailer, a student who received the maximum annual loan limit for fall-spring could not receive another loan until the start of a new SAY in the Fall. If the student enrolls for summer and wants a loan, you could choose to switch the student to a BBAY consisting of the Summer and Fall terms. The student could then receive a loan for the Summer term, since Summer would be the start of a new academic year. A school that has these choices for academic year standards must have a written policy that explains how it applies these options when calculating loan eligibility.

**Standard term, credit-hour programs not using a traditional academic year calendar: BBAY 2**

Springfield Academy also has a program that measures academic progress in credit-hours and uses 15-week semesters, but is not offered in a traditional academic year calendar (SAY). New students begin the program each month, and a 15-week semester begins at that time for that cohort of students. The school must use a BBAY to monitor annual loan limits. A BBAY consists of any two consecutive semesters, beginning with a semester in which a student is enrolled:

Semester #1 (begins program)	Semester #2	Semester #3	Semester #4 (not enrolled)	Semester #5	Semester #6
Year 1: BBAY		Year 2: BBAY		Year 3: BBAY	

*Clock-hour, non-term credit-hour, and nonstandard-term programs that are not SE9W: BBAY 3*

All clock-hour programs, non-term credit-hour programs, and nonstandard-term programs with terms that are not SE9W must use a BBAY that meets the minimum requirements for an academic year. That is, the BBAY must contain at least 30 (or, for clock-hour programs, 26) weeks of instructional time and at least the minimum number of credit or clock-hours: for undergraduate programs, 24 semester or trimester hours, 36 quarter-hours, or 900 clock-hours; for graduate programs, the number of hours a student would complete under the school's full-time standard in the weeks of the FSA academic year, which must be a minimum of 30 weeks of instructional time, or, for clock-hour programs, at least 26 weeks of instructional time. This requirement also applies to a program that consists of both standard and nonstandard terms and that does not qualify to use an SAY.

The BBAY begins when a student enrolls and does not end until the later of the date the student successfully completes the hours in the academic year or the number of weeks of instructional time in the academic year.

Because a student must successfully complete the minimum number of hours or weeks of instructional time in an academic year (whichever comes later) before a new BBAY begins, a student's enrollment status may affect how soon the student regains eligibility for a new annual loan limit. For example, a student who is attending part-time will take longer to complete a BBAY than a full-time student. (In contrast, an SAY or BBAY for a standard term program, or a nonstandard SE9W program ends when the *calendar period* associated with the terms in the SAY or BBAY has elapsed, regardless of how many credit-hours or weeks of instruction the student completed during the SAY or BBAY.)

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**Individual academic progress in BBAY 3**

In many clock-hour, non-term, and nonstandard-term programs, students are allowed to progress at an individual pace. For example, a school that defines its academic year as 900 clock hours and 26 weeks of instructional time offers a 900 clock-hour program that most students complete in 26 weeks. However, one student might complete 900 clock hours in 22 weeks, and another in 30 weeks. You do not have to prorate the loan limit for the occasional student who completes the program in less than 26 weeks. (Note that this policy applies only to programs that are exactly one academic year in length. If a program is longer than an academic year, proration may be required for a loan covering the remaining portion of the program if a student completes more than the minimum number of hours during the first 26 weeks of instructional time. See loan limit proration example 3 later in this chapter).

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**BBAY 3 and programs with standard terms**

If a program has standard terms and nonstandard terms and does not qualify to use an SAY, the program must use BBAY 3. One common example is a program with a 4-1-4 calendar (2 semesters of 4 months each, with a 1 month period of no or few classes in between) where the winter intersession is not combined with either the fall or spring semester (it is not permissible to ignore a student's enrollment in a winter intersession).

Another common example is a degree-completion program with 20-week nonstandard terms where students must also attend regular semesters to complete their degree.

## MANAGING DIRECT LOANS IN MODULES AND INTERSESSIONS

### *Direct Loans and Modules*

You may award Direct Loans to borrowers for enrollment in modules (which are usually 1-8 weeks in length). Modules may use standard, non-standard, or non-term academic calendars. Modules and the courses offered as modules may overlap terms, and enrollment may begin at the beginning of any module.

You award loans for modules based on courses for which the student is enrolled. If a student doesn't remain enrolled at least half-time, their subsequent loan disbursements are cancelled.

For Title IV aid purposes, students are allowed to skip one or more modules, however, COA for such a period of enrollment may not include costs for a period in which the student is not expected to be enrolled. For modules, the loan period includes the entire term (which may be comprised of several combined modules, or modules combined with other full-term length courses).

A student's payment period for a module begins with the module in which they first attend (you may not schedule a disbursement during a period of non-attendance). The structure of a modular term can transform a standard term into a non-standard term if the begin/end dates are not within 2 weeks of a standard term.

### *Direct Loans and Intersessions*

When offering a short session between two standard terms (for example, 3 weeks of instructional time between two 15-week semesters), or a shorter summer term (for example, 12 weeks of instructional time with a 12-semester hour full-time standard), you must offer aid to eligible students. You may either combine intersessions with standard terms, or treat them as a separate term.

When awarding aid for intersessions, you must apply the same awarding and packaging treatment to all students enrolled in the program, and if merged, you must merge the same term in the same manner for all students in the program (and whether merged or not, you must not include costs in a student's COA for a period of non-attendance during a period of intersessions for which the student is not expected to be enrolled).

#### **Intersessions combined with a standard term:**

You may combine an intersession with a standard term. This may allow an otherwise ineligible term to support potential Direct Loan eligibility (by supporting half-time or greater enrollment status, for example). Combining an intersession with a standard term may cause the earliest disbursement date (in spring, for example), to change.

### **COA for intersessions and modules**

Whether or not you merge an intersession or module with a standard term, you must not include costs in a student's COA for an intersession or module period of enrollment for which the student is not expected to be enrolled.

When combined with a standard term, for Direct Loans, you have a choice of using either a SAY with summer as the header or trailer, as a standard term BBAY, or as a term with one loan. The loan period, payment periods, disbursement, and loan limit progression is based on standard term, traditional calendar treatment, with a higher limit gained after completion of the SAY or standard term BBAY, and one disbursement made per term.

**Intersessions treated as a separate term:**

When treated as a separate term (i.e., not merged with another standard term), intersessions are considered as a non-standard term environment, and Direct Loans are to be awarded and disbursed based on BBAYs only; SAYs are not used for intersessions. For Direct Loans, intersessions treated as separate terms are considered to have the following characteristics:

- Loan Period: minimum is the lesser of the academic year, the length of the program, or the remaining balance of the academic year; or for graduate/professional students, the hours a full-time student completed in the academic year.
- Payment period: non-term, disbursed at the beginning and midpoint of the intersession after completing 1/2 of the credits/hours and 1/2 of the weeks of instructional time.
- Annual loan limit progression: A student progresses to the next annual loan limit (i.e., 1st year, 2nd year student, 3rd year and beyond) when he/she completes both the weeks of instructional time and the hours/credits in the academic year.

**Monitoring Annual Loan Limits with an SAY or BBAY**

<p><b>Credit-hour programs offered in a Scheduled Academic Year (SAY)</b> An SAY uses 1) a traditional academic calendar with at least two semesters or trimesters or three quarters in the fall through spring, or 2) a comparable academic calendar with nonstandard SE9W terms.</p>	<p><b>May use BBAY 1</b></p>	<p><b>Credit-hour programs not offered in a Scheduled Academic Year, but with 1) standard terms, or 2) nonstandard SE9W terms</b></p>	<p><b>Clock-hour programs, non-term programs, and programs with nonstandard terms that are not SE9W</b></p>
<p><b>May use SAY</b></p> <ol style="list-style-type: none"> <li>1) An SAY generally begins/ends at same time each year.</li> <li>2) The student does not have to be enrolled in the first term of the SAY.</li> <li>3) An SAY for a program must at least meet the program's FSA academic year in weeks/hours.</li> <li>4) Total of all loans received within SAY (including summer trailer/header) may not exceed annual loan limit</li> <li>5) Student becomes eligible for new annual loan limit after SAY calendar period has elapsed.</li> <li>6) After original loan, student may receive additional loans during same SAY if: <ul style="list-style-type: none"> <li>• Student did not receive maximum annual loan amount and has remaining eligibility;</li> <li>• Student progresses to grade level with higher annual loan limit; or</li> <li>• Student changes from dependent to independent.</li> </ul> </li> <li>7) Summer term may be "trailer" or "header" per: <ul style="list-style-type: none"> <li>• Strict policy;</li> <li>• By program; or</li> <li>• Case by case, by student</li> </ul> </li> </ol>	<p><b>May use BBAY 1</b></p> <p><i>May use BBAY 1 for all students; certain students; or certain programs</i></p> <p><i>May alternate SAY and BBAY1 for a student provided academic years do not overlap</i></p> <ol style="list-style-type: none"> <li>1) BBAY1 "floats" with the student's enrollment.</li> <li>2) Student must be enrolled in first term of the BBAY1 (less-than-1/2-time enrollment is acceptable).</li> <li>3) Length of BBAY1 must equal the number of terms in the program's SAY, excluding the summer trailer/header. <ul style="list-style-type: none"> <li>• Number of hours/weeks in BBAY1 need not meet the regulatory requirements for an academic year if the BBAY1 includes summer term.</li> <li>• May include terms student does not attend if student could have enrolled at least 1/2--time.</li> </ul> </li> <li>4) Total of all loans received within BBAY1 may not exceed annual loan limit.</li> <li>5) Student becomes eligible for new annual loan limit after BBAY1 calendar period has elapsed.</li> <li>6) After original loan, student may receive additional loans during same BBAY1 if: <ul style="list-style-type: none"> <li>• Student did not receive maximum annual loan amount and has remaining eligibility;</li> <li>• Student progresses to grade level with higher annual loan limit; or</li> <li>• Student changes from dependent to independent.</li> </ul> </li> <li>7) Minisessions (summer or otherwise) must be combined with each other or with other terms and treated as a single standard or nonstandard term (affects all FSA programs) <ul style="list-style-type: none"> <li>• Student need not enroll in each minisession, but must have been able to enroll at least 1/2-time in the combined term.</li> </ul> </li> </ol>	<p><b>Must use BBAY 2</b></p> <ol style="list-style-type: none"> <li>1) BBAY2 floats with student's enrollment.</li> <li>2) Student must be enrolled in first term of the BBAY2 (less-than-half-time enrollment is acceptable). The BBAY2 may include terms student does not attend if student could have enrolled at least half-time</li> <li>3) The BBAY2 must meet at least the minimum requirements for hours/weeks of the program's FSA academic year, and it must consist of: <ul style="list-style-type: none"> <li>• at least 2 consecutive semesters or trimesters;</li> <li>• at least 3 consecutive quarters; or</li> <li>• at least the number of consecutive SE9W terms covered by the program's FSA academic year.</li> </ul> </li> <li>4) Total of all loans received within a BBAY2 may not exceed annual loan limit.</li> <li>5) Student becomes eligible for new annual loan limit after BBAY2 calendar period has elapsed</li> <li>6) After original loan, student may receive additional loans during same BBAY2 if: <ul style="list-style-type: none"> <li>• Student did not receive maximum annual loan amount and has remaining eligibility;</li> <li>• Student progresses to grade level with higher annual loan limit; or</li> <li>• Student changes from dependent to independent.</li> </ul> </li> <li>7) Minisessions (summer or otherwise) must be combined with each other or with other terms and treated as a single standard term (affects all FSA programs) <ul style="list-style-type: none"> <li>• Student need not enroll in each minisession, but must have been able to enroll at least 1/2-time in the combined term</li> </ul> </li> </ol>	<p><b>Must use BBAY3</b></p> <p><i>BBAY3 also applies to programs that mix nonstandard terms and standard terms that do not have an SAY</i></p> <ol style="list-style-type: none"> <li>1) BBAY3 floats with student's enrollment.</li> <li>2) The BBAY3 begins with student's enrollment on at least a half-time basis.</li> <li>3) BBAY3 must meet at least the minimum requirements for hours/weeks of the program's FSA academic year.</li> <li>4) Total of all loans received within a BBAY3 may not exceed annual loan limit.</li> <li>5a) Student becomes eligible for new annual loan limit only after successfully completing the clock or credit-hours AND weeks of instructional time in the BBAY3.</li> <li>5b) A student may not become eligible for next grade level annual loan limits until after completion of a BBAY3.</li> <li>6) After original loan, student may receive additional loans within BBAY3 only if: <ul style="list-style-type: none"> <li>• Student did not receive maximum annual loan amount and has remaining eligibility; or</li> <li>• Student changes from dependent to independent.</li> </ul> </li> </ol>



## SAY for standard term, credit-hour programs using a traditional academic year calendar

Springfield Academy offers a 2-year program measured in semesters and awarding credit hours. It defines its FSA academic year in accordance with the minimum requirements and uses an SAY that provides 30 weeks of instruction and 24 semester hours, and includes two semesters (fall and spring), each 15 weeks of instructional time in length. Springfield Academy also offers a summer session that it treats as a “trailer” to the SAY.

Most of Springfield’s students do not attend the Summer session, so the aid office typically originates Direct Loans for a period of enrollment that starts with the fall semester (August 27) and concludes at the end of the spring semester (May 2). However, there are some first-year students who decide to enroll in the summer term in order to complete their studies sooner. The annual loan limit applies to the fall through spring SAY, plus the summer trailer. Students who receive the maximum annual loan amount for fall-spring have no loan eligibility for summer and may not borrow again until the start of the next SAY in the fall, unless Springfield opts to place them in a BBAY beginning with the summer term.

Fall Semester	Spring Semester	Summer Term
Year 1: Scheduled Academic Year		
Fall Semester	Spring Semester	Summer Term
Year 2: Scheduled Academic Year		

***Academic Year for loan limit purposes = 2 semesters + summer trailer***

## Graduate vs. Undergraduate limits: Special cases

In all cases, remember that a graduate/professional student may not receive subsidized loans for coursework that is not part of a preparatory or teacher certification program.

- **Combined undergraduate/graduate programs**

Some programs combine undergraduate and graduate study, where the first years of the program are undergraduate study and the final years of the program are graduate study. For instance, in a 5-year program leading to a graduate or professional degree, the school may define the first 3 or 4 years of study as being at the undergraduate level, but after year 4, it must be treated as graduate level.

- **Students returning for second baccalaureate degree**

If a student with a baccalaureate degree enrolls in another baccalaureate program, his/her grade level for loan limit purposes would be based on the amount of work that the school counts toward satisfying the requirements of the new program. For instance, if your school accepts 30 semester hours of a student's work in a previous baccalaureate program toward the requirements for a BS in Chemistry at your school and, on that basis, classifies the student at the second-year level, then the student would be eligible for second-year undergraduate loan limits (see below for the loan limit that applies when a student is required to have a prior associates or baccalaureate degree as condition for being admitted to an undergraduate program).

- **Transfer from graduate to undergraduate program during an academic year**

If a student transfers from a graduate program to an undergraduate program in the middle of an academic year, the undergraduate annual loan limit for the student's grade level applies, but amounts previously borrowed at the graduate level within the same academic year do not count against the undergraduate annual loan limit. However, the total amount awarded for the academic year may not exceed the higher (grad/professional) annual loan limit.

- **Baccalaureate or Associate degree required for admission to an undergraduate program**

A student who has an associate or baccalaureate degree that is required for admission into a program, but is not a graduate or professional student, may borrow up to the highest undergraduate annual loan limit (\$5,500 for a dependent student; additional \$7,000 in Direct Unsubsidized for an independent student or a dependent student whose parent is not eligible for PLUS), subject to the undergraduate aggregate loan limits.

- **Undergraduate student with graduate degree**

In some cases, a student who previously received undergraduate and graduate degrees returns to school to complete a second undergraduate program. Only the loans that the student received for the first undergraduate program are included in determining the student's remaining eligibility for loans for the second undergraduate program, up to the undergraduate aggregate limits. Although loans received for graduate study are not counted toward a student's undergraduate aggregate loan limit, the combined loan amounts received for undergraduate and graduate programs may not exceed the total allowable aggregate loan limits. (See example below.)

### Example: graduate student returning to undergraduate program

An independent student has received the following loan amounts for a first undergraduate program and a graduate program:		<b>Subsidized:</b>	<b>Unsubsidized:</b>	<b>Total</b>
	<b>Undergraduate</b>	\$20,500	\$10,000	\$30,500
	<b>Graduate*</b>	\$45,000	\$40,000	\$85,000
	<b>Total</b>	\$65,500	\$50,000	\$115,500

The student has now enrolled in a second undergraduate program. Only the loans received for the first undergraduate program are counted toward the student's undergraduate aggregate loan limit. Because the total amount received for the first undergraduate program (\$30,500) does not exceed the aggregate loan limit for an independent undergraduate (\$57,500, maximum \$23,000 subsidized), the student has remaining loan eligibility for the second undergraduate program.

However, the loans received for the graduate program must still be considered to ensure that the student does not exceed the total aggregate loan limits. In this case, the total subsidized amount already received (\$65,500) is the maximum subsidized amount that a student may receive for undergraduate and graduate study combined. Therefore, the student may receive only unsubsidized loans for the second undergraduate program. The student may not exceed the combined undergraduate/graduate aggregate loan limit of \$138,500. This means that the student's remaining loan eligibility for the second undergraduate program is \$23,000 in unsubsidized loans (\$138,500 - \$115,500 already received for the first undergraduate program and the graduate program).

\*This example assumes that the student received the \$45,000 in subsidized loans for graduate study for periods of enrollment that began before July 1, 2012.

## Standard term, credit-hour programs using a traditional academic year calendar: BBAY 1

### 1. BBAY where SAY contains 2 semesters

Examples 1a through 1c illustrate the optional use of a BBAY for a program that is offered in an SAY consisting of two semesters, fall and spring, each 15 weeks of instructional time in length. (Note that in each example, the first BBAY is the same as the SAY.)

In example 1a, the initial fall and spring terms could be considered either an SAY or BBAY. If the student attends the summer session at the school, the aid administrator can elect to treat the summer term and the next fall as a BBAY for the student. In that case, the following spring and summer would also constitute a BBAY. The maximum loan limit for an academic year applies to each BBAY. If these were the first three years of study for a dependent student and the student progressed a grade level each academic year, he/she would be eligible for up to the applicable annual loan limits for the respective academic years.

<b>1a.</b>	Fall	Spring	Summer	Fall	Spring	Summer
	Year 1: SAY or BBAY		Year 2: BBAY		Year 3: BBAY	

A student doesn't have to attend all of the terms in a BBAY, but the BBAY cannot begin with a term that the student doesn't attend. In example 1b, the student is not enrolled in the second term (fall) of year 2.

In example 1c, if the student does not attend a term that otherwise would have been the beginning of a BBAY (in this case, spring), then the student's next BBAY cannot begin until the next term that the student attends. As with example 1a, the annual loan limit applies to each BBAY.

<b>1b.</b>	Fall	Spring	Summer	Fall <small>(not enrolled)</small>	Spring	Summer
	Year 1: SAY or BBAY		Year 2: BBAY		Year 3: BBAY	

<b>1c.</b>	Fall	Spring	Summer	Fall	Spring <small>(not enrolled)</small>	Summer	Fall
	Year 1: SAY or BBAY		Year 2: BBAY		Year 3: BBAY		

### 2. BBAY where SAY contains 3 quarters

The same concepts apply to quarter-term programs. For instance, in example 2, the Fall, Winter, and Spring terms constitute the school's SAY. If the student attends the Summer session at the school, it can be the first term of a BBAY that includes the following Fall and Winter terms.

Fall	Winter	Spring	Summer	Fall	Winter
Year 1: SAY or BBAY			Year 2: BBAY		

## Direct Unsubsidized Loan limits for health professions students

Schools may award the following additional Direct Unsubsidized Loan amounts to students who are enrolled at least half-time in the following accredited health professions disciplines that were eligible under the former HEAL Program (administered by the U.S. Department of Health and Human Services). See sidebar “Eligible health professions disciplines and accreditors” (earlier in this chapter) for accreditation requirements.

■ Graduate in Public Health; Doctor of Pharmacy or Chiropractic; Doctoral Degree in Clinical Psychology; Masters or Doctoral Degree in Health Administration

9-month academic year \$12,500\*

12-month academic year \$16,667\*

■ Doctor of Dentistry, Veterinary Medicine, Optometry, Allopathic Medicine, Osteopathic Medicine, Podiatric Medicine, Naturopathic Medicine, or Doctor of Naturopathy

9-month academic year \$20,000\*

12-month academic year \$26,667\*

Students in these programs are also eligible for a higher aggregate limit for combined subsidized/unsubsidized loans: \$224,000.

\* PRORATION OF ANNUAL LOAN LIMIT FOR ACADEMIC YEAR COVERING 10 OR 11 MONTHS: For programs with an academic year covering 10 or 11 months, the annual additional unsubsidized loan limit must be prorated. If the academic year covers 10 or 11 months, the prorated annual loan limit is determined by dividing the applicable loan limit for an academic year covering 9 months by 9, and then multiplying the result by 10 or 11.

## Direct Loan limits for preparatory coursework & teacher certification

In *Volume 1*, Chapter 1, we discussed three instances in which a student may receive a loan for coursework that is not part of an eligible program. If the student and the academic coursework meet the conditions described in that volume, the annual loan limits are:

Preparatory coursework (not to exceed 12 consecutive months)

For undergraduate degree/certificate coursework:

Direct Subsidized & Unsubsidized \$2,625\*\*

Additional unsubsidized for independent students and dependent undergraduates whose parents can't get PLUS \$6,000\*\*

For graduate or professional coursework:

Direct Subsidized & Unsubsidized \$5,500\*\*

Additional Direct Unsubsidized for independent students and dependent undergraduates whose parents can't get PLUS \$7,000\*\*

State-required teacher certification coursework

Direct Subsidized & Unsubsidized \$5,500\*\*

Additional Direct Unsubsidized for independent students and dependent undergraduates whose parents can't get PLUS \$7,000\*\*

No additional Direct Unsubsidized Loan amount is available to dependent undergraduate students who are enrolled in preparatory coursework or teacher certification coursework (except for dependent undergraduates whose parents can't get PLUS).

\*\* Loan limit is not prorated if the coursework lasts less than an academic year. See *Volume 1*, Chapter 6, FSA Handbook for more information on FSA eligibility for this coursework.

## Criteria for additional Direct Unsubsidized Loans

Dependent students whose parents are unable to borrow Direct PLUS Loans due to adverse credit or other exceptional circumstances may receive additional Direct Unsubsidized Loan funds up to the same amount that is available to independent undergraduate students. The increased loan amounts may not substitute entirely for the amount a parent may borrow under the PLUS program, which may be up to the difference between COA and EFA. As a result, you should determine whether the parents may be able to borrow a Direct PLUS Loan using an endorser who does not have an adverse credit history before originating additional unsubsidized loan amounts for the dependent student.

Before originating a loan for increased loan amounts, you must document the basis of the dependent student's eligibility. Some basic guidelines for making this determination include the following:

- The parent's unwillingness to borrow a Direct PLUS Loan, a school's decision not to participate in the Direct PLUS Loan program, nor the aid administrator's belief that a parent should not borrow a Direct PLUS Loan does not make the dependent student eligible.
- If only one of a student's two parents has applied for a Direct PLUS and been denied based on adverse credit, you may award additional Direct Unsubsidized Loan funds on that basis. However, if both parents apply independently and one is approved and the other denied, the dependent student is not eligible for the additional unsubsidized loan amounts.
- The dependent student may become eligible at any time during an academic year if a parent has first been approved and then later denied a Direct PLUS Loan based on a subsequent application. Under these circumstances, any previous Direct PLUS Loan funds received during the same period of enrollment are treated as estimated financial assistance in determining the student's remaining eligibility for additional unsubsidized loan amounts.

In addition to cases in which a parent has been denied a Direct PLUS Loan due to adverse credit, a dependent undergraduate student may also be eligible for increased unsubsidized loan amounts if you determine and document that other

exceptional circumstances exist that will prevent a parent from borrowing a Direct PLUS Loan. Examples of such exceptional circumstances include, but are not limited to the following:

- The parent is incarcerated.
- The parent's whereabouts are unknown.
- The parent has filed for bankruptcy and has provided a letter from the bankruptcy court stating that as a condition of the bankruptcy filing, the parent may not incur any additional debt.
- The parent's income is limited to public assistance or disability benefits, and you have documented that the parent would not be able to repay the Direct PLUS Loan.
- You have examined the family financial information and documented the parent's likely inability to repay the Direct PLUS Loan due to an existing debt burden or the parent's expected income-to-debt ratio.
- The parent of a dependent student is not a U.S. citizen or permanent resident or is not able to provide evidence from the U.S. Citizenship and Immigration Service that he or she is in the United States for other than a temporary purpose with the intention of becoming a citizen or permanent resident.

Before originating a loan for the increased Direct Unsubsidized Loan amounts based on a parent's ineligibility for a Direct PLUS Loan due to adverse credit or other exceptional circumstances, you must document the basis of the dependent student's eligibility.

A determination that a parent is ineligible for a Direct PLUS Loan in one academic year based on adverse credit or other exceptional circumstances does not automatically support the dependent student's additional unsubsidized loan eligibility in subsequent years. If a dependent student is determined to be eligible for additional unsubsidized loan amounts in one academic year, you must re-examine and document that the basis for the student's eligibility continues to exist before originating additional unsubsidized loan amounts for the dependent in a subsequent year.

## Clock-hour, non-term, and nonstandard-term programs (other than SE9W programs): BBAY 3

### ***Example 1: Non-term credit-hour program***

A school offers a 48 semester hour, 60 weeks of instructional time program with a defined academic year of 24 semester hours and 30 weeks of instructional time. A student could receive two loans for this program. The period of enrollment for the first loan would be the time needed for a student to successfully complete the first 24 hours and 30 weeks of instructional time. The period of enrollment for the second loan would be the time needed to complete the remaining hours and weeks of instructional time of the program.

A student does not become eligible for the second loan until the later of the date that he/she successfully completes (passes) both 24 semester hours and 30 weeks of instructional time.

### ***Example 2: Nonstandard term, credit-hour program, terms not substantially equal in length***

A school offers a 72 quarter-hour program with 60 weeks of instructional time and a defined academic year of 36 quarter-hours and 30 weeks of instructional time. Courses are offered in 2-week and 5-week terms. A student could receive two loans, one for the period in which the student successfully completes the first 36 hours and 30 weeks, and another for the remaining hours and weeks of the program.

Although this program uses terms and measures academic progress in credit hours, the terms are nonstandard terms that are not substantially equal in length. A student does not become eligible for the second loan until he or she has completed 36 quarter hours or 30 weeks of instructional time, whichever comes later, regardless of the number of terms that have elapsed. For instance, a student who successfully completes (passes) 33 quarter hours in the first 30 weeks of instructional time must complete an additional three quarter hours before receiving the second loan. Generally, a school would originate a loan through the term in which the student is expected to complete the hours and weeks of instructional time of the academic year.

### ***Example 3: Clock-hour Program***

Springfield Academy has an 1,800 clock-hour program with 52 weeks of instructional time, and defines its academic year as 900 clock-hours and 26 weeks of instructional time. The initial BBAY always begins with the student's actual enrollment date. An enrolling student may receive two Federal Direct Loans during the program (provided all eligibility criteria are met) because the program exceeds one academic year. The period of enrollment for the first loan would be the time it will take the student to successfully complete (pass) either 900 clock-hours or 26 weeks of instructional time, whichever comes later. The period for the second loan would be the time it takes to successfully complete the final 900 hours and 26 weeks of instructional time. Note that the student cannot receive the second loan until he/she has successfully completed the first 900 hours of the program or 26 weeks of instruction, whichever comes later.

A student who completes the first 900 hours in less than 26 weeks must still complete 26 weeks of instructional time before a new BBAY begins and the student becomes eligible to receive another loan. In this case, the second loan period would be for the clock hours remaining and the weeks of instructional time to complete those hours. Similarly, a student who has completed fewer than 900 clock hours after 26 weeks of instructional time must successfully complete 900 hours before receiving another loan.



## GRADE LEVEL PROGRESSION

The annual loan limit for Direct Subsidized and Unsubsidized Loans increases as a student progresses in his/her studies. Generally, a student's grade level for loan limit purposes is set according to the school's academic standards. Progression to a higher grade level does not always coincide with the beginning of a new academic year. For example, a student in a standard term program (or a borrower in a program using nonstandard, substantially equal-terms of 9 or more weeks [SE9W]) who completes only 12 semester hours during the first academic year could receive another loan when the calendar period associated with that academic year has elapsed. However, the borrower would still be classified as a first-year undergraduate at the start of the second academic year.

### *Grade level progression within the same academic year*

In standard term programs or nonstandard SE9W programs, a student who has already borrowed up to the annual limit within an academic year can receive additional loan funds if the student progresses to a grade level with a higher annual loan limit during that same academic year.

For instance, if a dependent student was classified as a 2nd-year undergraduate in the fall, he/she might have received a first disbursement of up to \$3,250 in Direct Subsidized/Unsubsidized Loan funds for the fall-spring loan. If the student achieved 3rd-year academic status based on the coursework completed in the fall semester, the student would now be eligible for the \$7,500 Direct Subsidized/Unsubsidized annual limit that applies to 3rd year and beyond dependent undergraduates. If the student had sufficient financial need, you could disburse the difference between the amount the student already received and the new annual limit in the spring term (\$7,500 minus \$3,250 = \$4,250).

In all cases, the borrower may borrow the difference between the amount already borrowed within the academic year and the student's new loan limit. Usually, the increase in the loan amount can be made as an adjustment to the student's existing loan (note that interest accrues based on the original disbursement date) rather than making a new loan. For a clock-hour program, non-term program, or nonstandard-term program that is not SE9W, the borrower will never progress to a higher grade level within an academic year. In a clock-hour program, non-term program, or nonstandard-term program that is not SE9W that is longer than an academic year, the borrower moves to a higher grade level only when he or she completes the credit or clock hours and weeks of instructional time in the BBAY.

### *Grade level progression: clock-hour, non-term credit-hour, and other non-term programs*

In contrast, progression to a higher grade level and the beginning of a new academic year for loan limit purposes always happens at the same time for a student in a clock-hour program, non-term program, or nonstandard-term program in which the terms are not substantially equal in length or one or more terms have less than nine weeks of instructional time. In order to advance to the next grade level in such a program, for annual loan limit purposes, a student must successfully complete both the weeks and hours in

### **Grade level progression**

While the law defines minimum coursework for an academic year, it doesn't define how much coursework a student must complete to progress from one grade level to another. Unless a student's program of study or a school's academic standards clearly specify when this grade-level progression takes place, a reasonable approach would be to base grade levels on the number of credits required for the program, divided by the number of academic years it takes a typical student to earn that number of credits. For instance, if your school has a baccalaureate program that requires 120 semester hours of work and is typically completed in four academic years, then you might use a standard of 30 hours completed at each grade level.

### **Remedial work & grade level**

Remedial coursework can be counted towards the student's grade level progression, but only if the school's written and officially approved academic grade level progression policy specifies that remedial coursework can be counted for this purpose. Example: A school requires that the student complete 30 semester hours to progress to second-year grade level, and specifies that up to 10 of the hours may be in the form of remedial coursework.

the program's FSA academic year, i.e., at least 30 weeks of instructional time (or, for clock-hour programs, at least 26 weeks) and the credit or clock hours in the academic year, whichever comes later. For instance, a first-year student in a 2-year non-term program who earns 36 quarter-credits over 24 weeks of instructional time cannot progress to the next grade level until another 6 weeks of instructional time are completed (the point at which the loan period for that academic year will be completed).

If a program can normally be completed in one year of full-time study, a student in that program can never receive more than the 1<sup>st</sup>-year annual loan limit in any given year, no matter how long it takes the student to finish. (Similarly, a student in a two-year program can never receive more than the 2nd-year annual loan limit for an academic year.)

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### Loan limits and work in a prior certificate program

A school may not link two stand-alone 1-year programs by making one a prerequisite for admission to the other so that students beginning the second 1-year program could be classified as second-year students for loan limit purposes. However, hours or credits earned in a prior certificate program could be used to classify a transfer student at a grade level higher than grade level 1, if the student transfers into a program that is greater than one academic year in length and the new school accepts a year's worth of credits/hours from the prior program. For instance, if a school admits a transfer student from a certificate program and accepts 900 clock hours that the student earned toward its 1,500-hour program, the student could be eligible for the 2nd-year loan limits if other students in the program are eligible for 2nd-year loan limits after completing the first 900 hours of the program.

### *New annual amount for same grade level*

For both standard-term programs and SE9W programs, if a student is enrolled at the same grade level after a full academic year has elapsed, the student may be eligible for a new annual maximum amount. For instance, if the student maintains satisfactory academic progress, he or she could conceivably receive two Direct Subsidized/Unsubsidized Loans at the maximum annual loan limit for a first-year undergraduate while completing the first year of the program.

If the student is maintaining satisfactory academic progress, your school is not permitted to have a general policy that limits the number of times the student can receive the maximum annual loan limit at one grade level. A school may refuse to originate a loan or may originate a loan for an amount less than the borrower's maximum eligibility only on a case-by-base basis.

### *Transfers & grade level*

If you're awarding a Direct Loan to a student who is transferring from a program at another school to a program at your school that is greater than one academic year in length, you may use the loan limits for a student in the 2nd-year or higher level of study if your school classifies the student at that level based on the number of academic credits it accepts from the prior school, or based on the granting of advance standing in the new program. Note, however, that if an associate or bachelor's degree is required for entry into a program at your school, you *must* use the 3rd-year loan limits for a student who transfers to that program.

The "Eligibility and Certification Approval Report" (ECAR) lists "one-year" as the highest educational program offered by the school if its longest program is one year or more, but less than two years in length. Students in programs longer than one year can be paid as 2nd year students even though the ECAR lists the school's highest offering as "one-year." For instance, if a student is enrolled in a 1,500-hour program, he/she would be eligible for the 2nd-year loan limits after completing 900 clock-hours and 30 weeks of instruction (or, for clock-hour programs, at least 26 weeks). However, the loan limit would have to be prorated for the remaining hours of the student's program (see next section).

## PRORATING ANNUAL LOAN LIMITS FOR DIRECT SUBSIDIZED/UNSUBSIDIZED LOANS (UNDERGRADUATE ONLY)

The annual maximum loan amount an undergraduate student may receive must be prorated when the borrower is:

- enrolled in a program that is shorter than a full academic year; or
- enrolled in a program that is one academic year or more in length, but is in a remaining period of study that is shorter than a full academic year.

Bear in mind that loan limit proration determines the maximum loan amount that a student may borrow for a program or remaining balance of a program, not the loan amount that the student actually receives. In some cases, the actual loan amount that a student is eligible to receive (based on costs, EFC, and other aid) may be less than the prorated loan limit.

### *Prorating loan limits for programs of study shorter than a full academic year*

If an academic program is shorter than a full academic year in length, you must multiply the applicable loan limit(s) by the *lesser* of —

$$\frac{\text{Semester, trimester, quarter, or clock-hours enrolled in program}}{\text{Semester, trimester, quarter, or clock-hours in academic year}}$$

or

$$\frac{\text{Weeks enrolled in program}}{\text{Weeks in the academic year}}$$

The result is the prorated annual loan limit for that program. (You may express these fractions as decimals to see more easily which is less or to calculate the prorated limit.)

### *Prorating loan limits for remaining periods of study shorter than an academic year*

You must also prorate loan limits for students enrolled in remaining periods of study shorter than an academic year. This circumstance can occur when a student is enrolled in a program that is one academic year or more in length, but the remaining period of study needed to complete the program will be shorter than an academic year. Proration is required only when it is known in advance that a student will be enrolled for a final period of study that is shorter than an academic year. If a student originally enrolls for a final period of study that is a full academic year in length, but completes the program early in less than a full academic year, it is not necessary to retroactively prorate the annual loan limit.

In a *standard term program, or a credit-hour program using nonstandard SE9W terms*, a remaining period of study is considered shorter than an academic year if the remaining period contains fewer terms than the number

## Loan proration

Direct Loans: 34 CFR 685.203(a),(b),(c)

### When and when not to prorate

You must prorate Direct Subsidized/Unsubsidized Loans for an undergraduate program borrower if:

- the academic program is shorter than an academic year; or
- the student's remaining period of study is shorter than an academic year.

Direct Subsidized/Unsubsidized Loans are prorated only in these two situations. Loan limits are not prorated based on a student's enrollment status, such as when a student is enrolled less than full-time or is enrolled for a period of less than a full academic year that is not a remaining period of study. In addition, Direct Loan limits are not prorated for students enrolled in graduate or professional level programs.

Loan proration requirements also do not apply to loans made to students taking preparatory coursework or coursework necessary for teacher certification. The annual loan limit must be prorated only when a student is enrolled in a program or remaining portion of a program that is shorter than an academic year. For purposes of awarding Title IV aid, students taking preparatory coursework or coursework needed for teacher certification are not considered to be enrolled in a program.

### Note on fractions and decimals for prorating Direct Loans

It is acceptable to convert the fraction to a decimal and then multiply the annual loan limit by the decimal, but this conversion is not a requirement. You may still choose to multiply the annual loan limit by the original fraction. However, you should be consistent in the method you use, since the fraction and decimal calculations sometimes result in slightly different prorated loan limits. The decimal method will generally—if not always—result in an amount that is equal to or slightly higher than the amount calculated using the original fraction.

### Prorating annual loan limits for borrowers in remaining portions of term-based programs

A student who is enrolled in a 4-year program that is offered in a Scheduled Academic Year consisting of three quarters plus a summer “trailer” has completed four academic years of study and received four Direct Loans. The student needs to attend an additional quarter term to complete the program requirements. The final quarter term would fall in a new academic year, and thus the annual loan limit would have to be prorated, because the remaining period of study (a single quarter) is less than a full academic year.

A student who is enrolled in a 2-year program without a Scheduled Academic Year where the FSA academic year covers two 15-week semesters has completed two academic years of study, but needs to return for an additional semester to complete the program requirements. Again, the loan limit would have to be prorated if the student receives a loan for the final semester.

of terms covered by the school’s Title IV academic year. For programs that are offered in a Scheduled Academic Year, the number of terms covered in the school’s Title IV academic year usually does not include any summer “header” or “trailer” term.

In a *clock-hour program, non-term program, or a program with nonstandard terms that are not SE9W*, a remaining period of study is considered less than an academic year for this purpose if the remaining period consists of fewer clock or credit hours than the program’s defined Title IV academic year.

For all types of programs, where there is a remaining portion less than an academic year, the annual loan limit for the student’s grade level is multiplied by the following fraction to determine the prorated loan limit:

$$\frac{\text{Semester, trimester, quarter, or clock-hours enrolled in program}}{\text{Semester, trimester, quarter, or clock-hours in academic year}}$$

Unlike proration for programs that are shorter than an academic year, there is no comparison of weeks and hours. *Only the credit or clock-hours that the student is scheduled to attend or is actually attending at the time of origination are used in the calculation.*

### Prorating loan limits for additional unsubsidized amounts

For students in a program of study of at least one academic year but less than 2 academic years in length, the additional \$2,000 in Direct Unsubsidized Loan eligibility is multiplied by the following ratio:

$$\frac{\text{Semester, trimester, quarter, or clock-hours enrolled in program}}{\text{Semester, trimester, quarter, or clock-hours in academic year}}$$

For students in a program of study of less than an academic year in length, the additional \$2,000 is multiplied by the lesser of the following 2 ratios:

$$\frac{\text{Semester, trimester, quarter, or clock-hours enrolled in program}}{\text{Semester, trimester, quarter, or clock-hours in academic year}}$$

or

$$\frac{\text{Weeks in program}}{\text{Weeks in academic year}}$$

## REMAINING LOAN ELIGIBILITY FOR STUDENTS WHO TRANSFER OR CHANGE PROGRAMS

The annual loan limits are based on an academic year. If a student transfers from one school to another school or changes to a different program at the same school and there is an overlap of academic years, this overlap may affect the amount that the student is eligible to borrow at the new school or for the new program.

An overlap in academic years exists at the new school if the academic year at the new school (or the academic year for the new program at the same school) begins before the calendar end date of the academic year at the prior school or program. In the case of a transfer student from another school, you may obtain documentation from the prior school of the specific beginning and ending dates for the prior academic year or look for the academic year dates of Direct Loans originated by the prior school on the “award detail information page” in the Common Origination and Disbursement (COD) Web interface.\* The same principles for students who transfer from one school to another school would apply in the case of students who change programs within the same school.

### *For programs with standard terms or nonstandard SE9W terms (use SAY, BBAY 1, or BBAY 2)*

If a student enrolls in a program with standard terms (or nonstandard SE9W terms) after already having taken out a loan at another school with an overlapping academic year, the student initially may not receive more than the annual loan limit minus the amount received at the prior school.

However, the student may borrow again for a subsequent term within the same academic year at the new school if the term begins after the end of the academic year at the prior school. For a subsequent term that begins after the end of the prior school’s academic year, but within the initial academic year at the new school, the student may borrow up to the difference between the applicable annual loan limit and the amount already received for the new school’s academic year, if the student’s COA supports that amount.

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### **Using school’s definition of academic year if longer than the Title IV minimum**

A school may choose to define its academic year as longer in weeks or hours than the minimum statutory requirements. If so, then it’s the school’s standard – not the statutory minimum – that applies when determining whether a program or a final period of study is shorter than an academic year.

\* Note: Prior guidance permitted schools, when information about the prior school’s academic year was unavailable, to assume the academic year of the prior school was the beginning date of the loan period of the prior loan through 30 calendar weeks after the beginning date of the loan period. Because the academic year dates for Direct Loans are readily available in COD, there will no longer be circumstances in which a school would need to make this assumption regarding academic year dates.



*For clock-hour and non-term programs, and programs with nonstandard terms that are not SE9W (use BBAY 3)*

**Transfers between schools:** 

If a student who enrolls in a clock-hour or non-term program (or a program with nonstandard terms that are not SE9W) after already having taken out a loan at another school with an academic year that overlaps the academic year at the second school, then the student is restricted to the original annual loan limit until the completion of the first academic year at the new school. The new school may originate a loan for the remaining portion of the program or academic year regardless of whether or not the new school accepts transfer hours from the prior school. After this is completed, the student would progress to a new loan period and a new annual loan limit. If the new school accepts credits/hours from the prior school, this may give the student advance standing that reduces the length of time it will take to complete the program, however, the number of hours (if any) that the new school accepts has no bearing on the initial loan amount that the student is eligible to receive for the loan period that covers the remaining portion of the program or academic year that began at the prior school. If the remaining portion of the program at the new school following the completion of the initial loan period is shorter than an academic year, the annual loan limit for the next loan must be prorated.

**Transfers between programs at the same school:**

For a transfer between programs at the same school, you would look to the requirements for payment periods. There would be a new loan period with new payment periods or, if you choose to consider the student to be in the same payment period, there would be no new loan period.

**Same payment period and same loan period—At your option, you can consider a transferring student to be in the same payment period if:**

- The student is continuously enrolled at the school;
- The coursework in the payment period the student is transferring out of is substantially similar to the coursework the student will be taking when he or she first transfers in the new program;
- The payment periods are substantially equal in length in weeks of instructional time and credit or clock-hours, as applicable;
- There are little or no changes in school charges associated with the payment period to the student; and
- The credits or clock-hours from the payment period the student is transferring out of are accepted toward the new program.

If the student is kept in the same payment period, the original loan period should remain the same. However, you should take into account any changes as to when the student would complete the hours and weeks of instructional time of the academic year and make adjustments such as the ending date of the loan period or the date of the second (or any subsequent) disbursement(s). Any adjustments that have a direct effect or influence on 150% subsidized loan limits must also be updated/reported to COD.

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**Direct Loan transfer loan periods**

34 CFR 685.301(a)(10)(ii),(iii)

For more on direct loan transfer periods, see chapter 1 of this volume.



***New payment period and new loan period***

If a transferring student is placed, or must be placed, in a new payment period, you would perform a Return of Title IV calculation for his or her withdrawal from the payment period in the old program (assuming that the student did not complete that payment period without starting a new one before transferring into the new program if the R2T4 is done on a payment period basis, or assuming the student did not complete the loan period if the R2T4 is done on a period of enrollment basis). That calculation would close out the original loan period. Then the student would start over with a new loan period for his new program that uses the remaining annual loan limit eligibility from the prior loan period. The new loan period would be for an academic year using the remaining annual loan limit eligibility if the student's new program is at least an academic year in length. If the new program is less than an academic year, the student's annual loan limit is the lesser of the remaining annual loan limit eligibility or the prorated annual loan limit based on hours to be completed in the new program. For guidance on loan periods for transfer students, see the minimum/maximum loan period sidebar earlier in this chapter.

***Student completes a program and starts another at the same institution***

A student completes a program at your school and then begins a new program at your school, and the student's last loan for the completed program is for less than an academic year. In this case, you may originate the loan for the remainder of the academic year for the new program. You may originate the loan for an amount that does not exceed the remaining balance of the student's annual loan limit at the loan level associated with the new program.

## **Increasing the loan when grade level changes during academic year**

The best method for increasing the amount of an existing loan may depend on your school's software and the Department's loan system. Here are two commonly used methods:

1. Originate a new loan at the new grade level for the applicable amount (the difference between the new loan limit and the amount of the first loan). The loan period for the new loan must correspond to the term(s) during which the student qualifies for the higher loan limit (that is, it may not include a prior term when the student was classified at a lower grade level). You could also choose to cancel any pending disbursements of the first loan and originate a new loan for an amount equal to the canceled disbursements of the first loan plus the additional amount for which the student is eligible due to the grade level change.
2. Adjust the amount of the current loan. Change the grade level in the loan record and increase the amount of the existing loan to the new amount.

With either option, the student's remaining loan eligibility must be calculated using only the costs and estimated financial assistance for the term(s) during which the student qualifies for the higher loan limit.

## Proration examples for programs shorter than an academic year

### Example 1

Program = 400 clock hours, 12 weeks of instructional time
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Academic year = 900 clock hrs, 26 weeks of instructional time
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Jill is a dependent student enrolled in a 12-week program at Hancock Career College. HCC defines the academic year for this program as 900 clock-hours providing 26 weeks of instructional time. Measured in clock-hours, Jill's program is 400 clock-hours long.

To determine the maximum loan amount she can borrow, convert the fractions based on weeks ( $12/26 = .46$ ) and hours ( $400/900 = .44$ ) to decimals. Multiply the smaller decimal (.44) by the first-year annual loan limits for a dependent undergraduate: \$3,500 combined subsidized/unsubsidized and \$2,000 additional unsubsidized.

$\$3,500 \times .44 = \$1,540$  combined subsidized/unsubsidized

$\$2,000 \times .44 = \$880$  additional unsubsidized

The maximum combined subsidized and unsubsidized loan amount Jill can borrow for the program is \$2,420, but no more than \$1,540 of this amount may be in subsidized loans.

### Example 2

Program = 24 quarter hours; 20 weeks of instructional time
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Academic year = 36 credit hrs, 30 weeks of instructional time
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Morgan is an independent student enrolled in a program at Hancock Career College that provides 24 quarter-hours and 20 weeks of instructional time. HCC defines the academic year for this program as 36 quarter-hours and 30 weeks of instructional time. To determine the maximum loan amount she can borrow, convert the fractions based on weeks ( $20/30 = .67$ ) and quarter-hours ( $24/36 = .67$ ) to decimals. Multiply the smaller decimal (in this case, both are .67) by the first-year annual loan limits for an independent undergraduate.

$\$9,500 \times .67 = \$6,365$  total Direct Loan

$\$3,500 \times .67 = \$2,345$  subsidized

The maximum combined subsidized and unsubsidized Direct Loan amount Morgan can borrow for the program is \$6,365, with the subsidized loan amount limited to \$2,345.

## Proration examples for remaining period of study shorter than an academic year

### *Example 1: Academic year contains 3 quarters Remaining period = 1 quarter*

Fall	Winter	Spring
Fall	Winter	Spring
Fall	Winter	Spring

Chuck has attended 6 quarters in a 2-year program at Hartlieb Community College, but to finish the program, he needs to attend an additional quarter as a half-time student (6 quarter hours). Chuck is a dependent undergraduate student, and HCC defines its academic year (covering three quarters) as 36 quarter hours and 30 weeks of instructional time.

To determine the prorated Direct Loan limit for Chuck's remaining period of study, convert the fraction based on the hours that Chuck is expected to attend and the hours in the academic year to a decimal ( $6/36 = .17$ ).

Multiply this decimal by the second-year dependent undergraduate annual loan limits: \$4,500 (subsidized)  $\times .17 =$  \$765 combined sub/unsub; \$2,000 (unsubsidized)  $\times .17 =$  340 additional unsub. Total prorated Direct limit \$1,105, of which \$765 may be subsidized.

### *Example 3: Academic year contains 900 clock hours and 26 weeks Program = 1800 clock hours*

Year 1: Student completes 1040 clock hours in 26 weeks

Year 2: 750 clock hours remaining in program

Bulaga Career College has an 1800 clock-hour program and defines its academic year as 900 clock-hours and 26 weeks of instructional time. Sally, a dependent undergraduate student, successfully completes the first 900 clock-hours of the program in 22 weeks of instructional time. However, she must complete an additional four weeks of instructional time before she may receive a second loan. After 26 weeks of instructional time have elapsed, Sally has successfully completed 1040 clock hours. She may then receive a second loan, but the loan limit must be prorated based on the number of clock hours remaining in her program at this point. To determine the prorated loan limit for Sally's second loan, convert the fraction based on the number of clock-hours remaining to a decimal ( $760/900 = .84$ ). Multiply this decimal by the second-year dependent undergraduate annual loan limits:

$\$4,500 \times .84 =$  \$3,780 combined sub/unsub

$\$2,000 \times .84 =$  \$1,680 additional unsubsidized

The total prorated loan limit for the remaining period of study is \$5,460, not more than \$3,780 of which may be subsidized.

### *Example 2: Academic year contains 2 semesters Remaining period = 1 semester*

Fall	Spring
Fall	Spring

Chuck transfers to a BA program at Reiff College. By taking 18 hours a semester, he will be able to graduate in the Fall term of his second year. Chuck is a dependent undergraduate student, and Reiff defines its academic year (covering two semesters) as 24 credit hours and 30 weeks of instructional time. To determine the prorated Direct Loan limit for the remaining period of study, convert the fraction based on credit hours to a decimal ( $18/24 = .75$ ). Multiply this decimal by the fourth-year dependent undergraduate annual loan limits:

$\$5,500$  (subsidized)  $\times .75 =$  \$4,125 combined sub/unsub;

$\$2,000$  additional unsub  $\times .75 =$  \$1,500.

Total prorated Direct Loan limit \$5,625, of which \$4,125 may be subsidized.

### *Example 4: Remaining period of study with scheduled period of non enrollment*

Fall	Winter	Spring
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McNutt Institute has an academic year that covers three quarters: fall, winter, and spring. Bob will be enrolling in the fall and spring quarters, but not the winter quarter, and will graduate at the end of the spring quarter.

Because the fall quarter is in the same academic year as Bob's final quarter, it is part of the final period of study, even though there is a term between the final quarter and the fall quarter in which he will not enroll. McNutt Institute may award Bob a single loan for the fall and spring quarters (costs for the winter quarter must be excluded), or separate loans for fall and spring. In either case, the annual loan limit must be prorated (because Bob's final period of study, two terms, is shorter than an academic year). If Bob decided to enroll for the winter quarter on a less-than-half-time basis, his remaining period of study (three terms) would be equal to a full academic year and proration would not be required, even though he would have no loan eligibility for the winter quarter.

## Remaining loan eligibility on transfer/program change



### ***Standard term program***

A student receives a \$2,000 Direct Subsidized Loan at School A for a loan period from May 1 to August 31. The student, a dependent undergraduate, transfers to a program at School B in September and is admitted at grade level 2. The student requests a loan for the fall and spring semesters (September-May). School B checks COD to find the ending-date of the academic year began at the prior school, which is November 27.

Because the academic year at School B begins before the end of the academic year at School A, the student may initially receive only up to a maximum of \$4,500 for the fall semester at School B, not more than \$2,500 of which may be subsidized. This amount represents the difference between the annual loan limit of \$6,500 (maximum \$4,500 subsidized), and the amount received at School A (\$2,000 subsidized) for the overlapping academic year period.

The initial loan period at School B corresponds with the fall term. Assuming that the student receives the maximum of \$4,500 for the fall semester, at the start of the Spring semester in January, the student may borrow up to an additional \$2,000 (the difference between the 2nd year dependent undergraduate annual loan limit and the amount already borrowed for the fall-spring academic year at School B). If the student received the maximum \$2,500 in subsidized loan funds for the fall term, the additional \$2,000 would be limited to unsubsidized.

As an alternative, School B could choose to place the student on a BBAY schedule beginning with the Spring semester. The student would then be eligible to borrow up to the full annual loan limit for a spring/summer BBAY.

### ***Clock-hour program***

A student receives the first disbursement (\$2,750) of a Direct Unsubsidized Loan at School A for a loan period from April 1 to December 31. For purposes of this example, assume that the student has no financial need for a Direct Subsidized Loan; all loan amounts here represent Direct Unsubsidized Loans. The student, a dependent undergraduate, leaves school A June 18 and transfers to an 1,800 clock-hour program at School B, and begins attendance at School B on June 25th.

The student's first loan period at School B will be from June 25th through December 31st (the beginning of attendance at School B through the date the academic year would have ended at School A). The student could begin the next loan period and receive a full annual loan limit beginning on January 1.

For the initial loan period, School B may originate a loan for the difference between the student's annual loan limit and the loan already received at School A for the overlapping loan period. This is \$2,750. After this loan period is completed, the student would progress to a new annual loan limit.

## AGGREGATE LOAN LIMITS

A borrower who has reached his or her aggregate borrowing limit may not receive additional loans. Once the loans are repaid, in full or in part, the borrower may apply for additional loans. The maximum outstanding **total subsidized and unsubsidized** loan debt, excluding capitalized interest, is:

- \$31,000 for a dependent undergraduate student (no more than \$23,000 of this amount may be in the form of subsidized loans).
- \$57,500 for an independent undergraduate student (or a dependent undergraduate student whose parents do not qualify for Direct PLUS Loans). No more than \$23,000 of this aggregate amount may be in the form of subsidized loans.
- \$138,500 for a graduate or professional student (including loans for undergraduate study). No more than \$65,500 of this aggregate amount may be in the form of subsidized loans.

The loan amounts counted towards these maximums include any outstanding amounts borrowed in the form of Direct Subsidized/Unsubsidized Loans, and unsubsidized Federal Stafford Loans previously borrowed under the FFEL program. In the case of a Direct Consolidation Loan (or FFEL Consolidation Loan made prior to July 1, 2010), the outstanding amount of the Consolidation Loan representing any underlying Direct Subsidized/Unsubsidized Loans that were paid off by the Consolidation Loan is counted towards the aggregate Stafford Loan limits.

### **Subsidized Loan Eligibility Time Limitation (150% rule)**

First-time borrowers (those who have no principal or interest balance on any Direct or FFEL Loan on the date they receive a Direct Loan on or after July 1, 2013) may not receive Direct Subsidized Loans for a period that exceeds 150% of the published length of the academic program in which they are currently enrolled. This length of time is also known as the “maximum eligibility period.” For example, a first-time borrower in a 4-year program would have six years of Direct Subsidized Loan eligibility, and a borrower in a one-year program would have 1.5 years of Direct Subsidized Loan eligibility.

There are two exceptions to the maximum eligibility period:

First, for bachelor’s degree completion programs, the maximum eligibility period is 6 years. For purposes of the subsidized loan time limitation (aka the 150% rule), bachelor’s degree completion programs are defined as a 2-year program that required an associate degree or the successful completion of at least two years of postsecondary coursework as a prerequisite for admission to the program. For such programs, schools will report a program length of 4 years (even though the real length of the program is 2 years) and a “Special Program Indicator” of “B” in COD and NSLDS.

### **Aggregate loan limits**

DL: 34 CFR 685.203(d), (e)  
DCL GEN-08-08

### **NSLDS on the Web**

You can review the complete student loan history for your students and generate reports on the NSLDS Professional Access website:

<https://www.nslsdfap.ed.gov/>

### **NSLDS guides & help center**

Guides for Enrollment Reporting, Transfer Student Monitoring and other user documentation are currently posted on IFAP under “Processing Resources or NSLDS Reference Materials.”

Also see NSLDS Newsletter #6, 9, 11, 17 and 23 on IFAP for more specific information on how the OPB and Agg OPB are calculated and displayed on NSLDS.

Technical assistance for NSLDS is available at:  
**1-800-999-8219.**

### **Subsidized loan eligibility limitation (150% rule)**

Moving Ahead for Progress in the 21st Century Act (MAP-21), HEA Sec. 455(q)

Jan 17, 2014 E-Announcement

First Time Borrower: 34 CFR 685.200(f)(1)(i)

Maximum Eligibility Period: 34 CFR 685.200(f)

(1)(ii)

Subsidized Usage Period: 34 CFR 685.200(f)

(1)(iii)

Remaining Eligibility Period: 34 CFR 685.200(f)

(iv)

For more information about the 150% limit, see the 150% limit FAQ on IFAP, at:

<http://www.ifap.ed.gov/150PercentDirectSubsidizedLoanLimitInfo>.

Questions on the 150% limit can be emailed to: [150Percent-Questions@ed.gov](mailto:150Percent-Questions@ed.gov).

### **Exception for borrowers who graduate before losing subsidy**

Borrowers who graduate before losing the interest subsidy on their Direct Subsidized Loans will never lose the interest subsidy on the loans that were outstanding at the time that they graduated from their program of study.

### Exceptions for borrowers who are enrolled in teacher certification programs

There are special rules for borrowers who are enrolled in teacher certification programs where the school awards no academic credential and where the program leads to a teaching certification from the state that is required by the state before the borrower may teach elementary or secondary education in the state.

Direct Subsidized Loans received for enrollment in such a teacher certification program only count against a borrower's maximum eligibility period for enrollment in other teacher certification programs. When a borrower enrolls in an undergraduate program, the Direct Subsidized Loans received for enrollment in the teacher certification program will not count against the borrower's maximum eligibility period for enrollment in the undergrad program.

In addition, enrollment in a teacher certification program will never result in the loss of interest subsidy—either on Direct Subsidized Loans received for prior undergraduate enrollment or on Direct Subsidized Loans received for enrollment in a teacher certification program.

### Different rules for borrowers enrolled in preparatory coursework

34 CFR 685.200(f)(6)

The regulations provide varying treatment for borrowers who are enrolled in preparatory coursework necessary for enrollment in an undergraduate program or a graduate/professional program.

Secondly, for special admission associate degree programs, the maximum eligibility period is 6 years. For these purposes, a special admission associate degree program is an associate degree program that:

- Requires an associate degree, or the successful completion of at least two years of postsecondary coursework as a prerequisite for completion;
- Admits only a selected number of applicants based on additional competitive criteria, which may include entrance exam scores, class rank, grade point average, written essays, or recommendation letters; and
- Provides the academic qualifications necessary for a profession that requires licensure or certification by the State in which the coursework is offered.

For such programs, schools will report a program length of 4 years (even though the real length of the program is 2 years) and a “Special Program Indicator” of “A” in COD and NSLDS..

A first-time borrower's progress toward expending his or her maximum eligibility period is measured in “subsidized usage periods” (SUP). Subsidized usage periods are calculated by the following formula, the result of which is rounded up or down to the nearest tenth of a year (for example, a SUP of .44 would be rounded to .40, and a SUP of .45 would be rounded to .5):

$$\frac{\text{Number of days in the borrower's loan period for a Direct Subsidized Loan}}{\text{Number of days in the academic year for which the borrower receives the Direct Subsidized Loan}}$$

The academic year referenced above is the scheduled academic year (SAY) or borrower-based academic year (BBAY) dates to which the annual loan limit applies. There are two exceptions to this calculation:

1. When a first-time borrower receives a Direct Subsidized Loan equal to the annual loan limit for a loan period that is less than a full academic year in length, the borrower's subsidized usage period is one year; and
2. For a first-time borrower who is enrolled for three-quarter or one-half-time, the calculated subsidized usage period is prorated by .75 or .5, respectively.

Note that if a borrower meets the criteria for both exceptions described above, the annual loan limit exception will be applied, and then the part-time exception will be applied, followed by the part-time exception.



A borrower's remaining eligibility period is calculated by subtracting *the sum of all prior subsidized usage periods from the borrower's current maximum eligibility period*. For example, Bob currently has a subsidized usage period of two years, then transfers to a four year program. Since the remaining eligibility period is calculated as the difference between the borrower's current maximum eligibility period and the sum of all subsidized usage periods, Bob has a remaining eligibility period of four years (a 6-year maximum eligibility period for the new program, minus the existing subsidized usage period of 2 years).

If a first-time borrower exhausts his or her maximum eligibility period (has a remaining eligibility period of zero or less), the borrower is no longer eligible to receive Direct Subsidized Loans, but may receive Direct Unsubsidized Loans in an amount that is equal to the amount that the borrower always could have received in Direct Unsubsidized Loans, plus the amount the borrower otherwise could have received in Direct Subsidized Loans.

A borrower loses the interest subsidy on any outstanding Direct Subsidized Loans (including a Direct Consolidation Loan that repaid a Direct Subsidized Loan) if the borrower attends any undergraduate program (or preparatory coursework necessary for enrollment in an undergraduate program) on at least a half-time basis, at a school that participates in the Title IV programs, while having a remaining eligibility period of zero or less. Only the interest that accrues on such loans **after** the borrower loses the interest subsidy (by exceeding the 150% limit) is the borrower's responsibility; interest does not accrue retroactively to the date the loan was disbursed.

For borrowers who have a remaining eligibility period that is less than an academic year, the borrower can only receive a Direct Subsidized Loan if the school can properly originate a Direct Subsidized Loan that creates a subsidized usage period that is equal to or less than the borrower's remaining eligibility period. For example, if a borrower has a remaining eligibility period of .2 years, and is enrolled full-time in a semester-based credit-hour program with a need that supports receiving \$4,000 in Direct Subsidized Loans, the minimum period for which the school could originate a loan is a term.

The Department will track, calculate, and inform borrowers and schools of borrower eligibility for subsidized loans and loss of subsidy benefits based on program length information that schools report to COD and NSLDS. It is essential that any changes in enrollment or program be reported to NSLDS in a timely manner to ensure correct calculation of subsidy periods.

## Default



FFEL: 34 CFR 682.200

Direct Loan: 34 CFR 685.102

A loan goes into default when a borrower (and endorser, if any, or joint borrowers on a PLUS or Consolidation loan) fails to make an installment payment when due, or to meet other terms of the promissory note, the Higher Education Act, or regulations as applicable, for a period of—

- 240 days for a Perkins loan repayable in monthly installments;
- 270 days for an FFEL or Direct loan repayable in monthly installments and Perkins Loans payable in quarterly installments; or
- 330 days for an FFEL or Direct loan repayable in installments less frequent than monthly.

### Financial aid history requirement & NSLDS

To ensure that a student doesn't exceed the annual and aggregate loan limits, the student's FAFSA data is matched with the National Student Loan Data System and the student's loan history is included in the ISIR. If a student transfers to your school, you must inform NSLDS so that it can begin the Transfer Student Monitoring process. More detailed information on how this requirement applies to all of the FSA programs can be found in Volume 1, Chapter 3 of the FSA Handbook.

### Revised formula for calculating unsubsidized aggregate loan amounts

NSLDS now utilizes a revised formula to calculate aggregate loan limit amounts. NSLDS no longer includes Direct PLUS Loan amounts that can be attributed to having been consolidated into a Direct Unsubsidized Consolidation Loan when calculating a borrower's unsubsidized aggregate loan amount and combined loan limit amount. This change will be reflected in the NSLDS Professional Access website as well as on ISIRs. For more details on this change, see the E-Announcement of August 13th, 2012.

### Handling unallocated amounts in NSLDS

You do not have to review unallocated amounts in NSLDS. NSLDS does not add the amount of unallocated loans when triggering the "close to or exceeds aggregate limits" flags.

See *NSLDS Newsletter 11*, February 2006.

### Resolving conflicting information in NSLDS

GEN-96-13, Q&A 37

If you can document that the student is eligible for FSA funds despite the information shown on NSLDS, you may award and disburse aid. An example would be if the NSLDS Financial Aid History page of the SAR or ISIR shows that the student has a defaulted loan, but you have obtained documentation from the holder of the loan that the borrower had made "satisfactory arrangements to repay."

### Checking loan amounts on NSLDS

If a student at your school has FSA loans that were received at other schools, you may need to check the National Student Loan Data System (NSLDS) website to make sure the student still has remaining eligibility under the aggregate loan limits.

As long as there is no conflicting information, you may rely on the financial aid history (provided on the ISIR as well as the NSLDS website) and the Transfer Student Monitoring process to tell you if a student is about to exceed the aggregate loan limits. (The NSLDS financial aid history may affect eligibility for other FSA programs, so it is discussed in more detail in *Volume 1*, Chapter 3.)

The aggregate loan limits do not include accrued or capitalized interest or other charges. To avoid counting interest and other charges when determining a student's remaining loan eligibility using NSLDS, use the *aggregate outstanding principal balance (Agg. OPB)* shown in NSLDS for each of the student's outstanding loans.

For instance, suppose a student has a Direct Unsubsidized Loan disbursed in the amount of \$5,000. Over time, \$200 in interest accrues and is capitalized. The total outstanding balance on the loan will be \$5,200, and the aggregate outstanding principal balance will be \$5,000. It is the last figure, the aggregate outstanding principal balance—as displayed in the student's NSLDS Loan Detail—that you should use to determine remaining loan eligibility under the aggregate loan limits.

For Consolidation Loans (both Direct Consolidation Loans and Consolidation Loans made under the FFEL program), which may include Direct Subsidized and Unsubsidized Loans and subsidized/unsubsidized Federal Stafford Loans, NSLDS will now show separate totals for the *Subsidized Agg OPB* and *Unsubsidized Agg OPB*. In addition, NSLDS will show a total for "Unallocated" loan amounts for loans that cannot be identified. You are not responsible for reviewing these Unallocated loans to determine their origin.

### Effect of change in student status on aggregate loan limits

In some cases, a student may qualify for higher loan limits, but then lose the eligibility for the higher limits. This situation could occur because a dependent student's parent received a Direct PLUS Loan after having been denied in previous years, and the student therefore could no longer borrow at the independent student loan levels, or because a student with a graduate degree entered an undergraduate degree program. In these cases, you only count the loan amounts that the student would have received under his or her current eligibility as an undergraduate or dependent student against the applicable undergraduate aggregate loan limit.

The NSLDS website displays undergraduate and graduate aggregate amounts in the Aggregate Loan Information section for subsidized, unsubsidized, combined, and unallocated portions of consolidated loans. The undergraduate aggregate section will display only if the student has undergraduate loans and the graduate aggregate section will display only

### Example: Aggregate loan limits with additional Direct Unsubsidized when parents are denied PLUS

A dependent student is treated as an independent student for loan limit purposes and receives additional Direct Unsubsidized Loan funds (up to the additional amounts available to independent undergraduates) for the first 3 years at your school because a parent was denied a Direct PLUS Loan for each of those years, but a parent was eligible to borrow PLUS for the student's fourth year, the student would be eligible for the following Direct Loan amounts:

1st year (independent student loan limit) = \$9,500 (maximum \$3,500 subsidized)  
 2nd year (independent student loan limit) = \$10,500 (maximum \$4,500 subsidized)  
 3rd year (independent student loan limit) = \$12,500 (maximum \$5,500 subsidized)

For each of the first three years, the student receives the maximum subsidized amount and the maximum additional unsubsidized amount. In the 4th year, the parent is eligible to borrow a Direct PLUS Loan, so the student is then subject to the annual and aggregate loan limits for a dependent undergraduate. Although it might appear that the student would have no remaining loan eligibility for year 4 because the total amount received for years 1-3 exceeds the \$31,000 dependent undergraduate aggregate loan limit, the additional Direct Unsubsidized Loan amount that the student received as a result of the parent PLUS denials in the first three years of the undergraduate program does not count against the \$31,000 dependent aggregate limit.

The student received a total of \$19,000 in additional Direct Unsubsidized Loan funds for the first three years (\$6,000 each in years 1 and 2, and \$7,000 in year 3). Of this total additional unsubsidized amount, the student would have been eligible to receive \$6,000 (\$2,000 each year) as a dependent undergraduate if the student's parent had qualified for a Direct PLUS Loan. The extra \$13,000 in unsubsidized funds that the student received as a result of the parent being unable to obtain a Direct PLUS Loan for the first three years (\$4,000 in years 1 and 2, and \$5,000 in year 3) is not counted against the \$31,000 dependent undergraduate aggregate when determining the student's loan eligibility for year 4. Excluding this amount, only \$19,500 of the total \$32,500 the student received for the first three years counts against the \$31,000 dependent undergraduate aggregate loan limit. This means that for year 4, the student is eligible to receive up to the full annual loan limit for a dependent undergraduate:

4th year (dependent student loan limit) = \$7,500

if the student has graduate loans. Also on the NSLDS website, the Exceeds Loan Limits warning symbols provide automatic filters to display the Loan Summary list on the Loan History web page to show those loans that were attributed to the applicable loan limit overage. These website tools will assist with separating undergraduate, graduate, and overall loan totals and will aid in eligibility determinations.

#### Treatment of consolidated Perkins Loans

A consolidated Perkins Loan is not counted toward the aggregate Direct Loan limits.

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### Regaining Title IV Eligibility after exceeding loan limits

34 CFR 668.35(d)  
DCL GEN-13-02

## EFFECT OF OVERBORROWING THEN REGAINING ELIGIBILITY

A student who has inadvertently received more than the annual or aggregate loan limits is ineligible to receive *any* FSA funds until the overborrowing is resolved. The student can regain eligibility for aid by repaying the amount that exceeded the annual or aggregate loan limits, or by making satisfactory arrangements with the loan servicer to repay the excess amount. The loan servicer will allow a borrower to “reaffirm” that he or she will repay the excess according to the terms and timing of the original promissory note. For more detail on the various steps involved in reaffirmation, see Dear Colleague Letter GEN-13-02.

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### Consolidation of loan amounts that exceed the annual or aggregate loan limit

If a borrower who inadvertently received more than the annual or aggregate loan limits has consolidated the loan(s) that caused the borrower to exceed the loan limit, the consolidation loan is considered to be a satisfactory arrangement to repay the excess amount that restores the borrower’s eligibility for FSA aid. (Note, however, that consolidation of an amount that exceeded the aggregate Direct Subsidized/Unsubsidized loan limits does not automatically make a student eligible for additional Direct Loan funds.)

If the inadvertent overborrowing occurred at your school, you should work with the student and the loan holder to ensure that the necessary actions are taken to restore the student’s eligibility. Overborrowing is not considered inadvertent if there is any evidence that the overborrowing was the result of deliberate action on the part of the school that determined the borrower’s eligibility for the loan, or on the part of the borrower who received the loan. If you determine that the overborrowing was the result of deliberate action on the part of another school or the borrower, you must notify your FSA School Participation Team and provide evidence.

Once you have documented that the student has either repaid the excess loan amount or has made satisfactory arrangements with the loan holder to repay the excess amount, you may award additional aid. However, the student may or may not be eligible to receive additional loan funds, depending on the circumstances. For example, a dependent undergraduate who inadvertently exceeded the \$23,000 (subsidized) aggregate limit could not receive any additional Stafford Loan funds as a dependent undergraduate unless the outstanding debt was paid down below the \$23,000 limit. However, the student could receive additional non-loan aid. An independent undergraduate who inadvertently exceeded the \$23,000 subsidized limit (but who has not reached the \$57,500 combined aggregate loan limit for independent undergraduates) could borrow additional Direct Unsubsidized funds once he or she makes satisfactory arrangements to repay the subsidized amount that exceeds \$23,000. For more on overborrowing and overawards, see *Volume 5*.

The effective date when a student regains eligibility for the Pell Grant, Campus-Based, TEACH Grant, and Iraq & Afghanistan Service Grant programs begins with the payment period in which the overborrowing was resolved, and for Direct Loans, eligibility is retroactive to the beginning of the academic year in which the overborrowing was resolved.

## Review of the Direct Loan process

The process for completing the MPN for a Direct Loan and making the initial loan includes the following elements, though some school procedures may be in a slightly different order. In completing several of these steps, the website [www.studentloans.gov](http://www.studentloans.gov) may be helpful.

### **Student Applies for Aid.**

The student fills out the FAFSA (or a renewal FAFSA).

### **School Determines Eligibility and Loan Amount.**

The school confirms the student's eligibility for federal student aid, determines the loan period and loan amount, and packages the loan(s) requested.

### **Origination.**

The school originates the loan.

- \* In the Direct Loan Program, the school submits an origination record to COD and receives an acknowledgment from COD.

### **Student Completes MPN.**

The student fills out an MPN for the initial loan.

- \* The *Borrower's Rights and Responsibilities Statement* is included in the MPN.

### **Disclosure & Entrance Counseling.**

Either before (up to 30 days prior) or at the time of the first disbursement (and no later than 7 days after disbursement/crediting the student's account, if you don't obtain the borrower's affirmation/authorization for the loan, or no later than 30 days after disbursement/crediting the student's account if you do obtain the borrower's affirmation/authorization for the loan), the borrower must be given a disclosure statement (usually provided by the Department) with specific information about the types of loans the borrower is getting, anticipated disbursement amounts, anticipated disbursement dates, and instructions on how to cancel the loans.

- \* First-time Direct Subsidized/Unsubsidized Loan and Direct Grad PLUS borrowers must complete entrance counseling before a disbursement can be made. (See *Volume 2*, Chapter 6.)

### **Disbursement to the Borrower.**

The school (after checking that the borrower is still eligible) disburses the loan funds to the student's account or directly to the borrower, and notifies the borrower of each disbursement.

### **Making Subsequent Loans.**

If the MPN is used as a multi-year note, a new MPN is not required for subsequent loans. However, your school must use a confirmation process (either active or passive) for subsequent loans, and the borrower must receive a Plain Language Disclosure, at or prior to the disbursement of any subsequent loans provided under an existing MPN. (The Plain Language Disclosure is usually sent to the borrower by the Department.) If the MPN is not used as a multi-year note, a borrower completes a new MPN for each subsequent loan period. Note that one common reason a multi-year MPN may be changed to a single-year note is the case of a Direct PLUS Loan that has an endorser.

For your reference, sample copies of the MPN and related materials are available online at:

<http://www.direct.ed.gov/mpn.html>

There are two methods of MPN processing: paper and electronic. The address for express and overnight delivery of paper Master Promissory Notes is:

Department of Education  
100 Capitol Commerce Blvd  
Montgomery, AL 36117





# Awarding Campus-Based Aid

## CHAPTER 6

*Your school has more latitude in selecting recipients of its Campus-Based funds than in Pell or Direct Loans. This chapter discusses the criteria that you must consider when selecting Campus-Based recipients and the amounts that you may award to them. In addition, the student must meet the general eligibility criteria discussed in Volume 1, and your Campus-Based awards may not exceed the student's financial need, as described in Chapter 7 of Volume 3.*

### GENERAL CAMPUS-BASED AWARD RULES

#### **Selecting independent & part-time students**

If any part of a school's FSEOG, FWS, or Federal Perkins Loan allocation is directly or indirectly based on the financial need of independent students or students who are attending part-time, then you must offer a *reasonable proportion* of the FSEOG allocation, the FWS allocation, and the dollar amount of the loans made from the Perkins revolving fund to such students. This requirement includes part-time students at eligible additional locations, as well as part-time students on the main campus. A policy that excludes part-time or independent students is not acceptable.

"Part-time students" also includes correspondence students. To be considered enrolled in a program of correspondence study, the student must be enrolled in a degree-seeking program and must have completed and submitted the first lesson.

#### **Uneven costs/unequal disbursements**

If the student incurs uneven costs or receives uneven resources during the year and needs extra funds in a particular payment period, you may make unequal disbursements of FSEOG and Perkins. There is no explicit provision for unequal disbursements in FWS. However, because FWS wages are disbursed as work is performed, usually on a weekly or biweekly schedule, total disbursement amounts are likely to be different from one payment period to the next. In addition, as we'll discuss in the FWS section, a student may be paid for work performed during certain periods of nonattendance.

#### **Summer school and special sessions**

A student who enrolls as a regular student in an eligible program during summer school or a special session may receive Campus-Based aid if he or she meets the same general eligibility requirements that apply to a student enrolled in a regular session. If a student is not enrolled during the summer or special session, the student is not eligible to receive Campus-Based aid during the period of **nonattendance**, except in the case of an FWS job. (See FWS discussion in this chapter.)

### CHAPTER HIGHLIGHTS

#### ■ FSEOG:

- Undergraduate only — see Volume 1 for rules.
- Maximum \$4,000, Minimum \$100.
- Priority order for FSEOG recipients is based on Pell eligibility and lowest EFCs.

#### ■ Perkins:

- Undergraduate/graduate eligibility.
- Undergraduate: \$5,500 annual and \$11,000/\$27,500 aggregate.
- Graduate: \$8,000 annual and \$60,000 aggregate.
- Selection based on exceptional financial need as defined by school.
- Also note Equal Credit Opportunity requirements.

#### ■ FWS:

- Undergraduate/graduate eligibility.
- Awards based on academic workloads & other factors, packaged based on net earnings, after taxes and job-related costs are subtracted.
- Student may be employed during certain periods of nonattendance.

#### ■ Related Information:

- See Chapter 7 of this volume for a discussion of packaging Campus-Based aid with other assistance so as not to exceed the student's financial need.
- See Volume 1 for rules on undergraduate vs. graduate status.
- See Volume 4 for rules governing timing of disbursements & general FSA funds management.
- See Volume 6 for information on operating an FWS or Perkins Loan program, including allowable types of employment, JLD and Work-Colleges, due diligence in making Perkins Loans, terms of repayment, etc.

#### **Selecting independent and part-time students**

34 CFR 674.10(b), 675.10(c), 34 CFR 676.10(b)

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**FSEOG cites**

Selection Procedures 34 CFR 676.10

Frequency of disbursements 34 CFR 676.16(a) and (e)

Minimum and maximum awards 34 CFR 676.20

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**Award year & payment period**

"Award year" is defined as "the period of time from July 1 of one year through June 30 of the following year."

Institutional Eligibility regulations, 34 CFR 600.2

As discussed in Chapter 1 of this volume, the payment period for a program that uses standard academic terms is a semester, trimester, or quarter. See Chapter 1 for a description of payment periods in programs not using terms or not using standard terms.

Payment period defined: 34 CFR 668.4

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**FSEOG & Pell LEU**

Students who have reached or exceeded 600% of their Pell or Iraq & Afghanistan Service Grant LEU may still be eligible to receive FSEOG, however, they are in the second selection group.

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**FWS and FSEOG and the Sequester**

E-Announcement April 5, 2013

On August 2, 2011, Congress passed the Budget Control Act (BCA) of 2011, which put into place an automatic Federal Budget cut known as the sequester. For the 2014-15 award year, funding for both FWS and FSEOG will be reduced, which will be reflected in the 2014-15 final institutional allocations released in the spring of 2014.

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**Selecting FSEOG prohibitions**

A school would not be in compliance with the Higher Education Act, as amended, and with the FSEOG regulations were it to award FSEOGs on a first-come, first-served basis or were it to arbitrarily set expected EFC benchmarks (cutoffs) from below which it would select FSEOG recipients. Such a practice might exclude otherwise eligible students from the selection process. Furthermore, professional judgment is not an appropriate means of attempting to resolve the indicated circumstance; professional judgment is applicable only to making an adjustment or adjustments to a data element used in the calculation of the EFC or in the COA, not as a means to circumvent the FSEOG selection policy.

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**FSA Assessments**

To assess your school's compliance with the provisions of this chapter, see the FSA Assessment modules: Awarding & Disbursement, FSEOG and FWS Programs under the "Campus-Based Programs" category, at: <http://ifap.ed.gov/qahome/fsaassessment.html>.

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**AWARDING FSEOG****Award amounts**

The maximum Federal Supplemental Educational Opportunity Grant (FSEOG) for a full academic year is usually \$4,000. However, you may award as much as \$4,400 to a student participating in a study-abroad program that is approved for credit by the home school. The minimum FSEOG amount is \$100, but you may prorate this amount if the student is enrolled for less than an academic year.

The FSEOG maximum award for a student applies to both the federal share and the required non-federal share. However, when your school has a waiver of the non-federal share, the FSEOG maximum applies to just the FSEOG federal funds. When there is no waiver, the FSEOG federal dollars awarded to a student are considered to be 75 percent of that student's total FSEOG award, and the school must account for the remaining 25 percent non-federal share, regardless of the type of school resources used and the method used to match. For more detail on the requirements of federal and non-federal shares, see Volume 6, Chapter 1.

**Selecting FSEOG recipients**

When awarding FSEOG funds for an award year, you must first select students with the lowest expected family contributions (EFC) who will also receive Pell Grants in that award year. This group is known as the FSEOG first selection group. A student who will receive a Pell Grant in the award year is a student who has demonstrated Pell Grant eligibility for the same award year based upon an EFC that you have calculated for the student or the EFC on the student's valid SAR or ISIR.

A student who receives a Pell Grant at any time in the award year may be awarded an FSEOG for that award year; the student does not have to receive a Pell Grant in the same payment period as the FSEOG. For example, in the case of a student who receives a Pell Grant for the fall semester only due to reaching his lifetime eligibility used (LEU), the student may be awarded an FSEOG for both the fall semester and subsequent winter semester.

If you have remaining FSEOG funds after making awards to all Pell Grant recipients for that award year, you must next select students with the lowest EFCs who are not receiving Pell Grants. This group of students is known as the FSEOG second selection group. This group also includes students who have exceeded their LEU. LEU is covered fully in Chapter 3 of this volume.

You must keep documentation of the eligible EFC that was calculated for the student, and you must confirm Pell Grant eligibility prior to disbursement of the FSEOG. If the FSEOG recipient does not actually receive a Pell Grant during the award year, but the documentation shows that the FSEOG award and disbursement was made in good faith, you are not required to recover the FSEOG funds. If the student loses Pell Grant eligibility prior to disbursement of the FSEOG, you must cancel the FSEOG award.

**Crossover payment period**

Certain flexibilities exist when determining whether a student is considered to be in the FSEOG first selection group during a crossover payment period, that is, a period that begins before July 1 of any award year and ends after July 1 of that same award year. If a student will also receive a Pell Grant during a payment period that occurs in two award years and the student is among those students with the lowest EFCs, the student satisfies the FSEOG first selection group requirements for the same crossover period regardless of which award year the Pell Grant funds are attributed.

In order to be considered part of the FSEOG first selection group, a student does not necessarily have to receive a Pell Grant in the same crossover payment period. A student can also be awarded FSEOG funds under the FSEOG first selection group requirements during a crossover payment period, from either award year's allocation, as long as the student will also receive a Pell Grant in the award year to which the crossover payment period is attributed for Pell Grant purposes.

**Establishing categories of students**

Your selection procedures may specify categories of students to ensure that the students in each category have an opportunity to be awarded FSEOG funds. Categories may be based on class standing, enrollment status, program, date of application, or a combination of factors. You may choose to assign a percentage or dollar amount of FSEOG funds to each category; there is no requirement to make the percentage or dollar amount proportional to the need of students in a particular category or even to the number of students in the category. However, categorization may not be used to exclude certain students or groups of students from consideration. If you know that your school's funds are so limited as to effectively exclude year after year categories that come later in the sequence, your school may not be in compliance with the "reasonably available" provision.

Your school's written selection procedures must ensure that FSEOG recipients are selected on the basis of the lowest EFC and Pell Grant priority requirements over the entire award year. If your school enrolls students as often as monthly or weekly, FSEOG funds can be reserved for use throughout that award year (on the basis of your school's experiences from previous periods), and selection practices can be applied in a manner that would assure a reasonable consistency over the entire award year.

When you use categories to package FSEOG, within each category you must first award the assigned FSEOG funds to students with the lowest EFCs who will also receive a Pell Grant. If FSEOG funds assigned for that category still remain, you must next award FSEOG funds to students in the category with the lowest EFCs who will not receive a Pell Grant.

**Frequency & amount of FSEOG disbursements**

If you're awarding an FSEOG for a full academic year, you must pay a portion of the grant during each payment period, *even if the student's program doesn't use standard academic terms.* (See Chapter 1 of this volume for an explanation of payment periods.)

**Perkins citations**

Selection procedures: 34 CFR 674.10  
 Exceptional need: 34 CFR 674.10(a)(1)  
 Must have estimate of Pell eligibility: 34 CFR 674.9(d)  
 Selection of independent & part-time students:  
 34 CFR 674.10(b)  
 Equal credit opportunity: 34 CFR 674.20

**Example: Perkins selection procedures**

When packaging aid, Barton University first awards Perkins Loans to third-year students whose financial need is at least \$500 after their EFCs, Pell Grants, and any scholarships received have been subtracted from the cost of attendance. Next, the University awards Perkins Loans to second-year students whose financial need is at least \$750. The school continues to award Perkins Loans to such pre-defined groups until the Fund is exhausted or all exceptional financial need is met.

**Graduate/undergrad status in teacher certification program**

A student enrolled in a teacher certification program may be considered either an undergraduate or a graduate student. If a teacher-certification student has already borrowed the maximum aggregate allowed for an undergraduate but your school considers him/her to be a graduate student, the student is eligible to receive an additional Perkins Loan. At the point the school classifies and treats this student as a graduate student, he/she would only be eligible for graduate level FSA aid.

**Uneven costs/unequal disbursements example**

Dan will receive a \$1,000 Perkins Loan and must spend \$300 for books and supplies at the beginning of the school year. Ingram College could disburse that \$300 along with the first payment. To determine the first payment, Ingram College subtracts the extra amount (in this case, \$300) from the total loan (\$1,000) and divides the remainder (\$700) by the number of payment periods (in this case, 2). Ingram then adds the regular amount for one payment period (\$350) to the extra amount (\$300) to determine the initial payment (\$650). The remaining amount (\$350) is then disbursed during the second payment period for a total loan of \$1,000.

To determine the amount of each disbursement, you would usually divide the total FSEOG award by the number of payment periods the student will attend. However, you are allowed to pay an FSEOG in unequal amounts if the student has costs or resources that are different for different payment periods. You may make payments *within* a payment period in whatever installments will best meet the student's needs.

**AWARDING PERKINS LOANS**

The maximum amount an undergraduate student may borrow is \$5,500 per award year; the maximum for a graduate or professional student is \$8,000 per award year.

Like Direct Subsidized/Unsubsidized and Direct PLUS Loans, Perkins Loans also have aggregate loan limits:

- \$11,000 for any student who has not completed two academic years of undergraduate work.
- \$27,500 for an undergraduate student who has completed two academic years and is pursuing a bachelor's degree.
- \$60,000 for a graduate or professional student, including loans borrowed as an undergraduate student.

The aggregate loan limits now include only unpaid principal. (Previously, a student who had borrowed the maximum cumulative amount for a graduate or professional student would not be eligible for another loan even if the student had repaid part or all of the amount he or she had borrowed.) The annual maximums and aggregate maximums include any amounts borrowed previously under the Federal Perkins Loan Program, including National Direct/Defense Student Loans.

**Perkins selection criteria**

When awarding Perkins Loans, you must give priority to those students with exceptional financial need, as defined by your school. Your school's Perkins selection procedures must be in writing, uniformly applied, and kept on file at the school. See *Volume 2* for record retention and consumer information requirements.

Before you may award a student a Perkins Loan, you must determine the student's Pell Grant eligibility. You may use an unofficial calculation to determine Pell Grant eligibility before a student has filed a *Free Application for Federal Student Aid* (FAFSA). However, your school may not disburse the Perkins Loan until you have received the student's official EFC for that award year (on the student's valid SAR or ISIR).

**Increased loan eligibility to cover higher costs of study abroad**

If the reasonable costs of the foreign study program exceed the cost of attending the home school, the awarded Perkins Loan may exceed the annual and/or aggregate loan limits by up to 20 percent. A school may disburse a Perkins Loan to a student engaged in a program of study abroad

### Equal Credit Opportunity Act (ECOA) rules

A school making Perkins Loans is subject to the requirements of the ECOA. With only limited exceptions, the ECOA prohibits a lender from considering the applicant's age, race, color, religion, national origin, sex, marital status, or receipt of public assistance when evaluating loan applications. Lenders are not permitted to consider whether the applicant has a telephone, whether the applicant's sources of income are from retirement benefits or part-time employment, or whether the applicant might bear or rear children.

In the case of a "special purpose credit program" that uses financial need as a criteria for the loan, a lender may collect certain borrower information. The Perkins program is considered a special purpose credit program, therefore you "may request and consider, in determining an applicant's eligibility for the program, information regarding the applicant's marital status; alimony, child support, and separate maintenance income; and the spouse's financial resources."

This information is collected on the FAFSA.

ECOA regulations: 12 CFR 202

if the student meets all eligibility requirements and is enrolled in an eligible program at the school that will accept credits earned abroad.

## AWARDING FEDERAL WORK-STUDY (FWS)

Unlike the other two Campus-Based programs, the FWS Program does not require that priority be given to students who have *exceptional* financial need. However, you must make FWS jobs reasonably available, to the extent of available funds, to all eligible students. Your selection procedures must be in writing, uniformly applied, and kept in your school's files.

There are no specific award limits for FWS earnings, other than the requirement that the amount of the FWS award not exceed the student's financial need. For a full discussion of packaging FWS with other aid, see Chapter 7 in this volume.

When deciding on an appropriate FWS award for a student, you should consider the student's academic workload and any other factors that might affect the hours that a student could work each week.

### Basing FWS awards on net work earnings

The *gross* amount of the award is based on the total number of hours to be worked multiplied by the anticipated wage rate. For awarding and packaging purposes, you should use the student's *net* FWS earnings, which exclude taxes and job-related expenses. To determine the student's *net* FWS earnings, you should subtract any job-related costs and non-refundable taxes from the student's *gross* FWS earnings. If you are certain that the student's federal or state taxes paid will be refunded, you should not subtract those taxes paid from the student's gross earnings.

Job-related costs are costs the student incurs because of his or her job. Examples of job-related costs include uniforms, the cost of meals at work, and transportation to and from work. For work during vacation periods, job-related costs can include room and board as long as the FWS student incurs these costs only because of the FWS employment. For example, room and board during the summer *cannot* be included in job-related costs if the FWS student also takes summer courses.

### Calculating Maximum Gross Earnings example

Chris has unmet financial need of \$1,000 at Peterson University. Because Chris has a Social Security tax of 7.65% (that will not be refunded) and \$108 in job-related costs, the school may allow Chris to earn an FWS award amount that is higher than his \$1,000 unmet financial need in order for him to earn the allowable \$1,000 net FWS earnings.

To calculate the FWS award amount to reflect the maximum gross FWS earnings that Chris may earn without the net FWS earnings exceeding the student's \$1,000 financial need, the school must do the following:

1. Add the amount of job-related costs to the amount of his unmet need ( $\$108 + \$1,000 = \$1,108$ ) for a total of \$1,108.
2. Account for the Social Security tax by determining that his net FWS earnings are 92.35% of his gross earnings ( $100\% - 7.65\% = 92.35\%$ ) or (.9235).
3. Divide the total in step 1 by the ratio in step 2 ( $\$1,108 / .9235 = \$1,199.78$ ) for a result of \$1,199.78 (\$1,200 after rounding).

Peterson University may give Chris a \$1,200 FWS award and his net FWS earnings will not exceed his \$1,000 unmet financial need.

### Certain FWS students exempt from FICA taxes

Under certain IRS specified conditions, FWS student wages for students employed by the school may be exempt from FICA taxes (for more detail, see <http://www.irs.gov/Charities-&Non-Profits/Student-Exception-to-FICA-Tax>).



**Taxes and job-related costs cite**

34 CFR 675.25(a)

**Work during nonattendance**

For further information about working during vacation periods or periods of nonattendance, see the discussion of enrollment requirements in *Volume 1*.

**FWS for period preceding study abroad**

A student in an eligible study-abroad program may be employed during a period of nonattendance preceding the study abroad if he or she will be continuously enrolled in his or her American school while abroad and if the student's study is part of the American school's own program. In such a case, a student may be employed in a qualified position in the United States, at the American school's branch campus in a foreign country, or at a U.S. government facility abroad.

**Minisession example**

Lutz University has a summer term made up of three minisessions. Robert enrolls in classes for the June and August minisessions but does not enroll in any classes for the July minisession. Robert has a financial need of \$500 for his attendance in two of the summer minisessions. Robert also plans to enroll in the following fall semester and has a remaining need of \$250 for that semester. Robert is given a \$750 FWS award in the summer (\$500 for the two summer minisessions and \$250 for the fall semester). Robert knows his June minisession courses will be very demanding and he will not have time to work. So, Robert earns \$500 during the July minisession when he has no classes. Robert has classes again in August, but his academic workload is lighter. In August, Robert earns \$250 towards his education costs in the upcoming fall semester.

**Earnings for the next period of enrollment**

Many FWS students must pay the bulk of their education costs in the beginning of each period of enrollment, before they have had a chance to earn FWS wages. Therefore, you may allow a student to earn FWS wages to cover educational expenses in the next period of enrollment that your school offers. The student must be planning to enroll in that next period of enrollment and must demonstrate financial need for that period of enrollment. The next period of enrollment is usually the next term, including a summer period, or in the case of summer earnings, the next full academic year.

A student may earn FWS funds for the next period of enrollment during any period of enrollment, including a period of enrollment that is comprised, in whole or in part, of minisessions. A student may also earn FWS wages towards the next period of enrollment during a period of nonattendance, as discussed below.

**Working during periods of nonattendance**

A student may be employed under FWS during a period of nonattendance, such as a summer term, an equivalent vacation period, the full-time work period of a cooperative education program, or an unattended fall or spring semester. To be eligible for this employment, a student must be planning to enroll for the next period of enrollment and must have demonstrated financial need for that period of enrollment. The student's net earnings (earnings minus taxes and job-related costs) during this period of nonattendance must be used to cover expenses associated with his or her financial need for the next period of enrollment.

When a student who had an FWS job in a period of nonattendance fails to enroll in the next academic period, you must be able to demonstrate that the student was eligible for employment and that, at the time the FWS was awarded, you had reason to believe the student intended to enroll in the next period. At a minimum, you must keep a written record in your files showing that the student had accepted the school's offer of admittance for the next period of enrollment. If, during the period of nonattendance, you learn that the student will no longer enroll in the next period of enrollment, the student must immediately stop working under FWS.

**FWS and minisessions**

If your school combines a series of minisessions or modules into one term (e.g., three summer minisessions into one summer semester), an FWS student attending any of the minisessions may earn FWS wages at any time throughout that term. You may apply those earnings towards the student's financial need for the minisession(s) attended and/or the next period of enrollment. You must base the student's financial need for attending the summer term on the period when the student is actually enrolled in the minisessions.

The amount of FWS wages a student may earn at any given point in the term does not depend on whether or not the student is enrolled in a minisession at that time. You have some flexibility in deciding with the student how to distribute the hours worked throughout the summer term. (See the example in the sidebar.)



# Packaging Aid

## CHAPTER 7

*Once you've received the student's FAFSA information (including EFC) and calculated the student's aid eligibility, you can package the student's aid. The general rule in packaging is that the student's total financial aid and other Estimated Financial Assistance (EFA) must not exceed the student's financial need (Need = Cost of Attendance minus the EFC). If you discover that the student has other EFA that causes the aid package to exceed the student's need, you must attempt to adjust the aid package to eliminate the overaward. If the overaward can't be eliminated, you must follow the overaward procedures in Volume 4.*

In earlier chapters of this volume, we described how to calculate student awards, based on costs, period of enrollment, and statutory award maximums. Except for Pell Grants, FSA award amounts are also constrained by the other aid that a student receives, known as *estimated financial assistance* (EFA). The general rule is that the student's total aid may not exceed the student's financial need. (Need = Cost of Attendance minus EFC.)

The cost of attendance for the Campus-Based, TEACH Grant, and Direct/Direct PLUS Loan programs is based on the student's enrollment status and costs for the period for which the aid is intended. The Cost of Attendance used for Pell Grants and Iraq & Afghanistan Service Grants is always the full-year costs for a full-time student, so you may have to prorate actual or average costs up for students who are attending less than an academic year (or who are part-time in a term program) or prorate down for students who are attending for periods longer than an academic year.

The process of awarding aid without exceeding the student's financial need is traditionally called packaging. Packaging is a process that varies from school to school, depending on the types of scholarship and other aid available at the school, and the characteristics of the student population. Schools may have different packaging philosophies, but they generally try to find the best combination of aid to meet the financial need of the students they serve.

To help you package federal student aid with your other aid awards, we provide a packaging module in EDEXpress. You can enter information about your school's student aid programs and set up factors to be considered in packaging, and then use the software to automate the packaging process.

Most schools use some form of packaging software, whether EDEXpress or software from a commercial vendor. You are not required to use EDEXpress to package FSA awards, and you do not have to report the student's aid package to the Common Origination and Disbursement system.

### CHAPTER HIGHLIGHTS:

- Related software: EDEXpress Packaging Module  
→ Available at [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov)
- Packaging principles  
→ Pell Grants packaged first; not reduced for other aid.  
→ Campus-Based and Direct Subsidized/Unsubsidized Loans based on Pell, eligibility, EFC, and Estimated Financial Assistance.  
→ Iraq & Afghanistan Service Grant
- Treatment of need-based earnings
- Treatment of other aid: special cases  
→ AmeriCorps and veterans educational benefits  
→ Vocational rehabilitation assistance  
→ Bureau of Indian Affairs grants

### Financial need

$$\begin{array}{r} \text{Cost of Attendance} \\ - \text{EFC} \\ \hline \text{Financial Need} \end{array}$$

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### Some key points from Chapter 5 (Direct/Direct PLUS Loan Periods and Amounts)

- Before you originate a loan, you must determine the student's eligibility for a Pell Grant.
- You may originate a Direct Subsidized Loan only for the amount of student's financial need—the student's costs minus the student's EFC and estimated cost minus financial assistance.
- A student may qualify for a combination of Direct Subsidized and Unsubsidized Loans.
- If they meet program requirements, the parents of a dependent student can take out a PLUS Loan to pay for the student's cost of attendance. There is no fixed loan limit for PLUS Loans.
- If the student is independent, or his/her parents can't borrow a PLUS, the student is eligible for additional Direct Unsubsidized amounts.
- Direct Unsubsidized Loans and Direct PLUS Loans (as well as TEACH Grant funds) can be used to replace the EFC, as well as to cover the student's unmet need.
- Direct PLUS Loans are available to graduate and professional students
- Graduate/professional students may not receive Direct Subsidized loans for loan periods that start on or after July 1, 2012.

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### Pell can't be used to pay a loan

If the student's aid package includes a loan and the package must be adjusted to prevent an overaward, the Pell funds can't be used to pay back the loan—a loan repayment isn't an educational expense.

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### Prohibition on originating Direct Loans for school charges only

HEA Sec. 479(A)(c)  
34 CFR 685.301(a)(8)  
DCL GEN-11-07

Your school cannot originate Direct Loans only in the amount needed to cover the school charges, nor limit Direct Unsubsidized borrowing by independent students. See Chapter 5 of this volume for further information on originating loan amounts.

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### Requirements for arrangements with private lenders

34 CFR 601

For more detail on the school's responsibilities with respect to education loans from private lenders, see the participation and student consumer information requirements in Volume 2 of the FSA Handbook.

## PELL GRANTS AS FIRST SOURCE OF AID

Pell Grants are considered to be the first source of aid to the student, and packaging FSA funds begins with Pell eligibility. A correctly determined Pell Grant is never adjusted to take into account other forms of aid. Therefore, if a student's aid package exceeds his/her need, you must attempt to eliminate the overaward by reducing other aid your school controls.

The Department issues Pell payment schedules that base the award solely on the student's cost of attendance, EFC, and enrollment status. As we'll see, aid from the other FSA programs must be awarded to ensure that the student's need is not exceeded, unless certain types of aid are used to replace the EFC, as permitted.

Traditional financial aid practice suggests that you would also adjust non-federal aid awards, if necessary, to ensure that the student's financial need is not exceeded. But it's possible that the student will receive a scholarship or other aid that you can't adjust and is large enough (in combination with the Pell Grant) to exceed the student's need. In this case, the student is still eligible for a Pell Grant based on the payment schedule. However, you can't award any FSA funds other than the Pell Grant.

For instance, the National Collegiate Athletic Association's rules for athletic aid sometimes permit a school to award athletic aid that exceeds the student's need. You must still pay the full Pell Grant to the student, but you may not pay other FSA funds to the student, because his/her financial need has already been met.

## PACKAGING RULES FOR CAMPUS-BASED AID AND DIRECT LOANS

You should consider a number of things when developing a packaging policy. For instance, some schools give more grant assistance to beginning students, who may have more difficulty adjusting to campus life, increasing the proportion of loans and work-study in subsequent years.

For the Campus-Based programs and other programs where the available funds may not be sufficient to meet every eligible student's need, some schools decide to give a higher proportion of aid to the neediest students. Other schools award funds as an equal proportion of each student's need.

Many schools use software, such as the Packaging module in EDEXpress, that can be configured to implement the school's packaging philosophy. For instance, in EDEXpress, you can specify the order in which aid sources are to be applied to the student's unmet need, and set overall percentage limits on the amount of gift (grants/scholarships) and self-help aid that will be included in the aid package.

For students who have a Pell-eligible EFC, you must not award any FSEOG to students who've reached their 600% Lifetime Eligibility Used (LEU) until after awarding all students who are still Pell-eligible.

## ESTIMATED FINANCIAL ASSISTANCE (EFA)

In contrast to Pell and Iraq and Afghanistan Service Grants, you must take other aid into account when awarding TEACH Grant funds, Campus-Based aid, or FSA Loans. As noted earlier, the other aid that must be considered is called “estimated financial assistance” (EFA). The term *estimated financial assistance* is used in the same way for the FSA Loan programs purposes as for TEACH and the Campus-Based programs. However, there are differences in the treatment of AmeriCorps and Chapter 30 GI benefits (discussed later in this chapter).

In general, the term estimated financial assistance, as defined for the Campus-Based programs and TEACH grants, refers to aid from the FSA programs, as well as grants, scholarships, loans, and need-based employment that you can reasonably anticipate at the time you award aid to the student, whether the assistance is awarded by the school or by an individual or organization outside the school. EFA does not include non-FSA aid if that aid offsets all or a portion of a component of a student’s COA and that amount is excluded from COA as well. If aid is excluded from either EFA or COA, that amount must be excluded from both EFA and COA. The regulations specify that “estimated financial assistance” is aid that the student will receive for the same period of enrollment as the loan. As noted in Chapter 1, it’s usually best to originate a loan for a period that matches the academic year or other period that you’re using to award funds from other FSA programs.

When classifying non-FSA sources of aid, if a student receives the award because of postsecondary enrollment (for example, a scholarship from a local social club that requires a student to be attending a postsecondary school), it counts as estimated financial assistance (EFA) if it is not considered wages for employment according to federal or state rules, or if it is considered wages and is based on need. Any amount that appears as income on the tax return will also be included on the appropriate line of item 44 or 93 on the FAFSA. If the award is considered wages for employment but is not based on need, then it is not EFA and it remains in income.

### Estimated Financial Assistance

34 CFR 673.5(c)

HEA: Sec. 428(a)(2)(C)(ii)

DL: 34 CFR 685.102(b)

Note: The Iraq and Afghanistan Service Grant is not considered EFA.

### Estimated Financial Assistance provided by a state

HEA Sec. 480(j)

If the assistance provided by a state is not considered FSA assistance (such as a LEAP Grant), and is designated by the state to offset a specific component of the student’s COA, the amount of that assistance may be excluded from both COA and Estimated Financial Assistance. You may exclude such assistance on a student-by-student basis, but if it is excluded, it must be excluded for both COA and Estimated Financial Assistance. If the amount excluded is less than the allowance provided in the student’s COA, you must exclude the lesser amount.

### Prepaid tuition plans

GEN-06-05, HEA Sec. 480(f) & (j)

Prepaid tuition plans are not considered EFA; instead, they are treated the same as Coverdell education and 529 savings accounts: their value is considered an asset of the owner of the account, unless the owner of the account is a dependent student. When the owner is a dependent student, the value of the account is reported as an asset of the parents on the FAFSA. For more detail, see Volume 1, Chapter 2, under the heading “Qualified Education Benefits.”

## Examples of Estimated Financial Assistance

### Estimated Financial Assistance

Includes any educational benefits paid because of enrollment in postsecondary education, such as:

- the student’s Pell Grant eligibility;
- Direct Unsubsidized and Subsidized PLUS;
- long-term loans made by the school, including Federal Perkins Loans (short-term emergency loans are not considered to be Estimated Financial Assistance);
- grants, including Federal Supplemental Educational Opportunity Grants (FSEOGs) and state grants;
- scholarships, including athletic scholarships and

scholarships that require future employment but are given in the current year;

- employer reimbursement of employee’s tuition
- waivers of tuition and fees;
- fellowships or assistantships;
- income from insurance programs that pay for the student’s education;
- need-based employment such as FWS
- net income from need-based employment; and
- AmeriCorps funds (except when packaging Direct Subsidized Loans);
- McNair Postbaccalaureate Achievement Program
- TEACH Grant funds.

### Not EFA

- The Iraq & Afghanistan Service Grant is NOT considered EFA.
- Veterans education benefits are not considered EFA.
- When awarding Campus-Based funds, you may exclude from EFA: funds up to the amount of any subsidized DL that you award to the student when the student received AmeriCorps or Chapter 30 benefits.
- When determining eligibility for subsidized Direct Loans, you must exclude the entire amount of AmeriCorps benefits.

### Packaging Iraq & Afghanistan Service Grants

July 30, 2010 E-Announcement

February 11, 2011 E-Announcement

An Iraq & Afghanistan Service Grant awarded to an ineligible student is an overaward, as is a grant based on a Pell Grant Payment Schedule for an enrollment status different than that for which a student is enrolled. Finally, an Iraq & Afghanistan Service Grant that **by itself** exceeds the student's cost of attendance is an overaward. All of these Iraq & Afghanistan Service Grant overawards must be corrected (for more detail on how to resolve overawards, see *Volume 4* of the FSA Handbook).

### Pell and Iraq & Afghanistan Service Grant Lifetime eligibility used

You must check the COD common records and the ISIR / NSLDS records to make sure students close to the 600% lifetime limit on a Pell Grant or 600% lifetime limit on an Iraq & Afghanistan Service Grant are not packaged in such a way as to go over 600% of the LEU for either program; to do so would be to overaward the student. The Department will also provide weekly reports in the SAIG mailbox (message class PGLEXOP, where XX=year) for your school's 2014-15 Pell-eligible applicants that have a Pell LEU greater than or equal to 450%. See Chapter 3 for more detail on the effects of various levels of Pell/Iraq & Afghanistan Service Grant LEU.

### Packaging Graduate/Professional PLUS

A Direct PLUS Loan does not count against a graduate/professional student's Direct Unsubsidized annual or aggregate loan limits.

### Use net FWS earnings when packaging

To determine the net amount of a student's FWS earnings that will be available to help pay for the student's costs, you must subtract estimated taxes and job-related costs from the student's gross FWS earnings (see chapter 6 of this volume).

### Substituting for the EFC

34 CFR 686.21 (d)

34 CFR 685.200(e)

34 CFR 668.52

## PACKAGING AID FOR CHILDREN OF IRAQ & AFGHANISTAN SOLDIERS

As noted in Chapter 3, a student whose parent or guardian died as a result of U.S. military service in Iraq or Afghanistan after September 11, 2001, may receive increased amounts of Federal Student Aid, if, at the time of the parent or guardian's death, the student was 1) 23 years of age or younger, or 2) enrolled at an institution of higher education.

The aid award and the method of packaging depends upon whether a student who meets the above criteria has a Pell-eligible EFC:

- If the student has a Pell-eligible EFC, you must **award** all FSA aid based on an EFC of zero and must **package** all aid based on an EFC of zero, without regard to the student's calculated EFC (you don't actually change the student's EFC).
- If the student has an EFC that is too high to qualify for a Pell Grant, he or she is potentially eligible to receive an Iraq and Afghanistan Service Grant.

### Packaging Iraq & Afghanistan Service Grants

The amount of the Iraq and Afghanistan Service Grant is determined by enrollment status only (see Chapter 3). For students receiving Grants, you include the student's normally calculated EFC when packaging other FSA aid. The Grant is not based on need and is not considered EFA (for purposes of awarding aid from other FSA programs). COA is only taken into account if the student's COA is less than the maximum Iraq & Afghanistan Service Grant. For more detail on the Iraq & Afghanistan Service Grant, including calculating an award for a payment period, see Chapter 3 of this volume.

An Iraq & Afghanistan Service Grant is not adjusted to take into account other forms of aid, so if a student's aid package includes a grant and the total package exceeds the student's need or cost of attendance, you must reduce other aid to eliminate the overaward. If a student's total grant payments, by themselves, excluding other aid, will exceed his or her FSA cost of attendance for a period of enrollment, the total amount of the grant paid to the student must be reduced to the cost of attendance for the period of enrollment (reduce each payment for each payment period by an equal amount).



## CONSIDERING GRANTS AND SUBSIDIZED LOANS FIRST

The law requires aid administrators to find out whether the student is eligible for certain other FSA programs that would reduce the need for borrowing. If your school participates in the Federal Pell Grant Program, you must include the student's estimated Pell Grant eligibility as Estimated Financial Assistance when making Campus-Based awards, whether or not the student has received the Pell Grant at the time you make your Campus-Based award.

Similarly, you must determine an undergraduate student's Pell Grant eligibility before originating a Direct Subsidized or Unsubsidized Loan for that student. In addition, a student may not receive a Direct Unsubsidized Loan unless the student has received a Direct Subsidized Loan for the maximum amount for which the student is eligible. (The difference between Direct Subsidized and Unsubsidized Loans is explained in *Chapter 5* of this volume.) However, if the amount of the Direct Subsidized Loan would be \$200 or less and the amount can be included as part of a Direct Unsubsidized Loan, you are not required to originate a separate subsidized loan.

For a dependent student, you may originate a Parent PLUS and disburse Parent PLUS funds without determining the student's Pell Grant and Direct Subsidized Loan eligibility. Determining Pell eligibility is not relevant for Graduate PLUS, but (unlike Parent PLUS) your school must determine a graduate/professional student's maximum Direct Unsubsidized eligibility before the student applies for PLUS.

## SUBSTITUTING FOR THE EFC

A school may substitute certain types of aid (Title IV aid funds from programs for which eligibility is not based on the EFC) for the student's EFC. Forms of aid that may replace the student's EFC include Direct unsubsidized loans, TEACH Grant funds, PLUS Loans, state loans, private education loans, any other non-need-based loans. Note that all annual loan limits still apply (PLUS loans count towards neither annual nor aggregate limits), and if any of these are used to substitute for EFC, amounts that exceed the EFC are counted as estimated financial assistance.

You must package Campus-Based funds and Direct Subsidized Loans before unsubsidized loans; as such, treatment of unsubsidized loans only becomes a factor when awarding Direct Unsubsidized and PLUS Loans. When awarding Direct Sub/Unsub and Direct PLUS Loans, Direct Unsubsidized Loan amounts are only counted in *estimated financial assistance* if they exceed the EFC.

### Requirement to consider grants and subsidized loans first

34 CFR 685.200(a)(iii)

### Packaging when choosing not to borrow Direct Loans

If a graduate PLUS borrower does not request the maximum Direct Loan amount for which he/she is eligible, you must notify the borrower of his/her maximum Direct Loan eligibility, the loan interest rate for Direct Loans and Direct PLUS, the grace periods and repayment time frame of Direct and Direct PLUS, and give the borrower the opportunity to request the maximum Stafford for which the borrower is eligible.

If the student for whom a parent is borrowing a Direct PLUS Loan chooses not to apply for a Direct Subsidized or Unsubsidized Loan, the Direct Sub/Unsub Stafford Loan amount that the student would have been eligible to receive is **not** counted as estimated financial assistance when determining the amount of the Direct PLUS Loan. The same principle applies when a graduate/professional student is eligible for Direct Unsubsidized but chooses to borrow only Direct PLUS.

### Declining and/or returning Pell funds

DCL GEN-12-18

A student may decline or return all or part of a disbursement of Pell Grant funds that they are otherwise eligible to receive or have received (returns may only be made in the same award year as the funds were received). This should be a rare action on the part of students and need not be advertised as a possibility by your school. For more detail on the requirements of declining or returning Pell funds, see DCL GEN-12-18.

### Awarding when programs gain Title IV eligibility in the middle of a term

When you have a program that gains Title IV eligibility in the middle of an award year, term, or payment period, for students already enrolled in the program, you may award Title IV aid for all programs beginning with the payment period in which the programs gain Title IV eligibility, if the student has not completed that payment period. In other words, in this case you may award aid based on the beginning of the payment period in which the student is currently enrolled, assuming the student, program, and school are Title IV eligible.

## Basic packaging example

Cost=\$12,500	unmet need	\$12,500 <b>Cost</b>
	10,000	
	EFC \$2,500	<b>\$10,000 Need</b>

Ricki is a dependent student, returning as a sophomore to Dwight College. For academic purposes, Dwight College considers him to be a 2nd-year student. His cost of attendance is \$12,500, and his EFC for the current year is 2,500; therefore, the packaging process begins with \$10,000 in unmet need.

Cost=\$12,500	unmet need	\$12,500 <b>Cost</b>	
	\$7,000		- <b>2,500 EFC</b>
	Pell, WCF \$3,000		- <b>1,600 Pell Grant</b>
	EFC \$2,500		- <b>1,400 Scholarship</b>
		<b>\$ 7,000 Remaining Need</b>	

The aid administrator at Dwight College begins by awarding Pell Grants and applying the outside scholarship before awarding Campus-Based aid.

Cost=\$12,500	unmet need	\$12,500 <b>Cost</b>	
	\$3,500		- <b>2,500 EFC</b>
	C-B Aid		- <b>1,600 Pell Grant</b>
	\$3,500		- <b>1,400 Scholarship</b>
	Pell & WCF		- <b>800 FSEOG</b>
	\$3,000		- <b>900 Perkins</b>
EFC	- <b>1,800 FWS</b>		
\$2,500	<b>\$ 3,500 Remaining Need</b>		

Ricki's Estimated Financial Assistance is a \$1,600 Pell and a \$1,400 outside scholarship from the Wildwood Conservation Fund, so he has sufficient need for the maximum awards that the aid administrator can make under Dwight's policy for Campus-Based funds: \$800 FSEOG, a \$900 Perkins Loan, and \$1,800 in FWS employment, totaling \$3,500 in non-loan funds.

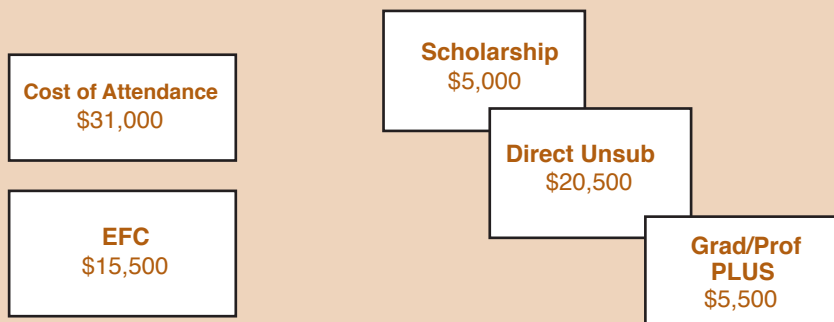
Cost=\$12,500	C-B Aid	\$12,500 <b>Cost</b>	
	\$3,500		- <b>2,500 EFC</b>
	Pell & WCF		- <b>1,600 Pell Grant</b>
	\$3,000		- <b>1,400 Scholarship</b>
	EFC		- <b>800 FSEOG</b>
	\$2,500		- <b>900 Perkins</b>
Direct Sub	- <b>1,800 FWS</b>		
\$3,500	- <b>3,500 Direct Sub. Loan</b>		
unmet need	<b>\$ 0 Remaining Need</b>		
\$0			

The aid administrator at Dwight College finishes the packaging process by awarding FSA loans available to meet Ricki's need. As a 2nd-year student, Ricki's Direct Subsidized Loan limit is \$4,500. Because his remaining need is \$3,500, he can receive that amount as a Direct Subsidized Loan.



## Graduate/Professional PLUS Packaging Example

Kent enrolls in a graduate-level program at McCausland University with a total Cost of Attendance of \$31,000. Kent has already been awarded a graduate scholarship of \$5,000. Kent is a graduate student, so his annual loan limit is \$20,500. Due to the passage of the Budget Control Act, as a graduate student, Kent is not eligible to receive a Direct Subsidized Loan. McCausland awards Kent a \$20,500 Direct Unsubsidized loan. Kent now has \$5,500 in remaining need. Kent can receive a PLUS Loan for \$5,500 to satisfy his remaining need, partially replacing the EFC (minus the scholarship and Direct Unsubsidized loans, which count as EFA).



### Using Loan Funds to Replace the EFC: Dependent example

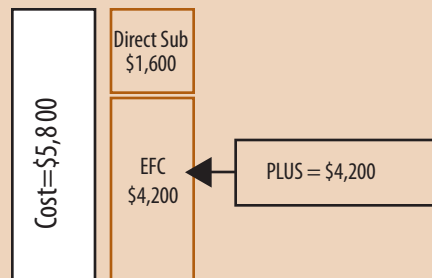
Nichelle is a first-year dependent student at McCaffery Community College. Her cost of attendance is \$5,800 and her ISIR shows that she has an EFC of 4,200, so her financial need is \$1,600. Nichelle’s EFC makes her ineligible for a Pell Grant, and McCaffery does not participate in the Campus-Based programs. The Direct annual loan limit for a first-year dependent student is \$3,500. Nichelle qualifies for a \$1,600 Direct Subsidized Loan and has no remaining need.

\$ 5,800	Cost
- 4,200	EFC
<u>\$ 1,600</u>	Need

Since a Direct Unsubsidized Loan can replace the EFC and Nichelle hasn’t reached the annual loan limit, she can borrow an additional \$1,900 in the form of a Direct Unsubsidized Loan to cover part of the EFC (\$3,500 annual loan limit - \$1,600 Direct Subsidized Loan = \$1,900 Direct Unsubsidized loan eligibility). Nichelle could borrow a \$1,900 Direct Unsubsidized loan to partially cover the EFC. Her parents could then borrow \$2,300 in PLUS to cover the remaining EFC. Alternately, her parents could borrow up to \$4,200 in the form of a PLUS Loan.

\$ 5,800	Cost
- 1,600	Direct Sub
- 1,900	Direct Unsub
- 2,300	PLUS
<u>\$ 0</u>	Need

Replaces EFC



### Using Loan Funds to Replace the EFC: Independent example

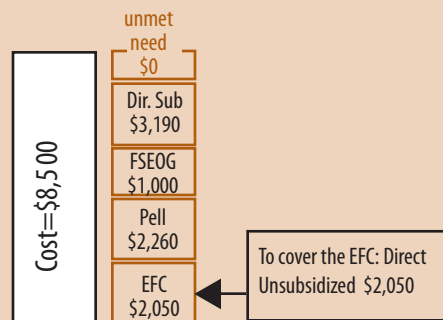
Jesse enrolls in Ames Technical College of Engineering and Animal Husbandry as a 1st-year independent student with an \$8,500 cost of attendance, and Ames has received an ISIR for her with an EFC of 2,050. She is eligible for a \$2,260 Pell Grant, and Ames also awards her a \$1,000 FSEOG. Her remaining need is \$3,190, so she can receive that amount in a Direct Subsidized Loan (the Direct Subsidized Loan limit for a 1st-year student is \$3,500).

\$ 8,500	Cost
- 2,050	EFC
<u>\$ 6,450</u>	Need

Since Jesse is an independent student, she can take out an additional Direct Unsubsidized Loan to replace the EFC and as “self-help” to meet the EFC. Thus, Ames is able to award Jesse an additional \$2,050 in Direct Unsubsidized Loan funds.

\$ 8,500	Cost
- 2,260	Pell Grant
- 1,000	FSEOG
- 3,190	Direct Subsidized
- 2,050	Direct Unsubsidized
<u>\$ 0</u>	Need

Unmet Need + EFC



## COUNTING NEED-BASED EARNINGS AS ESTIMATED FINANCIAL ASSISTANCE

The treatment of earnings from a job sometimes presents a problem—should the earnings be reported as income in need analysis or should they be counted as a form of student aid in the packaging process? Net earnings from *need-based employment* are considered to be student aid. “Need-based employment” means employment that is awarded by the school itself or by another organization to a student on the basis of financial need to meet educational expenses for the award year. Only income from *need-based employment* may be considered as student aid. A Federal Work-Study job is clearly a form of need-based student aid. Employment with a state is considered to be student aid if that employment is based on the student’s financial need for assistance to pay for educational expenses.

*Non-need-based earnings* are not to be considered as EFA for the current award year because they will be reported as income on the Free Application for Federal Student Aid (FAFSA) for the subsequent award year and will be used in calculating the future EFC. An example of non-need-based employment would be a job a student locates on her own with a private employer such as a local grocery store. Another example would be a job cleaning the labs in the chemistry department on campus, if the chemistry department hired the student using non-need-based criteria and funds.

## CROSSOVER PERIODS

Crossover periods are payment, award, or loan periods that overlap two award years. In general, you may choose which award year EFC to use for a student, with one exception:

- when awarding FWS to a student not attending classes, the EFC for the next period of enrollment must be used.

The following chart summarizes the key flexibilities and options in handling crossover payment periods in the major FSA programs. Note that for the award year selected, the student must have an official EFC calculated by the CPS, and for a Pell Grant the CPS must also have processed a valid SAR or ISIR. For crossover payment periods, you must use the same EFC, COA, and need for all programs except Pell; for Pell, use the EFC for the award year from which the student will be paid.

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### Crossover period EFCs and FSA aid

In a crossover payment period, when using Pell from a different award year from other FSA aid, you must use the same EFC, COA, and need for all programs except Pell. For Pell, you use the EFC, COA, and need for the award year from which the student will be paid, and apply the amount of Pell received against the need when packaging aid from other FSA programs.

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### EFCs for periods other than 9 months

For information on EFCs for periods other than 9 months, see the Application and Verification Guide, Chapter 3.

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### Pell Crossover Issues

You are no longer required to assign a crossover period to the award year in which the student would receive the greatest Pell award, but are free to assign crossover payment periods to the award year that best meets the needs of your students and maximizes a student’s eligibility over the two award years in which the crossover payment period occurs. You may assign the Pell award to a different award year than the rest of the student’s Title IV aid. For more detail on calculating Pell awards in crossover, summer, minisession, and transfer situations, see Chapter 3 of this volume.

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### Prior year charges and Title IV aid

34 CFR 668.164(d)(2)

DCL GEN-09-11

Generally, Title IV aid may only be used for current year charges. Recent regulatory amendments have allowed some limited use of current year funds to pay for prior year charges; see *Volume 4* of the FSA Handbook for more detail on the circumstances and limitations of this provision.

## Handling Crossover Periods for FSA Programs

FSA Program	Applicable crossover period	Choice of award year EFC?	Use same award year EFC for all students in crossover period?	Use same award year, EFC, COA, and need to award a student other aid from FSA?	Use funds from the same award year as EFC?	Choice of academic year for annual loan limit regardless of award year EFC used?
Pell Grant & Iraq & Afghanistan Service Grant	Payment period	Yes	No	Not applicable	Yes	Not applicable
Perkins	Payment period	Yes	No	Yes, except for Pell Grant	No	Yes, but it is an award year limit. Choice still applies, regardless of the disbursement award year
FWS	Award period	Yes, if student is attending classes. (If student is not attending, you must use EFC for next period of enrollment)	No	Yes, except for Pell Grant	No, disbursement from award year in which hours were worked	Not applicable
FSEOG	Payment period	Yes	No	Yes, except for Pell Grant	No	Not applicable
Direct Loans	Loan Period	Yes	No	Yes, except for Pell Grant	Not applicable	Yes, for term-based credit-hour programs using SAY. Not relevant for BBAY.

### Award letters and notification requirements

Many schools use an award letter to notify students of their proposed aid package. Whether you use an award letter or other electronic means such as email, you must fulfill the consumer information requirements, as described in *Volume 2*, Chapter 6. You are also responsible for certain notifications and authorizations at the time of disbursement, as described in *Volume 4*, Chapter 1.

## PACKAGING VETERANS BENEFITS, AMERICORPS, VOCATIONAL REHABILITATION FUNDS, & BIA GRANTS

### *Veterans and AmeriCorps benefits*

For FSA purposes, federal veterans education benefits, as defined under Section 480(c) of the HEA, are not treated as estimated financial assistance (EFA). You can ask the student to provide the specific program or benefit under which they are receiving their veterans benefits. As in the past, veterans benefits are also not to be counted as income, and therefore are not reported as income on the FAFSA. For a full list of federal veterans education benefits, see Appendix A at the end of this chapter.

No AmeriCorps benefits are included in the EFA when determining eligibility for Direct *Subsidized* Loans. Note that this packaging exclusion does not affect any Campus-Based or TEACH awards made to the student, because you may exclude the Direct Subsidized Loan from the EFA, up to the amount of the student's AmeriCorps benefits, for those programs. All AmeriCorps benefits are included as EFA when determining eligibility for Direct *Unsubsidized* Loans.

For example, a 2nd-year student has a COA of \$12,000 and is receiving \$4,000 in Pell and \$3,000 in AmeriCorps benefits. You package her with \$1,000 in FSEOG and \$2,000 in Perkins. You may award this student another \$3,500 in Direct Subsidized because the EFA for Direct Subsidized would not include the AmeriCorps benefits. Because there is a complementary exclusion Direct Loan that is equal to or less than AmeriCorps, this does not necessitate a recalculation of the Campus-Based awards.

Note that the income earned from the Veterans Affairs Student Work-Study Allowance Program (VASWSAP) is not treated as a veterans education benefit, and is *not* considered estimated financial assistance. It should be reported as untaxed income (not income earned from work) on the FAFSA.

*Noneducational veterans benefits* are not counted as estimated financial assistance. Noneducational veterans benefits include Death Pension and Dependency and Indemnity Compensation (DIC) benefits, and income from the VASWSAP. The student must report these noneducational benefits as nontaxable income on the FAFSA.

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### Veterans benefits no longer EFA

IFAP E-Announcement July 2, 2009

IFAP E-Announcement August 13, 2009

HEA 480(c)

Federal veterans benefits are excluded from the definition of estimated financial assistance as of July 1, 2009.

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### FSA Assessments



For a guide to reviewing and evaluating your procedures regarding Direct Loans, see the Direct Loans module of FSA Assessments: <http://ifap.ed.gov/qahome/fsaassessment.html>.

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### Yellow Ribbon Packaging

August 13, 2009 E-Announcement

[http://gibill.va.gov/benefits/post\\_911\\_gibill/yellow\\_ribbon\\_program.html](http://gibill.va.gov/benefits/post_911_gibill/yellow_ribbon_program.html)

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### **Vocational rehabilitation agreements with state agencies**

Some state vocational rehabilitation agencies have established agreements with schools that specify how vocational rehabilitation assistance will be coordinated with other forms of financial aid. Check with your school's vocational rehabilitation coordinator to see if it has such an agreement.

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### **Vocational rehabilitation packaging**

Adrian has \$4,000 in vocational rehabilitation aid for the 2014-15 academic year. At Friedman University, Adrian has a COA of \$5,000. He is eligible for a \$5,000 Perkins Loan. Although Friedman coordinates funding with the vocational rehabilitation agency to prevent an overaward, the vocational rehabilitation funds themselves are not considered EFA because they cover costs that are not components in Adrian's COA, and Adrian's vocational rehabilitation costs are also not included in his COA. Adrian has \$2,000 of disability costs that are not met by his vocational rehabilitation award, so \$2,000 may be added to his COA. Friedman decides to award Adrian a \$2,000 Direct Loan to cover his COA. This is not an overaward, since Adrian's original \$5,000 COA was increased by the \$2,000 in unmet disability costs not included in his COA.

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### **Bureau of Indian Affairs Grants**

34 CFR 673.6

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### **Reserve Educational Assistance Program (REAP/Chapter 1607)**

DCL GEN-05-16

As with all veterans benefits, Chapter 1607 benefits are not taxable and will not be used in the EFC calculation. In addition, Chapter 1607 benefits are not considered EFA under the Campus-Based regulations (34 CFR 673.5) nor under the Direct Loan Program regulations (34 CFR 685.102).

### ***Vocational rehabilitation funds***

If you have a student who qualifies for both FSA funds and for vocational rehabilitation assistance funds, you should determine the student's package exclusive of both the costs related to the student's disability and anticipated vocational rehabilitation assistance. In this way, the student with disabilities will be offered the same aid package as a student who is in the same financial situation but who doesn't have disabilities; the student with disabilities will also receive the maximum amount of vocational rehabilitation aid to which he or she is entitled. If the vocational rehabilitation agency doesn't fully meet the student's disability costs, you may wish to include the unmet disability expenses in the student's cost of attendance, and increase his or her aid award.

Although the vocational rehabilitation funds shouldn't be considered estimated financial assistance when you initially package aid for the student, you must coordinate funds available from the vocational rehabilitation agency and from institutional, state, and federal student financial assistance programs to prevent an overaward. The amount of assistance from the vocational rehabilitation agency must be documented in the student's file.

### ***Coordination with Bureau of Indian Affairs grants***

When packaging Campus-Based aid for a student who is or may be eligible for a Bureau of Indian Affairs (BIA) grant, you must first develop a financial aid package without considering any BIA funds. If the total aid package—after BIA funds are added—does not exceed the student's need, no adjustment may be made to the aid package. If the total package plus the BIA grant does exceed need, you must eliminate the excess in the following sequence: loans, work-study awards, and grants other than Pell Grants. (You may *not* reduce a Pell Grant or BIA grant.) You may alter this sequence of reductions upon the student's request if you believe it would benefit the student. We encourage you to consult with area officials in charge of BIA postsecondary financial aid when packaging FSA funds with BIA grants.

### ***Reserve Educational Assistance Program (REAP or Chapter 1607)***

A veterans education benefit program referred to as REAP or Chapter 1607 was signed into law on October 28, 2004. It is for reservists who serve on active duty on or after September 11, 2001, under Title 10 U.S.C., for a contingency operation and who serve at least 90 consecutive days or more. National Guard members also are eligible if their active duty is under section 502(f), Title 32 U.S.C., and they serve for 90 consecutive days when authorized by the President or Secretary of Defense for a national emergency and that active duty is supported by federal funds. Disabled members who are injured or have an illness or disease incurred or aggravated in the line of duty and who are released from active duty before completing 90 consecutive days are also eligible. The U.S. Department of Defense will identify contingency operations that qualify for benefits under Chapter 1607.



## TREATMENT OF OVERAWARDS

If, **at any time during the award period**, the student receives additional Estimated Financial Assistance that was not considered in calculating the student's eligibility for Campus-Based aid, and if the estimated financial assistance combined with the expected financial aid will exceed the student's need, the amount in excess of the student's need is considered an overaward.

The treatment of overawards in the Direct/Direct PLUS programs depends on whether the loans have been fully disbursed—if you discover that there's going to be an overaward before Direct/Direct PLUS funds are disbursed, you must eliminate the overaward through the packaging process by canceling the loan or by making a downward adjustment to a Direct Loan, or by reducing/canceling aid over which you have direct institutional control.

If the overaward situation occurs after Direct Loan funds have been disbursed to the borrower, there is no Direct Loan overaward that needs to be addressed; however, you might need to adjust the student's aid package to prevent an overaward of Campus-Based funds (see sidebar). See *Volume 4* of the *FSA Handbook* for a full discussion of overawards for all programs.

There is a \$300 overaward tolerance for the Campus-Based programs. If the student's package is overawarded by \$300 or less (as a result of a late outside award, not the school's awarding methodology) and Campus-Based funds are part of the package, you can consider the student to not be overawarded.

For more on Pell Grant recalculations, including when they are optional and mandatory, see Chapter 3 of this volume.

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### Campus-Based overaward thresholds

Campus-Based aid need not be reduced if the overaward doesn't exceed \$300, which is the overaward threshold for all Campus-Based programs. Note that the \$300 threshold is allowed only if an overaward occurs after Campus-Based aid has been packaged and the school was unaware the student would receive additional funds.

The threshold does not allow a school to deliberately award Campus-Based aid that, in combination with other resources, exceeds the student's financial need. (see *Volume 5 - Overawards, Overpayments, & Withdrawal Calculations.*)

## APPENDIX A

### FEDERAL EDUCATION BENEFITS TO BE EXCLUDED FROM ESTIMATED FINANCIAL ASSISTANCE AS LISTED IN SECTION 480(C) OF THE HIGHER EDUCATION ACT:

- Chapter 103 of title 10, United States Code (Senior Reserve Officers' Training Corps).
- Chapter 106A of title 10, United States Code (Educational Assistance for Persons Enlisting for Active Duty).
- Chapter 1606 of title 10, United States Code (Selected Reserve Educational Assistance Program).
- Chapter 1607 of title 10, United States Code (Educational Assistance Program for Reserve Component Members Supporting Contingency Operations and Certain Other Operations).
- Chapter 30 of title 38, United States Code (All-Volunteer Force Educational Assistance Program, also known as the "Montgomery GI Bill—active duty").
- Chapter 31 of title 38, United States Code (Training and Rehabilitation for Veterans with Service-Connected Disabilities).
- Chapter 32 of title 38, United States Code (Post-Vietnam Era Veterans Educational Assistance Program).
- Chapter 33 of title 38, United States Code (Post-9/11 Educational Assistance).
- Chapter 35 of title 38, United States Code (Survivors' and Dependents' Educational Assistance Program).
- Section 903 of the Department of Defense Authorization Act, 1981 (10 U.S.C. 2141 note) (Educational Assistance Pilot Program).
- Section 156(b) of the "Joint Resolution making further continuing appropriations and providing for productive employment for the fiscal year 1983, and for other purposes" (42 U.S.C. 402 note) (Restored Entitlement Program for Survivors, also known as "Quayle benefits").
- The provisions of chapter 3 of title 37, United States Code, related to subsistence allowances for members of the Reserve Officers Training Corps.

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# Introduction to Volume 4

*The purpose of this publication is to provide participating schools with guidance on how to request, disburse, manage, and report on the use of Federal Student Aid funds.*

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Here, we provide a summary of the changes and clarifications presented in greater detail in the chapters that follow. **Alone, the text herein does not provide schools with the guidance needed to satisfactorily administer the Title IV HEA programs.** For more complete guidance, you should refer to the text in the chapters cited, the Code of Federal Regulations (CFR) and the Higher Education Assistance Act (HEA) as amended:

Throughout this volume, new information is indicated with the following symbol:



When the text represents a clarification rather than a change, it is indicated with:



When we believe that historically there might be some misunderstanding of a requirement, we indicate that with:



If we want to point out a bit of helpful information, we indicate it with:



Finally, if we want to draw your attention to something, we indicate it with:



## Major Changes

### Chapter 2—Disbursing FSA Funds

- ◆ We remind schools that they should not return Direct Loan funds to ED's federal loan servicers.

### Chapter 3—Overawards and Overpayments

- ◆ We remind schools that because COD reporting and interface information is so closely tied to the award type as identified in the award ID, in order to replace a Direct Subsidized Loan with a Direct Unsubsidized Loan, a school must cancel the Direct Subsidized Loan and originate a Direct Unsubsidized Loan.
- ◆ We explain that a student who received subsidized loan funds in excess of the applicable subsidized annual or aggregate loan limit can no longer regain Title IV eligibility by having the excess subsidized loan amount changed to an unsubsidized loan.
- ◆ We have expanded the discussion of regaining eligibility after overborrowing.

### Chapter 4—Returning FSA Funds

- ◆ We alert schools to the Department's discontinuation of paper check processing for Direct Loan Refunds of Cash beginning January 1, 2015.

### Chapters 5 and 6—Reconciliation

- ◆ We have added the more detailed discussion of reconciliation in the Direct Loan Program previously found in *The Blue Book*, and divided the discussion of reconciliation into two chapters. Chapter 5 now covers reconciliation in the Pell Grant Program and Campus-Based Programs. Reconciliation in the Direct Loan Program is now covered in Chapter 6.

# Requesting and Managing FSA Funds

## CHAPTER 1

*Except for funds received as an administrative cost allowance (ACA), FSA funds received by a school are held in trust by the school for students and the Department. The cash management regulations discussed in this chapter establish rules and procedures that a school must follow in requesting and managing FSA Program funds. These rules and procedures also apply to third-party servicers.*

### PURPOSE OF CASH MANAGEMENT REGULATIONS

The cash management regulations are intended to:

- ◆ promote sound cash management of FSA program funds by schools;
- ◆ minimize the costs to the government of making FSA program funds available to students and schools; and
- ◆ minimize the costs to students who receive FSA loans.

Except for funds received for an administrative cost allowance (ACA) or for a Job Location and Development Program under the Federal Work-Study (FWS) Program, all FSA program funds received by a school are held in trust by the school for students and the Department. As a trustee of those funds, a school may not use (or use as collateral) FSA funds for any other purpose.

To ensure adequate cash management practices, a school must have in place a cash management system that adheres to federal regulations and other standards. A school's cash management practices are governed by

- ◆ Generally Accepted Accounting Principles (GAAP),
- ◆ standards prescribed by the federal Office of Management and Budget (OMB),
- ◆ U.S. Department of Treasury regulations, and
- ◆ U.S. Department of Education (ED/the Department) regulations.

#### Cash management

34 CFR Subpart K

#### Purpose of regulations

34 CFR 668.161

#### Self-Assessment Tool For Fiscal Management

You can evaluate your school's procedures by referring to "Fiscal Management" in the Managing Funds module of FSA Assessments at:  
[ifap.ed.gov/qahome/qassessments/fiscalmanagement.html](http://ifap.ed.gov/qahome/qassessments/fiscalmanagement.html).

## EDCAPS AND G5

### EDCAPS

#### Am I a grantee or a payee?

A **grantee** (not a person) is an entity that applies for and receives a grant award from the Department. The grantee is responsible for ensuring the grant is administered in accordance with program regulations.

A **payee** is an entity (designated by the grantee) to request and manage federal funds on its behalf. The grantee and payee can be the same entity.

#### TIP

Every user must register to gain access to G5. There is no limit to the number of users an entity or organization may have with access to G5. Business officers and financial aid administrators are encouraged to use G5 to help reconcile FSA funds.

#### Access to G5

G5 can be accessed through the Internet at the G5 Web page

**[www.G5.gov](http://www.G5.gov)**

The G5 Help Desk phone number is  
**1-888-336-8930**

The Education Central Automated Processing System (EDCAPS) is designed to integrate the Department's financial processes, including financial management, contracts and purchasing, grants administration, and payment management.

EDCAPS integrates four formerly separate system modules into a single system. EDCAPS consists of the following:

- ◆ Financial Management Systems Software;
- ◆ Travel Management;
- ◆ Contracts and Purchasing Support System; and
- ◆ Grant Management System (G5).<sup>1</sup>

G5 is the EDCAPS module that directly affects schools' participation in the FSA programs and the only part of EDCAPS to which schools have access.

### G5 Overview

G5 is a delivery system that supports program award and payment administration. G5 provides financial management support services for the grant life cycle in a single system. It supports the planning, obligating, authorizing, disbursing, and the final closing of Department of Education grant awards.

G5 is the central repository for payment transactions of schools that receive cash from the Department through the Office of the Chief Information Officer (OCIO). G5 is a system; OCIO is the office within the Department that administers the system.

Schools may use G5 to request payments, adjust drawdowns, and return cash. G5 also provides continuous access to current grant and payment information, such as authorized amounts, cumulative drawdowns, current award balances, and payment histories.

1. \*G5 controls cash for both FSA and non-FSA Title-IV programs.



A school uses G5 to request cash for the—

- ◆ Federal Pell Grant Program,
- ◆ Iraq and Afghanistan Grant Program,
- ◆ TEACH Grant Program,
- ◆ Federal Supplemental Educational Opportunity Grant (FSEOG) Program,
- ◆ Federal Work-Study (FWS) Program,
- ◆ Federal Perkins Loan Program, and
- ◆ Direct Loan Program.

### Accessing G5

Schools request federal cash electronically using G5. To request cash, a school must access G5 via the Internet at [www.G5.gov](http://www.G5.gov).

Before you can use G5, and as part of applying for Title IV participation, your school must register with the Department. This process includes:

1. obtaining a Data Universal Numbering System (D-U-N-S) number;
2. obtaining a Grant Award Number;
3. setting up Bank Information;
4. registering the D-U-N-S and Taxpayer Identification Number (TIN) with the System for Award Management (SAM) at <https://www.sam.gov/portal/public/SAM/>; and
5. obtaining User ID(s) and Password(s).

### Setting up bank information

Funds requested from G5 will be transmitted to the payee's bank account using either the Automated Clearing House (ACH) or the FEDWIRE transmission method. A payee designates its method of transmission when providing its bank account information.

### ACH

For payees using ACH, G5 electronically transfers payments through the U.S. Department of the Treasury into the payee's bank account.

To use ACH you must enroll with the Office of the Chief Information Officer, Department of Education. To enroll, you complete a Direct Deposit Sign-Up Form (SF1199A) and send it to the Department.

The form is located on the G5 home page in the Frequently Asked Questions (FAQs). Look under the Banking section and then find the subheading *Domestic*. The SF1199A is the first bullet point.

### What is a TIN?

The TIN is the federal tax identification number given to the grantee organization. The TIN is the unique nine-digit number the organization uses to report activity to the Internal Revenue Service. In other words, the TIN is the grantee's social security number.

### What is a D-U-N-S number?

The Data Universal Numbering System (or D-U-N-S Number) is a unique nine-digit identification code that is assigned to a school. G5 grantees and payees must register their D-U-N-S number and TIN with the System for Award Management (SAM).

You can acquire a D-U-N-S number by calling Dun & Bradstreet at 1-800-333-0505 or by completing a D-U-N-S-Number Request Form. The form can be obtained via the Internet at

<https://eupdate.dnb.com/requestoptions.asp>

The D-U-N-S number represents your school as a unique financial entity. You must notify the Department if your school merges with another organization, is sold to another organization, or separates from an existing organization and becomes a freestanding organization.

### What is a grant award number?

The grant award number is a unique, 11-character "number" that identifies each grant award issued by a specific program office to a specific grantee. **All funds are requested (and returned) using the Grant Award Number.**

The following is an example of a Grant Award Number and an explanation of the parts that make up the number:

#### P031B151234

<b>P</b>	Program Office issuing the award
<b>031</b>	Catalog of Federal Domestic Assistance (CFDA) numeric suffix of the program
<b>B</b>	Alphabetic subprogram identifier
<b>15</b>	The trailing year in the academic year for DL and TEACH and the beginning year in the academic year for Pell and all other awards.
<b>1234</b>	Unique identifier

### Example of Prefixes to Grant Award Numbers

P007A	FSEOG
P033A	FWS
P063P	Pell
P268K	DL



Title IV funds are program and award year specific.

- P063P14#### is the award for 2014–2015 Pell funds.
- P268K15#### is the award for 2014–2015 Direct loan funds. Note that DL uses trailing years as the award year indicator.

“####” represents a school’s unique four digit G5 ID.

### System for Award Management

The System for Award Management (SAM) is a free website that consolidates the capabilities you used to find in Central Contractor Registration (CCR), Online Representations and Certifications Application (ORCA), Federal Agency Registration (FedReg), and Excluded Parties List System (EPLS).

If you had an active record in CCR, you have an active record in SAM. You can search for registered entities in SAM by typing the D-U-N-S number or business name into the search box.

**You must reenroll in ACH when any of the following occur:**



1. you change banks;
2. the payee or its bank changes the account number;
3. the depositor account is closed; or
4. the bank closes—either voluntarily or involuntarily.

### ACH processing times

ACH payment requests made before 3 p.m. Eastern Time (ET) are deposited the next business day. ACH payment requests made after 3 p.m. ET are deposited on the second business day. You can enter payment requests up to 30 days in advance.

You should always verify deposits before disbursing cash. When verifying ACH payments, you must tell the bank to check for deposits made through the Automated Clearing House. There are several kinds of electronic fund transfers. If other terms are used, the bank may search for the wrong payment(s).

### FEDWIRE

The FEDWIRE transmission method is an electronic wire transfer of cash directly from G5 through the U.S. Department of Treasury into the payee’s bank account. Large payees generally use this payment method. Most banks charge a fee for processing FEDWIRE payments.

Before a payee can receive FEDWIRE payments, the payee must enroll with the Office of the Chief Information Officer in the Department of Education. If the bank is online with the U.S. Department of Treasury, you must send the Department a letter containing the:

- ◆ name and address of the payee’s bank;
- ◆ bank’s ABA number;
- ◆ contact (name and telephone number at the bank); and
- ◆ depositor’s account number at that school, and the bank’s telegraphic abbreviation.

If the bank is not online with the U.S. Department of Treasury, send the Department a letter containing the following:

- ◆ name of the payee’s bank; and
- ◆ payee’s account number at the bank

**You must reenroll in FEDWIRE (by sending the Department a letter) if any of the information listed above changes.** Payees may obtain a FEDWIRE enrollment form letter by contacting the G5 Hotline at 1-888-336-8930.



### **FEDWIRE processing time**

Payees may request FEDWIRE payments using the G5 Hotline. Payment requests completed by 2 p.m. ET will be deposited in the payee's bank account the same day. FEDWIRE payment requests made after 2 p.m. ET will be deposited the next business day.

You should always verify deposits before disbursing cash. When verifying FEDWIRE payments, you must tell the bank to check for deposits made through the FEDWIRE. There are several kinds of electronic fund transfers. If other terms are used, the bank may search for the wrong payment(s).

### **Obtaining a user ID and password**

Individual authorized users must register for a G5 user ID and password. To obtain a user ID, an individual must complete a *G5 Production System External User Access Request Form*. The form is generated during the online registration process.

You can also download the form at <http://www.G5.gov>. You can register for a user ID and password by following these instructions.

1. The first step in registering after reaching [www.g5.gov](http://www.g5.gov) is to click on the “Not registered? Sign up” link.
2. Complete all necessary steps in the external user registration process.
3. Once you have completed registration, you will receive an email to activate the account. Follow the email instructions to finalize the user ID and password registration.

If you do not receive an activation email you must contact the G5 Help Desk at 1-888-336-8930.

Please note that your G5 user ID will be your email address. You can recover a forgotten user ID or password on the G5 website by clicking on the Forgot Email ID or Password on the home page of G5.

### **Using the user ID and password**

User IDs and passwords are required to gain access to G5 or to request cash through the G5 Hotline. (Note: To enhance G5 security, payees are required to enter or state additional identifiers to gain access to G5.) You will be requested periodically to validate every user ID assigned to your organization. You are responsible for ensuring that this information is correct.

Once a grantee receives a grant (or is authorized funding), the designated payees will request cash by Grant Award Number using G5. Alternatively, payees can also call the G5 Hotline between 8 a.m. and 6 p.m. Eastern Time (ET) to request cash. A school may also call the G5 Hotline for help resolving problems with payments.

## Projecting cash needs

### Immediate need

Immediate need is defined as the amount of FSA program funds a school needs to make disbursements within three business days following the date the school receives the funds. **This definition of immediate need applies to all FSA program funds (other than Perkins Loan funds), regardless of whether the school draws down funds by electronic funds transfer (EFT) through the ACH or through FEDWIRE.** Drawing down amounts beyond immediate need may result in excess cash, and there are penalties for holding excess cash. Schools should carefully review the excess cash tolerances regulation. (See the discussion of excess cash later in this chapter.)



#### Excess cash

34 CFR 668.166

#### Three-day rule for funds received under the advance payment method

A school must disburse FSA funds as soon as administratively feasible but no later than three business days following the date the school received those funds.

34 CFR 668.162(b)(3)

For further information on processing and managing FSA funds, please see chapters 2 through 5.

#### Federal Capital Contribution (Perkins)

Congress has not authorized any Federal Capital Contribution (FCC) through the 2014–2015 application year.

A school on the advance payment method must determine the amount of funds it needs before it transmits a request to G5. The amount requested must be limited to the amount needed to make immediate disbursements so excess funds do not exist after disbursements are made. The amount should be enough to meet:

- ◆ Federal Pell Grant, Iraq and Afghanistan Service Grant, and TEACH Grant disbursements to students;
- ◆ the federal share of Federal Supplemental Educational Opportunity Grant (FSEOG) disbursements to students and, if it applies, an administrative cost allowance (ACA);
- ◆ the federal share of Federal Work-Study (FWS) payroll disbursements and, if it applies, ACA;
- ◆ the federal share of Federal Perkins Loan disbursements and, if it applies, ACA; and
- ◆ Federal Direct Loan disbursements.

In general, the following equation may be used to calculate projected immediate needs:

$$\begin{array}{r}
 \text{Anticipated Disbursements} \\
 \textit{minus} \text{ Balance of Cash on Hand} \\
 \textit{minus} \text{ Anticipated Recoveries} \\
 \textit{minus} \text{ ACH/EFT Cash in Transit} \\
 \hline
 \textit{equals} \text{ Projected Immediate Need}
 \end{array}$$

A school’s request for funds should not exceed its immediate need.

### **Timing issues**

When a school initiates a drawdown from G5, it should consider that processing requests within G5 typically takes one to three business days and consider whether the school is using ACH/EFT or FEDWIRE. Schools should also be aware of system downtime, federal holidays, and other delays in processing cash requests when determining immediate need.

### **Recording payments**

Payees should keep records of submitted payment requests. The amount of each request and the corresponding control number(s) need to be carefully documented. These records will serve as an audit trail and help payees reconcile their books to the G5 Activity Report.

### **Delayed, denied, or reduced payment requests**

Your payment requests may be delayed, denied, or reduced if any of the following occurs:

- ◆ an award included in your payment request is flagged for review and approval;
- ◆ the Department's accounts receivables unit has entered an offset against one or more of the awards;
- ◆ a program office has intervened as a result of a program review or audit finding.

## **AWARD PERIODS**

Before you can request cash, you must understand the award periods for G5 program authorizations. The length of the award periods vary by program and authorizing statute. The award period dictates when the payee can request cash. There are four award periods:

1. performance period (59 months)
2. liquidation period (1 month)
3. suspension period (1 month)
4. closeout period

### *Performance period*

The performance period is the period between the Title IV program award begin date and the Title IV program end date. During this period, schools can draw down cash. Before drawing down cash, schools must obligate that cash to eligible recipients (such as by submitting to the Department’s disbursement records for students eligible for the Federal Pell Grant Program).

During this period:

- ◆ payees may request payments;
- ◆ payees may modify payment requests (Note that if a change needs to be made after the payment is out of “Ready for Scheduling” status, the user would have to return funds, create an adjustment, or create another payment request.);
- ◆ payees may adjust drawdowns (This should only happen when a school has accidentally drawn funds from the wrong award and need to move the full amount to correct the error.); and
- ◆ changes may be made to the Federal Student Aid (FSA) program’s grant awards authorizations.

**TIP**

### *Liquidation period*

The liquidation period is one month, follows the performance period, and is the first closeout phase. During the liquidation period

- ◆ no new expenditures may be processed against a grant award,
- ◆ payees can draw down funds for obligations incurred during the performance period, and
- ◆ payees may use the period to adjust drawdowns for expenditures incurred during the performance period.

The last date a school can draw down cash from the Department without special permission from the program office is the end of the liquidation period. Once the performance period ends, the closeout process begins.

### *Suspension period*

The suspension period is also one month and follows liquidation. Once an FSA program has entered the suspension period, no payment actions can take place without the approval of the program office. The Department program offices use this period to prepare for final closeout.

### *Closeout period*

The closeout period immediately follows the suspension period. During closeout, the grant award is closed and any remaining cash is deobligated.

**The Closeout Process includes the liquidation, suspension, and closeout periods**



## DRAWING DOWN FSA FUNDS

A school's *authorization* is the amount of FSA funds a school is currently eligible for in the year and program in question. The authorization is called the Current Funding Level (CFL). Please note that in Direct Loan and TEACH Grant Programs, you might also hear the authorization referred to as the Cash Control Amount (CCA).

A school's *available balance* is the amount of cash available for a school to draw down through G5. The available balance is the difference between the authorized amount and the school's net drawdowns to date. A separate authorization is maintained for each program by award year. Note that **FSA funds are school, award year, and program specific and should not be used for another school, award year, or program.**

**TIP**

A school may not request more funds than it needs to make disbursements to eligible students and parents. Therefore, a school must make the disbursements as soon as administratively feasible but no later than three business days following the date the school receives those funds.

If G5 accepts a school's request for funds, it will make an EFT of the amount requested to a bank account designated by the school.

### *Drawing down funds in the Direct Loan Program*

Generally, schools under the advance payment method receive Initial Direct Loan authorizations in late spring or early summer (prior to July 1). Initial authorizations are based on a school's net accepted and posted disbursements from the previous award year.

As a school submits actual *Disbursement Release Indicator* (where DRI = true) Direct Loan disbursement records, the COD System will compare the total net accepted and posted disbursements to the school's current authorization. Each time the school's total net accepted and posted disbursements exceed the school's authorization, the COD system will automatically increase the schools authorization to the school's total net accepted and posted disbursements.

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### **Three-day disbursement required**

34 CFR 668.162(b)(3)



Direct Loan schools on Heightened Cash Monitoring (HCM1 and HCM2), Reimbursement, foreign schools, and those that request to be "records first" will not receive an initial CFL for 2014–15, but instead will receive funding increases based on actual disbursement records that are submitted and accepted by the COD System.

### Iraq and Afghanistan Service Grant Disbursements

For the Iraq and Afghanistan Service Grant Program, schools do not submit actual disbursements. In the Iraq and Afghanistan Service Grant Program, the Department will provide schools with an “Exception-Based Process” through which schools will be funded when they submit anticipated disbursements (where DRI = False).

### Supplemental Campus-Based Allocations

Schools can return unused prior year Campus Based funds and request funds for the upcoming year through the **Reallocation - Supplemental award process**. Schools deobligate or request additional funds by completing the Reallocation form (the Department Form E40-4P), due the third Friday in August.

The Department will notify schools of any supplemental funding during the month of September.

## Drawing down funds in the Pell and TEACH Grant Programs

There are no Initial Authorizations in the Pell Grant and TEACH Grant programs. A school’s authorization for these programs will be based on the total actual (DRI = true) accepted and posted disbursement records accepted by the COD System. A new Electronic Statement of Account (ESOA) will be sent to a school’s SAIG mailbox each time the school’s authorization changes.



## Drawing down funds in the Campus-Based Programs

The Department awards Campus-Based funds to a school for an upcoming award year on the basis of *The Application to Participate* portion of the *The Fiscal Operations Report and Application to Participate* (FISAP). The way in which schools request Campus-Based funds from G5 will vary depending on the funding method under which schools operate. In all cases, a school may not request funds in excess of the actual disbursements it has made or will make to students (plus any Administrative Cost Allowance, if applicable).

Note: For the Campus-Based Programs, schools do not report individual disbursements in COD. Schools report expenditures on their FISAP expenditure reports (due before October 1). Therefore, a school’s allocation of Campus-Based funds is not revised during the year unless the school receives a supplemental allocation (see sidebar).

See *Volume 6* for more information on applying for and receiving Campus-Based funding.

## Funding methods

Cite: 34 CFR 668.162, except as noted.

### The Advance Payment Method

Under the Advance Payment Method, once a school’s funding levels have been established, a school may request (through the school’s COD Customer Service Representative) a funding level increase.

## Cash Management and Reimbursement

### Cash Monitoring Payment Methods

The Department places a school on a Heightened Cash Monitoring (HCM) payment method to closely monitor cash management. Schools operating under a Cash Monitoring payment method do not receive an initial authorization. They will receive an authorization and increases to the authorization after the Common Origination and Disbursement (COD) System has accepted and posted actual disbursement records.

Administration of the Cash Monitoring payment method must be audited every year. The independent auditor engaged by the school to conduct its annual compliance audit must express an opinion in the audit report regarding the school's compliance with the cash monitoring requirements, as applicable. There are two types of Heightened Cash Monitoring payment methods:

1. **Heightened Cash Monitoring 1 (HCM1).** After a school makes disbursements to eligible students from institutional funds and submits disbursement records to COD, it draws down FSA funds to cover those disbursements in the same way as a school on the Advance Payment Method.
2. **Heightened Cash Monitoring 2 (HCM2).** A school placed on HCM2 no longer receives funds under the Advance payment method. After a school on HCM2 makes disbursements to students from institutional funds, a Reimbursement Payment Request must be submitted for those funds to the Department. In its request, the institution must
  - complete and submit OMB 1845-0089 (Form 270), and
  - submit all requested documentation to the Department showing that each student included in the request for funds was eligible for and received those funds. The Department may tailor the documentation requirements for schools on a case-by-case basis.

After the payment request is approved, the Department transfers electronically the appropriate amount of FSA funds to the bank account in which the school maintains its federal funds, after recovering any negative or unsubstantiated cash balance which may be owed. A school may submit a Reimbursement Payment Request only once during any 30-day period.

### Reimbursement Payment Method

The Department places a school on Reimbursement if it determines that it needs to increase the monitoring of the school's participation in the FSA programs. A school placed on Reimbursement must disburse FSA program funds, including any credit balances, to eligible students and parents out of institutional funds prior to submitting a Reimbursement Payment Request for those funds from the Department. As part of its request, a school that has been placed on Reimbursement must

- complete and submit OMB 1845-0089 (Form 270),
- identify the students and parents for whom it is seeking reimbursement by submitting a completed Student Data Spreadsheet in the format specified by the Department, and
- submit documentation demonstrating that each student and parent included in the request was eligible to receive, and received, FSA funds.

After the reimbursement request is approved, after recovering any negative or unsubstantiated cash balances that may be owed the Department, the Department electronically transfers the appropriate amount to the bank account in which the school maintains its federal funds. A school may submit only one such request for reimbursement during any 30-day period.

If a school is placed on Reimbursement its administration of the Reimbursement payment method must be audited every year. The independent auditor engaged by the school to conduct its annual compliance audit must express an opinion in the audit report regarding the school's compliance with the reimbursement requirements, as applicable.

## Maintaining and accounting for funds

34 CFR 668.163

### Bank account requirements

34 CFR 668.163(a)&(b)

### Interest-bearing accounts

34 CFR 668.163(c)

## Record keeping requirements

34 CFR 668.24

### Not Applicable to Some Programs

The cash management requirements are not applicable to the state grant and scholarship programs. The Robert C. Byrd Honors Scholarship (Byrd) Program, and if a state is the grantee, the Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP) are administered under rules established by the state.

### Timely Return of Funds

Schools are required to make a timely return of any unearned funds after a student withdraws, as discussed in *Volume 5*.

### Bank Notification via UCC-1 form

The requirement that a school file a UCC-1 statement when an account's name does not include the phrase *federal funds* was established to reduce the possibility that a school could misrepresent *federal funds* as its own funds to obtain a loan or secure credit. Because public institutions generally do not seek to obtain credit in the same manner as private institutions, they are exempt from the requirement.

## MAINTAINING AND ACCOUNTING FOR FUNDS

All schools must maintain a bank account into which the Department transfers, or the school deposits, FSA funds. The account must be federally insured or secured by collateral of value reasonably equivalent to the amount of FSA funds in the account. A school generally is not required to maintain a separate account for each FSA program unless the Department imposes this requirement as a result of a program review or other action.

### When a school does not maintain a separate account

A school has a fiduciary responsibility to segregate federal funds from all other funds and to ensure that federal funds are used only for the benefit of eligible students. Absent a separate bank account, the school must ensure that its accounting records clearly reflect that it segregates FSA funds. Under no circumstances may the school use federal funds for any other purpose, such as paying operating expenses, collateralizing or otherwise securing a loan, or earning interest or generating revenue in a manner that risks the loss of FSA funds or subjects FSA funds to liens or other attachments (such as would be the case with certain overnight investment arrangements or sweeps). Clearly, carrying out these fiduciary duties limits the ways the school can otherwise manage cash in an operating account when that account contains FSA funds.

If a school does not maintain a separate account for FSA program funds, its accounting and internal control systems must:

- identify the balance for each FSA program that is included in the school's bank or investment account as readily as if those funds were in a separate account; and
- identify earnings on FSA program funds in the school's bank or investment account.

A school must maintain its financial records in accordance with the record keeping requirements described in *Volume 2*.

### Bank account notification requirements

For each account that contains FSA program funds, a school must identify that FSA funds are maintained in the account by:

- ♦ including the phrase *federal funds* in the name of the account; or
- ♦ notifying the bank or investment company of the accounts that contain FSA funds and keeping a copy of this notice in its records and, except for public institutions, filing a Uniform Commercial Code Form (UCC-1) statement with the appropriate state or municipal government entity that discloses that an account contains federal funds.

The school must keep a copy of the UCC-1 statement in its records.

### Interest-bearing or investment account

FSA funds must be maintained in an interest-bearing account or an investment account unless:

- the school drew down less than \$3 million of these funds in the prior award year and anticipates that it will not draw down more than \$3 million in the current award year;
- the school can demonstrate that it would not earn over \$250.00 in interest on the funds it will draw down during the award year.

An investment account must consist predominantly of low-risk income-producing securities such as obligations issued or guaranteed by the United States. If a school chooses to maintain federal funds in an investment account, the school must maintain sufficient liquidity in that account to make required disbursements to students.

Any interest earned on FSA funds maintained in an interest-bearing account or an investment account that exceeds \$250.00 per award year must be remitted to the Department by June 30 of that award year (see sidebar). A school may keep up to \$250.00 per year of the interest or investment revenue earned (other than that earned on Perkins Loan funds) to pay for the administrative expense of maintaining the account.

### Additional Perkins Loan requirements

A school that participates in the Perkins Loan Program must always maintain an interest-bearing account or an investment account for Perkins Loan funds. The school must maintain sufficient liquidity in its Perkins fund to make all required distributions.

If a school is also required to maintain an interest-bearing account or investment account for other federal funds, the school may use one account for Perkins Loan funds and all other federal funds. However, if the school chooses to maintain one account, it must determine the amount of any interest earned on the Perkins Loan funds and retain those funds for use in the Perkins Program. The interest earned on the school's Perkins funds is not included in the \$250.00 maximum award year interest the school is permitted to retain.

A school may deduct from the interest earned any bank or service charges incurred as a result of maintaining the fund assets in an interest-bearing account and deposit only the net earnings.

If a collection agency or third-party servicer receives funds directly from Perkins borrowers, it must immediately deposit those funds in a school trust account. The agency or servicer may open and maintain the account, but the funds in it belong to the school. If the funds will be held for more than 45 days, the account must be interest bearing.

#### Remitting Interest

The fastest, most efficient way to remit interest is through the G5 website at

**[www.g5.gov](http://www.g5.gov)**

A school with a user ID and password can go to the main menu and select “**Refunds**” then “**Interest.**” They will be taken to the screens through which they can send the Department interest.

To return interest via G5, you go to Payments > Refunds > Refunds Creation. Look to the bottom for the Miscellaneous section, type in the amount that needs to be returned, and choose Interest Earned from the Refund Type dropdown.

Schools can also return excess interest income to the Department by check. Send the check to:

**U.S. Department of Education  
P.O. Box 979053  
St. Louis, Missouri 63197-9000**

On the front of the check, the school should note its D-U-N-S number and Document Award Number, and it should also indicate that the remittance is for interest earned.

#### Perkins bank account requirements

34 CFR 674.19(a) & (b)



**Excess cash**

34 CFR 668.166

**Three-day rule for funds received under the advance payment method**

A school must disburse FSA funds as soon as administratively feasible but no later than three business days following the date the school received those funds.

For funds received from the Department, the three-day period begins on the day the school receives the funds in the account designated by the school for that purpose. For funds deposited in the school's account (1) as part of the school's compliance with the requirement to return funds if a student withdraws before completing a period for which the student was paid, (2) for Federal Pell Grant funds deposited because of adjustments and federal Direct Loan funds deposited because of adjustments or cancellations, and (3) for funds deposited because a student failed to begin attendance, the three-day period begins on the date the school deposits the funds in the school's federal account.

**Note:** A school must return or deposit funds for a student who withdraws before completing a period for which the student was paid within 45 days of determining the student withdrew. A school must return or deposit funds for a student who failed to begin attendance no later than 30 days after the date the school became aware the student will or has not begun attendance. Finally, a school must complete a report within 30 days of making adjustments to a student's Pell or Direct Loan award.

**What if there's a finding, when the Department considers a check has been issued**

Generally, the Department considers a check to be issued when the school mails the check to the student or parent or notifies the student or parent that a check is available for immediate pickup. However, upon finding that a school has maintained excess cash balances, the Department considers the school to have issued a check on the date that check cleared the school's bank account, unless the school demonstrates to the satisfaction of the Department that it issued the check to the student shortly after the school wrote that check.

**EXCESS CASH**

As mentioned earlier, under the advance payment method a school must disburse funds no later than three business days following the date the school receives them. The Department considers excess cash to be any amount of FSA funds, other than Perkins Loan funds, that a school does not disburse to students or parents by the end of the third business day following the date the school:

- ◆ received those funds from the Department; or
- ◆ deposited or transferred to its federal funds account previously disbursed FSA funds received from the Department, such as those resulting from award adjustments, recoveries, or cancellations.

Sometimes a school cannot disburse funds in the required three days because of circumstances outside the school's control. For example, a school may not have been able to disburse funds because of a change in a student's enrollment status, a student's failure to attend classes as scheduled, or a change in a student's award as a result of verification. In view of these circumstances, a school may maintain some excess cash for up to seven additional days.

**Allowable excess cash tolerances**

A school may retain for up to seven days an additional amount of excess cash that does not exceed 1% of the total amount of funds the school drew down in the prior award year. The school must return immediately to the Department any amount of excess cash over the 1% tolerance and any amount remaining in its account after the seven-day tolerance period.

The Department reviews schools to determine where excess cash balances have been improperly maintained. Upon a finding that a school has maintained an excess cash balance in excess of allowable tolerances, a school is required to reimburse the Department for the costs that the government incurred in making those excess funds available to the school.

Where excess cash balances are disproportionately large or where they represent a continuing problem with the school's ability to responsibly administer the FSA programs, the Department may initiate a proceeding to fine, limit, suspend, or terminate the school's participation in one or more of the FSA programs. For more on fines and other actions against schools, see *Volume 2*.



## ADMINISTRATIVE COST ALLOWANCE (ACA)

The ACA is an annual payment calculated by the Department and automatically deposited in the school's account to help offset the costs of administering the FSA programs. The Department reimburses schools participating in the Pell Grant Program \$5.00 per award year for unduplicated recipients at the school who receive a Pell Grant. For the Campus-Based Program, the ACA is taken from the school's federal allocation, and the maximum amount permissible is up to five percent of the sum of the loans advanced in Perkins, the total earned compensation in FWS, and the total awards to recipients in FSEOG.

For the Campus-Based Programs, the ACA is not a separate allowance sent to the school. Rather, the school has the option of taking its Campus-Based ACA out of the annual authorizations the school receives for the FSEOG and FWS Programs and/or from the available cash on hand in its Perkins Loan fund. A school may draw its allowance from any combination of Campus-Based Programs, or it may take the total allowance from only one program provided there are sufficient funds in that program and as long as the school has disbursed funds to students from that program during the award year.

A school must use its administrative costs allowance to offset its cost of administering the Pell Grant, FWS, FSEOG, and Federal Perkins Loan programs. Administrative costs may include the expenses incurred in carrying out a school's student consumer information requirements. In addition, a school may use up to 10% of its ACA that is attributable to the school's expenditures under the FWS Program to pay the administrative costs of conducting community service programs.

### Administrative Cost Allowance

34 CFR 690.10(b) and 34 CFR 673.7

#### Charging Perkins cost against ACA

If a school charges any ACA against its Perkins Loan fund, it must charge these costs during the same award year in which the expenditures for these costs were made.

## A SCHOOL'S FIDUCIARY RESPONSIBILITY

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### Cash management

34 CFR Subpart K

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### Purpose of regulations

34 CFR 668.161

Except for funds received by a school for administrative expenses and for funds used for the Job Location and Development Program, funds received by a school under the FSA programs are held in trust for the intended student beneficiaries. As a trustee of those funds, a school may not use (or use as collateral) FSA funds for any other purpose.

FSA funds are awarded to a student to pay current-year charges. Notwithstanding any authorization obtained by a school from a student or parent, the school must pay:

- ◆ any remaining balance from loan funds by the end of the loan period; and
- ◆ other remaining FSA funds by the end of the last payment period in the award year for which they were awarded.

**A school that fails to disburse funds by those dates is in violation of the Department's cash management regulations.**



In addition, a school has a fiduciary responsibility to:

- safeguard FSA funds;
- ensure FSA funds are used only for the purposes intended;
- act on the student's behalf to repay a student's FSA education loan debt when the school is unable to pay a credit balance directly to the student; and
- return to the Department any FSA funds that cannot be used as intended.

## GARNISHMENT OF FSA FUNDS IS PROHIBITED

No FSA grant, loan, or work assistance (or property traceable to that assistance) is subject to garnishment or attachment except to satisfy a debt owed to the Department.


A student's FWS wages may be garnished only to pay any costs of attendance that the student owes the school or that will become due and payable during the period of the award. Schools must oppose any garnishment order they receive for any other type of debt.

By law, FSA funds may only be used for educational purposes. If your school is not the employer in an off-campus employment arrangement, it must have an effective procedure to notify off-campus employers that garnishment of FWS wages for any debt other than a cost of attendance is not permissible.

## ESCHEATING OF FSA FUNDS IS PROHIBITED

A school must return to the Department any FSA program funds, except FWS Program funds, that it attempts to disburse directly to a student or parent if the student or parent does not receive the funds or cash the check. (For FWS Program funds, a school is required to return only the federal portion of the payroll disbursement.)

A school must have a process that ensures FSA funds never escheat to a state or revert to the school or any other third party. A failure to have such a process in place would call into question a school's administrative capability, its fiscal responsibility, and its system of internal controls required under the FSA regulations.



In order to prevent the escheating of Title IV funds, the Department encourages schools that disburse Title IV credit balances by EFT to remind students before the end of the award year (or at the time of withdrawal for students who cease attendance before completing the period for which the funds were paid) to examine the balances remaining in any accounts to which Title IV funds were transferred.

### Garnishment/attachment prohibited

HEA 488A(d)

#### Example of a Policy to Prevent Escheating

Typically, each state establishes the useful life of a check or bank draft used to disburse FSA program funds. After this established date, the check cannot be negotiated and the proceeds of an uncashed check normally escheat to an unintended third party (the state or the institution).

In state A, a bank check has a useful life of 180 days. In order to prevent FSA funds from escheating to a third party, the business office at School A, at the end of each month, identifies all outstanding uncashed checks containing FSA funds. Prior to the 180th day, the business office voids the uncashed checks and restores the funds back to the applicable FSA program.

### Time frame for returning unclaimed funds

34 CFR 668.164(h)

#### Undelivered Perkins Funds

If a portion of the undelivered credit balance consists of Perkins funds, the school must reimburse its Perkins Loan fund for that amount and report those funds as other income in Part III, Section A of the FISAP.

#### Unpaid FWS Wages

If a school cannot locate a student to whom it owes FWS funds the student has earned, the federal portion must be returned to the school's FWS account.

If the student comes back or the school later locates the student, the school can recover the FWS funds as long as the account for that year is still open. If the account is closed, the school must pay the student (under the wage and hour laws) using its own funds.



# Disbursing FSA Funds

## CHAPTER 2

*These rules apply to the following programs: Pell Grants, TEACH, Iraq and Afghanistan Service Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), Perkins Loans, and Direct Loans. We have indicated when a rule applies to Federal Work-Study (FWS) funds. This chapter will discuss the rules for crediting federal student aid (FSA) funds to the student's account and making direct disbursements to the student or to the parent (PLUS), with provisions for early disbursements, delayed disbursements, and late disbursements.*

### NOTIFICATIONS

#### *Notification of disbursement*

In general, there are two types of notifications a school must provide: (1) a general notification to all students receiving FSA funds, and (2) a notice when FSA loan funds or TEACH Grant funds are credited to a student's account.

#### *General notification*

A school must notify a student of the amount of funds the student and his or her parent can expect to receive from each FSA program, including FWS, and how and when those funds will be disbursed. This notification must be sent before the disbursement is made.

If the funds include a Direct Loan, the notice must indicate which funds are from subsidized loans and which are from unsubsidized loans. A school must provide the best information that it has regarding the amount of FSA program funds a student can expect to receive. Because the actual loan disbursements received by a student may differ slightly from the amount expected by the school (due to loan fees and rounding differences), you may include the gross amount of the loan disbursement or a close approximation of the net disbursement amount.

#### *Loan and TEACH Grant notification*

Except in the case of loan funds made as part of a post-withdrawal disbursement, when Perkins Loan, Direct Loan or TEACH funds are being credited to a student's account, the school must also notify the borrower in writing (paper or electronically) of the:

- ◆ anticipated date and amount of the disbursement;
- ◆ borrower's right to cancel all or part of the loan or disbursement; and

#### **Notices and Authorizations**

34 CFR 668.165

#### **Note on Iraq and Afghanistan Service Grants**

The HEA (Sec. 420R(d)) specifies that those grants shall be awarded in the same manner, and with the same terms and conditions, as Federal Pell Grants.

#### **Borrower Notification via email**

If you are notifying the student of the next disbursement by email or other electronic means, you are encouraged to follow up on any electronic notice for which you receive an "undeliverable" message.

The loan notification requirements for post-withdrawal disbursements are covered in *Volume 5*.

#### **Privacy of Loan Data**

Schools are reminded that the details of any loan transaction may be shared only with the borrower.

### Acceptable means of notification

Your school may not use an in-person or telephonic conversation as the sole means of notification because these are not adequate and verifiable methods of providing notice. However, a school may use in-person and telephone notices in addition to those provided in writing.

### Confirmation process

34 CFR 668.165(a)(6)

- ◆ procedures for canceling a Direct Loan or Perkins Loan and the time by which the borrower must notify the school that he or she wishes to cancel the loan, grant, or loan or grant disbursement.

The timing of a loan or TEACH Grant notification varies depending on whether a school obtains affirmative confirmation from a student that he or she wants a loan **or** accepts the grant. Affirmative confirmation is a process under which a school obtains written confirmation of the types and amounts of HEA program loan and TEACH Grant funds that a student wants for an award year before the school credits the student's account with those funds. See the *Application and Verification Guide* for more information on the confirmation process.

This notification must be sent:

- ◆ *if the school obtains affirmative confirmation*, no earlier than 30 days before and no later than 30 days after crediting the student's account;
- ◆ *if the school does NOT obtain affirmative confirmation*, no earlier than 30 days before and no later than 7 days after crediting the student's account.

If the borrower **or** TEACH Grant recipient wishes to cancel all or a portion of his or her loan or grant, he or she must inform the school. A school must return the loan or grant proceeds, cancel the loan or grant, or do both, provided that the school receives the loan cancellation request within the following time frames:

- ◆ *if the school obtains affirmative confirmation from the student*, by the later of the first day of a payment period or 14 days after the date the school notifies the student or parent of his or her right to cancel all or a portion of a loan or grant; or
- ◆ *if the school does not obtain affirmative confirmation from the student*, within 30 days of the date the school notifies the student or parent of his or her right to cancel all or a portion of a loan.

### Self-assessment tool for fiscal management procedures

You can evaluate your school's procedures by referring to "Fiscal Management" in the *Managing Funds* module of FSA Assessments at

[ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html](http://ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html)



If a school receives a borrower's request for cancellation outside of the period during which the school is required to cancel the loan, grant, or loan or grant disbursement, the school has the option of canceling the loan or grant or, in the case of a loan, directing the borrower to contact the appropriate servicer. The school must inform the student or parent **in writing** of the outcome of the request. **Schools should not return**



**loan funds on a borrower's behalf if more than 120 days have elapsed since the funds were disbursed.** (See the Handbook Appendices for information on how a school should proceed when a student dies.)

Schools should not return Direct Loan funds to ED's federal loan servicers directly. If a borrower asks the school to return Direct Loan funds more than 120 days after the disbursement date, the school should direct the borrower to the appropriate servicer for guidance on how the borrower can return the money. (An exception is when a school must return funds when a student dies.)



When acting upon a cancellation request, your school must return the funds (if received) and/or cancel the loan or grant as appropriate. A school is not responsible for returning any portion of a loan or grant that was disbursed to a student or parent directly (e.g., as a result of a credit on the student's account) before the request for cancellation was received. However, you are encouraged to take an active role in advising the borrower to return the funds already received.

Direct Loan funds that are returned within 120 days of the disbursement by the school or the borrower, for any reason, are treated as a partial or full cancellation, with the appropriate adjustment of the loan fee and interest. In addition, Direct Loan funds that are returned by a school at any time to comply with a regulatory or statutory requirement are treated as a partial or full cancellation.

Direct Loan funds that a borrower returns 120 days or more after disbursement are processed as a payment, and there is no adjustment of the loan fee or interest. For additional information on returning loan funds, see chapters 3 and 4 in this volume, and *Volume 5*, Chapter 1.

## Authorizations

34 CFR 668.165(b)

## Electronic disclosures

CFR 34 668.41 (b) & (c)

### Information Security Requirements

The Gramm-Leach-Bliley (GLB) Act requires that schools have in place an information security program to ensure the security and confidentiality of customer information, protect against anticipated threats to the security or integrity of such information, and guard against the unauthorized access to or use of such information. (For information on the GLB Act, see *Volume 2*.)

## AUTHORIZATIONS

You must obtain authorization from a student (or parent borrower), before your school can perform any of the following activities:

- ◆ use FSA funds to pay for allowable educationally related charges **other than** tuition, fees, and room and board (if the student contracts with the school);
- ◆ credit FWS wages to a student's account to pay any educationally related charges;
- ◆ disburse FWS wages by Electronic Funds Transfer (EFT) to a bank account designated by the student or parent;
- ◆ hold an FSA credit balance (see the discussion later in this chapter);
- ◆ apply FSA funds (including FWS) to prior-year charges other than for tuition, fees, room, and board.

An authorization must explain what FSA funds are covered by the document, and it must specify the time period covered by the authorization. Unless otherwise specified, a student or parent may authorize a school to carry out the allowable activities for a specific period of time such as an academic year or for the entire period the student is enrolled, including multiple academic years.

A school may not require or coerce the student or parent to provide an authorization, and it must clearly explain to the student or parent how to cancel or modify the authorization. The school must also explain that a cancellation is not retroactive.

A student or parent may cancel or modify an authorization at any time. A cancellation or modification is not retroactive—it takes effect on the date that the school receives it from the student or parent. If a student or parent cancels an authorization to use FSA funds to pay for other allowable charges, the school may use FSA funds to pay any authorized charges incurred by the student before the notice was received by the school. If a student or parent cancels an authorization to hold excess funds, the funds must be paid directly to the student or parent as soon as possible but no later than 14 days after the school receives the notice. (See the discussion under *Time frame for paying FSA credit balances* later in this chapter.)

**However, regardless of any authorization obtained by a school, the school must pay any remaining balance on FSA loan funds by the end of the loan period and any other remaining FSA program funds by the end of the last payment period in the award year for which they were awarded.**



A school may include two or more of the items that require authorization in one statement. Each component and term in the authorization must be conspicuous to the reader, and a student (or parent borrower) must be informed that he or she may refuse to authorize any individual item on the statement.

An authorization must clearly explain how the school will carry out an activity, but it does not need to detail every aspect pertaining to the activity. However, a blanket authorization that only identifies the activities to be performed is not acceptable. For instance, an authorization permitting a school to use an FSA credit balance (discussed later in this chapter) must provide detail that is sufficient to give the student or parent a general idea of what charges the credit balance would be used to pay. A blanket statement that the credit balance would cover any charges is not acceptable.

### *Using electronic processes for notifications and authorizations*

So long as there are no regulations specifically requiring that a notification or authorization be sent via U.S. mail, a school may provide notices or receive authorizations electronically. You may also use an electronic process to provide required notices and make disclosures by directing students to a secure website that contains the required notifications and disclosures.

If you use an electronic process to provide notices, make disclosures, or direct students to a secure website, then you must notify each student individually every year. You may provide the required notice through direct mailing to each individual through the U.S. Postal Service, campus mail, or electronically directly to an email address.

The annual individual notice must

- ◆ identify the information required to be disclosed that year,
- ◆ provide the exact Internet or intranet address where the information can be found, and
- ◆ state that, upon request, individuals are entitled to a paper copy, and inform students how to request a paper copy.

#### **A School Must Obtain a Student's Voluntary Consent to Participate in Electronic Transactions**

**Voluntary consent to participate in electronic transactions is required for all financial information provided or made available to student loan borrowers, and for all notices and authorizations to FSA recipients required under 34 CFR 668.165.**



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**Power of attorney**

Perkins: 34 CFR 674.16(g)

FWS: 34 CFR 675.16(a)(8)

***Power of attorney in disbursing FWS and Perkins funds***

A school may not obtain a student's power of attorney to authorize FWS disbursements unless the Department has granted prior approval (contact your School Participation Team). Your school must be able to demonstrate that there is no one else (such as a relative, landlord, or member of the clergy, for example) who could act on behalf of the student.

Similarly, a school official may not use a student's power of attorney to endorse any Perkins Loan disbursement check or to sign for any Perkins Loan advance unless the Department has granted prior approval. Approval may be granted only if:

- ◆ the student is not available to sign the promissory note, and there is no one else (such as a relative, landlord, or member of the clergy) who could act on behalf of the student;
- ◆ the school shows that the funds cannot be directly deposited or electronically transferred;
- ◆ the power of attorney is not granted to a school official or any other official who has an interest in the loan; and
- ◆ the power of attorney meets all legal requirements under the law of the state in which the school is located, and the school retains the original document granting power of attorney in its files.

## CHECKING ELIGIBILITY AT THE TIME OF DISBURSEMENT

Before you awarded funds to a student, you confirmed that he or she was an eligible student and was making satisfactory academic progress (see *Volume 1*). However, before disbursing FSA funds, you must determine and document that a student remains eligible to receive them. A school must have a process (consistent with the requirements in 34 CFR 668.164(b)(3)) for determining that a student is eligible to receive a Title IV disbursement. A school must confirm the following:



- ◆ the student is enrolled in classes for the period;
- ◆ for a student otherwise eligible for a Pell grant, the scheduled disbursement will not cause the student to exceed his or her Lifetime Eligibility (see *Volume 3*);
- ◆ a student enrolled in a non-term program or nonstandard term program with terms that are not substantially equal in length has completed the previous period (credits and weeks or clock-hours and weeks of instruction);
- ◆ except for Direct Loans, if the disbursement occurs on or after the first day of classes, that the student has begun attendance in the classes on which his or her eligibility was based;
- ◆ for Direct Loans, the student is enrolled at least half time;
- ◆ first-time FSA borrowers have completed entrance counseling, received the required disclosures, and completed the first 30 days of their academic program (See *Volume 3*);
- ◆ for TEACH Grants, for that award, the student has
  - a) completed the relevant initial or subsequent counseling;
  - b) signed an *Agreement to Serve*; and
  - c) earned the appropriate GPA, otherwise met the performance standard through testing, or is a retiree or a current or former teacher (see *Volume 1*).

### If a Borrower Dies Before Loan Funds are Disbursed

The Department does not permit disbursement of Title IV loan funds when there is no possibility of repayment. Therefore, if a student borrower or parent PLUS loan borrower dies after the school has received the loan funds but before the loan is disbursed, the school must return the full amount of the loan to the Department.

### Third-party servicers responsibility for checking eligibility before disbursement

34 CFR 668.25(c)(4)

### Interim disbursements to students selected for verification

A school can make an interim disbursement of certain types of FSA funds to a student who is selected for verification (including a student selected for verification by the school rather than the CPS). If the school has any conflicting documentation or other reason to believe that it does not have a valid output document, it may not make such a disbursement. See the current version of the *Application and Verification Guide*, for more details.

### Disbursements to Students on Leave of Absence

A school may disburse Pell, TEACH Grant, Iraq & Afghanistan Service Grant, FSEOG, or Perkins Loan funds to a student on a leave of absence. However, a school must not disburse Direct Loan funds to a student on a leave of absence.

Because FSA credit balance funds are funds that have already been disbursed, a school must pay an FSA credit balance to a student on a leave of absence.

### Disbursement of funds received under Advance Payment

34 CFR 668.162(b)(3)

### Importance of Timely Review of Pell Lifetime Eligibility Used

Electronic Announcement, August 13, 2012

### TEACH Grant Counseling

A student must complete TEACH Grant initial counseling prior to receiving the first disbursement of the student's first TEACH Grant. See *Volume 3* for information about the required counseling.

## Reminder

### Time Frame for Submitting Disbursements

A school must submit Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement records and Direct Loan disbursement records, as applicable, no later than 15 days after making the disbursement or becoming aware of the need to adjust a student's previously reported Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement.

The Department considers that Federal Pell Grant and Iraq and Afghanistan Service Grant funds are disbursed on the date that the school: (a) credits those funds to a student's account in the school's general ledger or any subledger of the general ledger, or (b) pays those funds to a student directly. We consider that Federal Pell Grant and Iraq and Afghanistan Service Grant funds are disbursed even if a school uses its own funds in advance of receiving program funds from the Department.

A school's failure to submit disbursement records within the required time frame may result in the Department rejecting all or part of the reported disbursement. In addition, such failure may result in an audit or program review finding. In addition, the Department may initiate an adverse action, such as a fine or other penalty for such failure.

Federal Register Volume 78, Number 40  
(Thursday, February 28, 2013)

The most common change that would make a student ineligible for a Stafford or PLUS disbursement is if the student has dropped below half-time enrollment, so it is important that the financial aid office have a system to verify the student's enrollment status at the time of disbursement. If the student has only temporarily dropped below half time enrollment, you may still make a Stafford or PLUS disbursement after the student resumes at least half-time enrollment.

## TIME FRAMES FOR PAYING FSA FUNDS

### *Prompt disbursement (three-day) rules*

In general, schools that are not receiving federal cash from the Department through one of the heightened cash monitoring payment methods must make disbursements as soon as administratively feasible but no later than three business days after receiving funds from the Department. The disbursements may be credited to the student's account or made directly to the student or parent, as discussed earlier.

In order to comply with the excess cash regulations (described in Chapter 1), when requesting funds with which to make FSA disbursements, schools must ensure they do not draw down more cash than they can disburse over the next three days.

Note that these time frames for disbursing to the student's account (or directly to the student or parent) are different than those for paying FSA credit balances to the student or parent. As we discuss later in this chapter, a school generally has 14 days to pay an FSA credit balance to the student or parent, unless it has written permission to hold the credit balance.

### Submitting disbursement records

A school must submit Federal Pell Grant, TEACH Grant, and Direct Loan disbursement records no later than 15 days after making a disbursement or becoming aware of the need to adjust a student's disbursement.

A school's failure to submit disbursement records within the required time frame may result in an audit or program review finding. In addition, the Department may initiate an adverse action, such as a fine or other penalty for such failure.



## Defining the Date of Disbursement (34 CFR 668.164(a))

*(These rules apply to the FWS program as well.)*

It is important to define the date of disbursement because several regulatory requirements are based on that date. For instance, you must disburse an FSA credit balance to a student within 14 days of the date it was created or within 14 days of the first day of class, and you must notify a student of a loan disbursement within a time frame related to the date of that disbursement.

The date of disbursement also determines when the student becomes an FSA recipient and has the rights and responsibilities of an FSA recipient. For example, when FSA loan funds are disbursed to a recipient, the student or parent assumes responsibility for the loan and has the right to cancel the loan.

A disbursement occurs when your school credits a student's account **or** pays a student or parent directly with:

- FSA funds received from the Department; or
- School funds labeled as FSA funds in advance of receiving actual FSA funds (except as noted below).<sup>1</sup>

When using school funds in place of FSA funds, there are two situations where the FSA disbursement is considered to have taken place on the earliest day that the student could have received FSA funds rather than the actual disbursement date.

- If a school credits a student's account with its own funds earlier than 10 days before the first day of classes of a payment period, that credit is not considered an FSA disbursement until the 10th day before the first day of classes (the earliest a school may disburse FSA funds).
- If a student borrower is subject to the 30-day disbursement delay and a school credits the student's account with its own funds before the 30 days have elapsed, this is not counted as an FSA loan disbursement until the 30th day after the beginning of the payment period (the 31st day of classes).

<sup>1</sup> If your school simply makes a memo entry for billing purposes or credits a student's account and does not identify it as an FSA credit (for example, an estimated Federal Pell Grant), it is not a disbursement. For example, some schools prepare billing statements or invoices showing the estimated amount of FSA funds that students are eligible to receive. These estimated amounts are not FSA disbursements.

## DISBURSING FWS WAGES

### FWS payments to students

34 CFR 675.16

### Crediting student's account

34 CFR 668.164(d)

### Noncash contribution

Your school also has the option of paying its share of a student's FWS wages in the form of a noncash contribution of services or equipment—for example, tuition and fees, room and board, and books and supplies. However, you may not count forgiveness of a charge such as a parking fine or library fine against a student who is employed under FWS as part of the school's noncash contribution to the student.

Non cash payments (tuition, fees, services or equipment) must be made before the student's final payroll period of the award period. If the school pays its share for a forthcoming academic period in the form of prepaid tuition, fees, services or equipment, it must give the student—again, before the end of the student's final payroll period—a statement of the amount of the noncash contribution earned.

Your school may use any type of payroll period it chooses, provided students are paid at least monthly. It is a good idea to have the FWS payroll correspond to other similar payrolls at the school. Unless you are paying the student with noncash contributions (see sidebar), you must pay the nonfederal share to the student at the same time you pay the federal share.

FWS wages are earned when the student performs the work. A school may pay the student after the last day of attendance for FWS wages earned while he or she was still in school. However, when a student has withdrawn from school and is not planning to return, FWS funds may not be used to pay for work performed after the student withdrew. A correspondence student must submit the first completed lesson before receiving a disbursement under the FWS Program.

For audit and program review purposes, your school must have documentation (e.g., canceled checks, bank statements) showing that students received disbursements in the amount charged to the FWS Program.

### Crossover payment periods

When a payment period is in two award years (that is, when it begins before July 1 and ends on or after July 1), the student is paid for compensation earned through June 30 with funds allocated for the first award year and for compensation earned beginning July 1 with funds allocated for the following award year. (See *Volume 6* for a discussion of carrying back funds for summer employment.)

Disbursing to students from the correct award year is important; schools have been held liable when students were paid from the wrong FWS authorization.

### Holding FWS funds on behalf of the student

With written authorization from a student, a school may hold, on behalf of the student, FWS funds that would otherwise be paid directly to the student (unless this is prohibited by the terms of a reimbursement payment method). The restrictions for such an authorization are the same as those that apply to written authorizations for disbursements to student accounts. If your school holds FWS funds on behalf of students, it must:

- ◆ identify the amount of FWS funds held for each student in a designated subsidiary ledger account;
- ◆ maintain cash in its bank account that is always at a minimum equal to the FWS funds being held for students; and
- ◆ disburse any remaining balance by the end of the school's final FWS payroll period for the award period.

## METHOD OF DISBURSEMENT

There are two ways to disburse FSA funds: by crediting the student's account for allowable charges at your school or by paying the student or parent directly.

### *Credit to the student's account*

When a school disburses FSA funds to a student by crediting a student's account, it may do so only for allowable charges.

Allowable charges include:

- ◆ current charges incurred by the student at the school for tuition and fees as defined in *Volume 3*, and room and board if the student contracts with the school (third-party or pass-through charges are not included except in the case of third-party housing, books and supplies contracted by the school);
- ◆ if you obtain the student's or parent's (as applicable) written authorization, other educationally related charges incurred by the student at the school; and
- ◆ prior-year charges not exceeding \$200.00 (see the discussion under *Paying prior-year charges* later in this chapter).

### *Direct disbursement to the student*

You may also disburse FSA funds directly to the student or parent. Most schools choose to first credit FSA funds to the student's account at the school and then disburse the credit balance to the student or parent.

There are three ways that a school may disburse FSA funds directly to the student or parent.

- ◆ **Issuing a check or other instrument** payable to and requiring the endorsement or certification of the student or parent (a check is issued if the school releases or mails the check to a student or parent, or notifies the student or parent that the check is available for immediate pickup).
- ◆ **Initiating an EFT** to a bank account designated by the student or parent, including transferring funds to stored-value cards and debit cards (see the discussion under *Paying FSA Credit Balances* later in this chapter).
- ◆ **Disbursing to the student in cash**, provided that your school obtains a signed receipt from the student or parent.

### Self-assessment tool for disbursement procedures

You can evaluate your school's procedures by referring to *Disbursing Aid* in the *Fiscal Management* module of *FSA Assessments*.

[ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html](http://ifap.ed.gov/qahome/qaassessments/fiscalmanagement.html)

### Method of disbursement

- Credit to student's account: 34 CFR 668.164(a), (b), &(d)(1)
- Direct disbursements: 34 CFR 668.164(d)
- Releasing a Pell check: 34 CFR 690.78(c)
- Cost of attendance: Section 472 of the HEA
- Prior-year charges: 34 CFR 668.164(d)(2)

### Tuition and fees

Section 472 of the HEA  
34 CFR 668.164(d)

### Crediting Direct Loan funds to current charges first

Direct Loan funds credited to a student's account must first be used to pay for current charges.

### Disbursements in programs of less than one year where grades are not awarded

Before disbursing funds to students enrolled in programs equal to or less than one year in which students do not receive grades or credits until the end of the program, your school must have a satisfactory academic progress standard as described in *Volumes 1 and 2* of the *Federal Student Aid Handbook*, and you must—

- measure a student's standing vis-a-vis satisfactory academic progress by the time the student has completed one-half of the program (one payment period). If no grades are given for the first half /payment period, a comparable assessment must be made; and
- not make second disbursements of FSA funds to a student who is not making satisfactory academic progress, except that a student on probation or warning may receive a second disbursement if he or she has completed the clock hours or credit hours associated with the first period.

## INSTITUTIONAL CHARGES

### *Institutional versus noninstitutional charges*

Institutional charges generally are defined as the charges for tuition and fees, room and board, and other educational expenses that are paid to the school directly. If a fee (like a registration or technology fee) is required for all students in a program, then the fee should be considered an institutional charge. A charge does not have to appear on a student's account to be considered an institutional charge.

The following educational expenses must be considered institutional charges:

- ◆ all charges for tuition, fees, and room and board (if contracted with the school); and
- ◆ expenses for required course materials (books, kits, tools, supplies, etc.) if the student does not have a real and reasonable opportunity to purchase the required course materials from any place but the school.

Exceptions: Excludable costs are costs a school may exclude from the total amount of institutional costs, such as the documented cost of unreturnable equipment and documented cost of returnable equipment if not returned in good condition within 20 days of withdrawal.

Noninstitutional charges (not included in a Return calculation) include:

- ◆ charges for any required course materials that a school can document a student had a real and reasonable opportunity to purchase elsewhere (see the discussion that follows);
- ◆ charges to a student's account for group health insurance fees if the insurance is required for all students and the coverage remains in effect for the entire period for which the student was charged, despite the student's withdrawal, and
- ◆ charges to a student's account for discretionary, educationally related expenses (e.g., parking or library fines, the cost of athletic or concert tickets, etc.).



#### **Paying Overtime Charges is Prohibited**

A school may not use Title IV funds to pay overtime charges for a student who fails to complete his or her academic program within the normal time frame. Section 472 of the HEA defines cost of attendance as the tuition and fees normally assessed a student carrying the academic workload required of all students in the same course of study. Overtime charges are in addition to normal tuition and fees. Since they are not charges normally assessed, they may not be included in a student's cost of attendance for Title IV purposes. (See *Volume 3*, chapter 2 for additional information.)

### Three Principles Associated With Institutional Charges

*Published in a January 7, 1999, policy bulletin, these principles are applicable to determining institutional charges.*

#### **Principle 1: Most costs charged by the school are institutional charges.**

The most important principle to keep in mind is that all tuition, fees, room and board, and other educationally related charges a school assesses a student are institutional charges, unless demonstrated otherwise. If you want to exclude specific charges or costs from a calculation, you must document that the charges are not institutional charges.

#### **Principle 2: An institutional charge does not need to be assessed to all students.**

A charge assessed to all students enrolled in a course or program is an institutional charge whether or not it is assessed to all students at the school. Moreover, a charge does not have to be specified in a student's enrollment agreement to be considered an institutional charge.

#### **Principle 3: Charges on a student's account are not always school charges; school charges do not always appear on a student's account.**

With the student's authorization, a school may credit a student's account with Title IV funds to pay for noninstitutional charges. If a student withdraws from the school with debits for noninstitutional charges on his or her account, the school should exclude those charges from the Return calculation.

Conversely, there may be institutional charges that do not appear on a student's account. If a school disburses Title IV funds to a student to buy required books, equipment, supplies, or materials and the student does not have a real and reasonable opportunity to purchase them from another source, those costs must be classified as institutional charges.

## PAYING INSTITUTIONAL CHARGES

### *Paying pass-through charges*

#### **Charges Incurred at Bookstores**

DCL GEN-12-21, November 28, 2012

The law allows a school to credit a student's account with FSA funds to pay for institutionally provided housing, or to pay for charges incurred at a school owned bookstore. However, it is not necessary that the school actually own the student housing or the bookstore. The school may enter into a contract with a third party to provide institutional housing and/or bookstore services.

Under a contractual agreement, for housing and books and supplies, we view the school as providing the goods and services itself. Consequently, as allowed under 34 CFR 668.164(d)(1)(iv) and (d)(2)(ii), with the student's authorization, a school may credit a student's account with Title IV, HEA funds to pay for housing and for educationally related charges incurred by the student at the bookstore.

A school may credit a student's account with Title IV, HEA funds to pay for educationally related goods and services purchased by the student at a bookstore as long as (1) the school has a written contract or other legal agreement with the entity operating the bookstore under which the student is able to charge educationally related goods and services, and (2) the school obtains the student's authorization.

Keep in mind that other FSA requirements apply to both the funds used for the housing payment and bookstore services, and to the physical location of the housing or bookstore. For instance



#### **Students must have an option**

A school must give a Pell Grant-eligible student the opportunity to opt out of having purchases of books and supplies from any institutionally owned or contracted bookstore charged to the student's account.

34 CFR 668.164(i)(3)

- ◆ A school must include the cost of housing as an institutional charge in any Return calculation required when an eligible recipient ceases to be enrolled prior to the end of the payment period or period of enrollment. (See *Volume 5*.)
- ◆ A student's bookstore charges must be included as institutional charges when performing a Return calculation if the student did not have a "real and reasonable opportunity" to purchase the books and supplies from any place other than at that bookstore.
- ◆ The school must include the contracted third-party housing among the locations for which it fulfills the requirements for reporting campus crime and safety information.
- ◆ If the bookstore is located on-campus, or, if the bookstore is in any off-campus building or property that is owned or controlled by the institution, the institution must include the bookstore among the locations for which it fulfills the requirements for reporting campus crime and safety information.

[www2.ed.gov/admins/lead/safety/handbook.pdf](http://www2.ed.gov/admins/lead/safety/handbook.pdf)

See *Volume 2* for additional information.

#### **Campus security**

34 CFR 668.41(e), 668.46, and 668.49





The third party that owns the housing or bookstore also must comply with the civil rights and privacy requirements contained in the school's Program Participation Agreement (see *Volume 2*).

### Paying prior-year charges

In general, FSA funds may only be used to pay for the student's costs for the period for which the funds are provided. However, a school may use current-year funds to satisfy prior award year charges for tuition and fees, room, or board (and with permission, educationally related charges) for a total of not more than \$200. **A school may not pay prior-year charges in excess of \$200.00.**



FSA funds may not be used to repay a student's loan. Loan payments are not part of the cost of attendance for the period of enrollment.

The costs of education and other services a school provides a student are associated with the "year" for which the education and services are provided. **A school has discretion over how it defines a "year."**

- ◆ **If a student's aid package includes a Direct Loan, the "year" is the loan period.** In this scenario, costs for the current year are defined as charges for education and services the institution will provide during the current loan period for which the school originates a Direct Loan.
- ◆ **If the student does not have a Direct Loan, the "year" is the award year,** and costs for the current year are defined as charges for education and services the school will provide during the current award year.

### Prior-year charges

34 CFR 668.164(d)(2)

DCL GEN-09-11

#### Prior Year

If the student's aid package does not include a Direct loan, *prior year* means **any** award year that ended prior to the start of the current award year.

If the student's aid package includes a Direct Loan, *prior year* means **any** loan period that ended prior to the start of the current loan period.

### *Apportioning and prorating charges*

In most cases, the total charges a school assesses the student in a semester, academic year, or other instructional period are for education and services the institution provides within that period of time. However, some schools charge a student up front for the total cost of a multiyear program (for example, the student signs an enrollment agreement and is charged for the total costs of an 1,800-clock-hour program at the beginning of the program). In this case, because the charges assessed up front represent the costs of education and services that will be provided over a two-year period, the institution would, on a program basis, apportion the total charges over the two-year period to determine the amount of charges applicable to each year (each loan period or award year, as appropriate).

Institutional charges (generally speaking, tuition and fees) allocated to each year (or portion of a year) would be based on the education and services the school provides during that period of time, in the same way as they are for schools that charge their students year by year. Charges for books, equipment, supplies, and other materials could be allocated on a pro rata basis, or, alternatively, could be allocated to the period in which they must be purchased. An institution would use the total charges allocated to each year in determining the amount of current-year charges. The amount of current-year charges would then be used for determining whether the student has an FSA credit balance as described later in this chapter.

Note that this procedure for apportioning the costs over the length of the program does not affect how a school maintains or should maintain its accounting records.

### Example: Apportioning Charges When a School Posts All Charges to the Student's Account During the First Payment Period and the Student Has an FSA Loan

Katrina Technical Center (KTC) is a nonprofit postsecondary institution located in Houma, Louisiana, offering a program in storm-water abatement. Hanna Galiano entered KTC's Abatement program on May 4, 2011. KTC posts the charges for the entire (1,500-hour) program at the beginning of the program.

#### Program Profile

Academic Year/Program	900 hours 30 weeks of instructional time
Program	1,500 hours 50 weeks of instructional time
Program Start Date	May 4, 2011
Program End Date	April 16, 2012
Program Cost	\$13,500.00
Pell Award Years Included	July 1, 2010–June 30, 2011 July 1, 2011–June 30, 2012
Payment Period 1 (450 hours)	May 4, 2011 to August 14, 2011
Payment Period 2 (450 hours)	August 17, 2011 to November 27, 2011
Payment Period 3 (300 hours)	November 30, 2011 to February 5, 2012
Payment Period 4 (300 hours)	February 8, 2012 to April 16, 2012
First loan period (900 hours)	May 4, 2011 to November 27, 2012
Second loan period (600 hours)	November 30, 2011 to April 16, 2012

#### Hanna's Federal Student Aid Information

Hanna was eligible to receive the following federal student aid during her program.

2010–2011 Pell Grant Scheduled Award	\$4,800.00
2011–2012 Pell Grant Scheduled Award	\$4,800.00
Subsidized Stafford Loan for First Loan Period	\$3,500.00
Subsidized Stafford Loan for Second Loan Period	\$2,334.00
Unsubsidized Stafford Loan for Second Loan Period	\$1,000.00

When a school charges for an entire program at the start of the course (up front), a school may apportion or otherwise assign the total charges for a multiyear program to determine the amount of those charges applicable to each year (loan period or award year as appropriate). **Note that a school must use the same basis to apportion the charges for all students in a program.** For example, KTC could:

- apportion the charges in proportion to the number of clock hours in each loan period (900 hours/\$8,100 in the first loan period and 600 hours/\$5,400 in the second loan period; or
- increase the charges the school assigned to the first loan period and decrease the charges in the second loan period because the school retained charges for books and materials in the first period; or

**Apportioning charges example continued**

- apportion the \$13,500 equally (\$6,750) over each of the two loan periods (four payment periods).

KTC chose to apportion the charges in proportion to the number of clock-hours in each loan period.

**Student's Apportioned Charges**

First Payment Period (450 hours)	\$ 4,050
Second Payment Period (450 hours)	\$ 4,050
Third Payment Period (300 hours)	\$ 2,700
Fourth Payment Period (300 hours)	\$ 2,700

On May 4, 2010, the school credited Hanna's account with \$4,150.00 in FSA funds—\$2,400 in 2009–2010 Pell Grant funds and \$1,750.00 in Stafford Loan funds. When applied against the \$4,050.00 in school charges for the first payment period, the FSA funds created an FSA credit balance of \$100.00 (\$4,150.00 – \$4,050.00) that the school electronically transferred to the bank account that Hanna had previously specified be used for that purpose.

On August 17, 2010, the school credited Hanna's account with \$4,150.00 in FSA funds—\$2,400.00 in 2010–2011 Pell funds and \$1,750.00 in Stafford funds. When applied against the \$4,050.00 in school charges for the second payment period, the FSA funds created an FSA credit balance of \$100.00 (\$4,150.00 – \$4,050.00) that the school electronically transferred to Hanna's specified bank account.

On November 30, 2010, the school credited Hanna's account with \$2,767.00 in FSA funds—\$1,600.00 in 2010–2011 Pell funds and \$1,167.00 in Stafford funds. When applied against the \$2,700.00 in school charges for the third payment period, the FSA funds created an FSA credit balance of \$67.00 (\$2,767.00 – \$2,700.00) that the school electronically transferred to Hanna's specified bank account.

Hanna began the fourth and final payment period on February 8, 2012, and the aid officer posted \$1,167.00 in Stafford funds to Hanna's account. When the aid officer looked at Hanna's Pell eligibility, she found that Hanna had already used \$4,000.00 of her \$4,800.00 scheduled award, so Hanna was eligible for only \$800.00 in Pell funds and a total of \$1,967.00 in FSA funds (\$1,167.00 + \$800.00).

When the \$1,967.00 in FSA funds was applied against the \$2,700.00 in school charges for the fourth payment period, an unpaid balance of \$733.00 (\$2,700.00 – \$1,967.00) remained. Hanna told the aid officer that she was able to meet her living expenses through her part-time job, but needed additional help to pay her tuition. She also said that she could use a little help with other school-related bills.

After discussing the matter, they arrived at the decision that Hanna would use an Unsubsidized Stafford Loan in the amount of \$1,000.00 to cover the balance of the tuition and the aid officer would transfer any credit balance remaining after her tuition was paid to the bank account Hanna had previously identified for that purpose.

Hanna's tuition and fees were now paid in full.

Hanna graduated from KTC and is working for the Army Corps of Engineers helping ensure that the levees in New Orleans never fail again.

### Time frame for paying FSA credit balances



An FSA credit balance occurs whenever your school credits FSA program funds to a student's account and the total amount of those FSA funds exceeds the student's allowable charges. Please see *Volume 5* for a discussion of credit balances when a student withdraws.

If FSA disbursements to the student's account at the school create an FSA credit balance, you must pay the credit balance directly to the student or parent as soon as possible but no later than 14 days after:

- ◆ the date the balance occurred on the student's account, if the balance occurred after the first day of class of a payment period, or
- ◆ the first day of classes of the payment period if the credit balance occurred on or before the first day of class of that payment period.

The law requires that any excess PLUS Loan funds be returned to the parent. Therefore, if PLUS Loan funds create a credit balance, the credit balance would have to be given to the parent. However, the parent may authorize your school (in writing or through **StudentLoans.gov**) to transfer the proceeds of a PLUS Loan credit balance directly to the student for whom the loan is made (for example, to a bank account in the student's name). The Department does not specify how a school must determine which FSA funds create an FSA credit balance.

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#### Credit balances

34 CFR 668.164(e)

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Direct payments to students

34 CFR 668.164(c)

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#### School responsibility to pay credit balance in time frame

34 CFR 668.164(e)(1)&(2)

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#### School responsibility to pay credit balance by the end of the last payment period

34 CFR 668.165(b)(5)(iii)

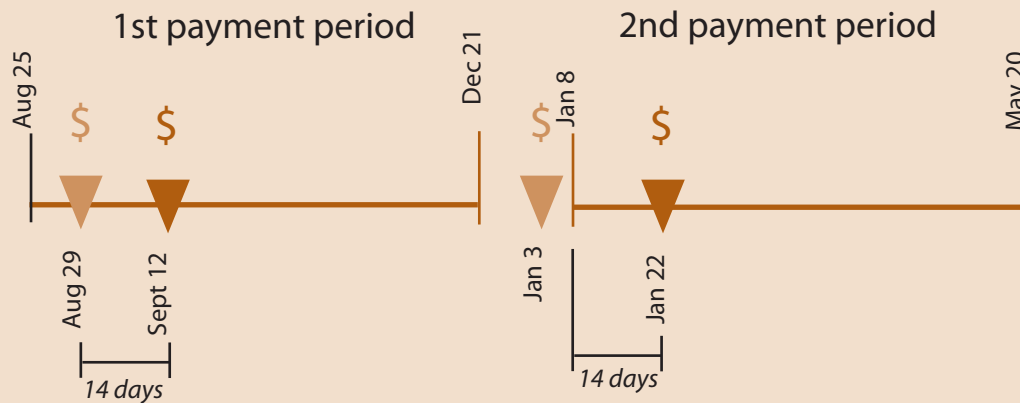


A school may not require a student to take any actions to obtain his or her credit balance. It is the sole responsibility of the school to pay, or make available, any FSA credit balance within the 14-day regulatory time frames.



Notwithstanding any authorization obtained by the school, the school must provide the student with any remaining FSA credit balance resulting from FSA loan funds by the end of the loan period and any other FSA program credit balances by the end of the last payment period in the award year for which the funds were awarded.

### Example — 14-Day Time Frame for Paying Credit Balances



In the first payment period above, the school disburses FSA funds to incoming students after the students have started classes, so it has 14 days from that date to pay the credit balance to the student (or parent, in the case of PLUS).

In the second payment period, the school disburses FSA funds before classes start, so the school has 14 days from the beginning of classes to pay the credit balance.

### FSA credit balances example

An FSA credit balance occurs only if the total amount of FSA program funds credited to the student's account exceeds allowable charges.

For example, Ms. Inu Nagar enrolls at Eaglewood Technical Institute as a computer student, and her total allowable charges for the fall term amount to \$1,500. ETI credits \$2,000 to her account, **comprised of** \$1,000 in FSEOG, \$500 in private scholarship funds, and \$500 in Pell Grant funds.

Although there is an excess of \$500 on the account, this does not constitute an FSA credit balance because the total amount of FSA funds (\$1,500) credited to the student's account does not by itself exceed the amount of allowable charges (\$1,500).

If, in this example, ETI credited \$600 of Pell Grant funds, rather than \$500, an FSA credit balance of \$100 would be created because the total FSA funds credited to the account (\$1,600) would exceed the allowable charges (\$1,500). The order in which these funds were credited does not matter.



## PAYING FSA CREDIT BALANCES

### *Paying FSA credit balances by issuing a check*

A school may pay a credit balance to a student by issuing a check payable to and requiring the endorsement of the student or parent. A school is considered to have issued the check on the date that it:

- ◆ mails the check to the student or parent; or
- ◆ notifies the student that the check is available for immediate pickup and provides the specific location.

A school that is paying a student his or her credit balance with a direct disbursement must pay the student within the 14-day time frame. A school can, within that 14-day period, do a number of things, including sending a notice to the student that his or her money is available. A school that does that is considered to have met the 14-day requirement to give the student his or her credit balance, as long as the school's process complies with the rest of the regulation. That is, **the school must be able to give the student a check when the student comes to the office within the 14-day time frame.**

If a student is told (within the 14-day period) to come to the business office to pick up his or her credit balance, the student must be able to leave the business office with the funds in some form (e.g., a check, cash, or an appropriate stored-value card), and not be told that a check will be mailed to him or her.

A school may hold the check for up to 21 days after the date it notifies the student. If the student does not pick up the check within this 21-day period, the institution must immediately mail the check to the student or parent, initiate an EFT to the student's or parent's bank account, or return the funds to the appropriate FSA program.

### *Paying FSA credit balances by initiating an EFT*

A school may pay a credit balance by initiating an EFT to a bank account designated by the student or parent. Moreover, a school may establish a policy requiring its students to provide information about an existing bank account or open an account at a bank of the student's choosing as long as this policy does not delay the disbursement of FSA funds to students. Consequently, **if a student does not comply with the school's policy, the school must nevertheless disburse the funds to the student either by dispensing cash, for which the school obtains a signed receipt, or issuing a check. A school must disburse the credit balance within the regulatory time frame.**

### Refunds vs. paying credit balances

FSA regulations refer to the amount of aid that exceeds the allowable charges as a credit balance. School administrators sometimes refer to this as a refund; however, it is not the same thing as a refund under the school's refund policy or a post-withdrawal disbursement given to a student under the Return of Title IV Funds rules.

### Credit balances under \$1.00

A school is not required to pay a credit balance that is less than \$1.00.

### Paying credit balance by check

34 CFR 668.164(c)(1)(i)&(ii)

#### Delivery of FSA Funds Must Be Free

Schools are prohibited from charging students a fee for delivering FSA funds. If a school delivers FSA funds to students by crediting funds to a school-issued debit or smart card, the school may not charge students a fee for making withdrawals of FSA funds from that card. However, the school may charge for a replacement card.

### Paying credit balance by EFT

34 CFR 668.164(c)(1)(iii), (c)(2) & (c)(3)

### Bank Account

*Bank Account* means a Federal Deposit Insurance Corporation (FDIC) insured account or a National Credit Union Share Insurance Fund (NCUSIF) account. This account may be a checking, savings, or similar account that underlies a stored-value card or other transaction device.



### **Standards for School-Required Bank Accounts (34 CFR 668.164(c)(3))**

In cases where a school opens a bank account on behalf of a student or parent, establishes a process the student or parent must follow to open a bank account, or similarly assists the student or parent in opening a bank account, the school must:

- obtain in writing affirmative consent from the student or parent to open that account. (If a school fails to obtain a student’s consent, the school must have an alternative means of ensuring the student has access to his or her FSA credit balance within the time allowed by regulations and at no cost to the student.);
- inform the student or parent of the terms and conditions associated with accepting and using the account before the account is opened,;
- not make any claims against the funds in the account without the written permission of the student or parent, except for correcting an error in transferring the funds in accordance with banking protocols;
- ensure that the student or parent does not incur any cost in opening the account or initially receiving any type of debit card, stored-value card, other type of automated teller machine (ATM) card, or similar transaction device that is used to access the funds in that account;
- ensure that the student has convenient access to a branch office of the bank or ATMs of the bank in which the account was opened (or ATMs of another bank), so that the student does not incur any cost in making cash withdrawals from that office or ATMs.

This branch office or these ATMs must be located on the institution’s campus, in institutionally-owned or operated facilities, or consistent with the meaning of the term “public property” immediately adjacent to and accessible from the campus.

- ensure that the debit, stored-value or ATM card, or other device can be convertible to cash and can be widely used (e.g., the institution may not limit the use of the card or device to particular vendors); and
- not market or portray the account, card, or device as a credit card or credit instrument, or subsequently convert the account, card, or device to a credit card or credit instrument.

## *When a school uses third-party servicers to disburse FSA funds*

In response to current trends, banks and financial service companies are now offering services that include:

- ◆ obtaining a student’s authorization to perform electronic transfers;
- ◆ transferring Title IV funds electronically to a student’s bank account;
- ◆ opening a bank account for the student; and
- ◆ issuing debit cards in conjunction with a participating bank.

Companies that contract with schools to provide these types of services in some instances become third-party servicers.

So long as a school cannot recall or receive a payment from a student or parent account, the Department considers the electronic transfer of funds to a bank account that a servicer opens on behalf of a student to be the equivalent of a school’s transfer of funds to a student’s account and the equivalent of making a direct payment to a student.

**A school that enters into a contract with a servicer to provide debit, demand, or smart cards through which FSA credit balances are paid to students must have a system to ensure compliance with all regulatory time frames, including students having access to any credit balance within the 14 days and to any FWS wages at least once per month.**



**If the school offers a debit card, stored-value card, or ATM card, or a similar transaction device through its servicer or its servicer’s financial institution, the school must inform its students of the terms and conditions associated with the card.**



**The school must inform the student before the account associated with the card is opened of the terms and conditions of the card or other instrument, including any fees and other costs associated with the account. This information should include whether all or some of the fees incurred per month by the student will be refunded back to the student’s account. A school, its third-party servicer, or the servicer’s financial institution may not charge a fee for delivering Title IV, HEA funds, nor may they charge a fee for “lack of documentation” levied against a student who fails to provide required documentation to open an account at the school’s or servicer’s financial institution.**



Schools also should mention whether cards issued through the school’s contracted ATM are part of a surcharge-free network, indicate the name of the network, and indicate the approximate number of available ATMs in that network both nationally and locally. Schools should also disclose how many surcharge-free ATMs are on their campus, their locations, the hours that they are accessible to patrons, and, if available, a hyperlink to an ATM locator for their affiliated networks.



Schools and third-party servicers that disburse Title IV funds should take note of the information in DCL GEN-12-08.

### **Schools must inform students**

34 CFR 164(c)(3)(ii)



We encourage schools to disclose annually a breakdown of the average annual costs incurred by their students for using the debit cards activated via any third-party servicer agreement.



### Number of ATMs Required

Although the regulations provide that a school must ensure that students have convenient access to ATMs or a branch office of the bank in which the account was opened, the Department has not provided specific guidelines for determining the minimum number of a servicer's ATMs that should be available to its student population.

The Department may ask the school to show how it determined the number of surcharge-free ATMs that are located on the institution's campus, in institutionally owned or operated facilities, or, consistent with the meaning of the term "public property" immediately adjacent to and accessible from the campus.

We note that the intent of the regulations is to ensure that students can make unlimited withdrawals from their on-campus ATMs without incurring a fee.

34 CFR 668.164 (c) (3)(v)  
34 CFR 668.46(a)



### Third-party Servicer Agreements



A third-party servicer is an entity that contracts with a school to administer any aspect of its FSA programs, including managing the school's Perkins Loan collections. Thus, if a school contracts with a company to perform activities that are the school's responsibilities under the FSA regulations, the company is a third-party servicer.

The agreement between the school and servicer must be in the form of a written contract that may or may not require compensation to the third-party servicer. The contract between the institution and the third-party servicer must provide that the third-party servicer agrees to:

- Comply with all the Title IV provisions (this includes those that refer solely to institutions as well as those that explicitly reference third-party servicers);
- Be jointly and severally liable with the institution for any violation by the third-party servicer of any Title IV, HEA provision;
- Use any Title IV funds (and any interest or earnings on them) solely for the purposes specified in and in accordance with the applicable program regulations;
- Refer any reasonable suspicion of fraudulent or criminal conduct in the Title IV programs by the institution or by an applicant or student to the Department's Inspector General;
- Return to the institution all Title IV, HEA program funds and records related to the servicer's administration in the Title IV, HEA programs if the contract is terminated, if the servicer ceases to perform any functions prescribed under the contract, or if the servicer files for bankruptcy;
- Annually submit a compliance audit as provided at 34 CFR 668.23. For a servicer that contracts with several participating institutions, a single compliance audit can be performed that covers its administrative services for all those institutions. Additional information regarding these requirements can be found at the Department's Inspector General's Web site at:

**[www2.ed.gov/about/offices/list/oig/nonfed/sfa.html](http://www2.ed.gov/about/offices/list/oig/nonfed/sfa.html)**

34 CFR 668.25(c)  
34 CFR 668.23(a)(3) & (c)  
DCL GEN-12-08  
34 CFR 99.31(a)(1)(i)(B)

### *School-issued stored-value cards*



When a school pays an FSA credit balance to a student by making those funds available through a **school-issued stored-value card over which the school exercises control**, the school is, in effect, holding a student's FSA credit balance. Therefore, **all of the conditions on holding credit balances apply**.



If a student withdraws his or her authorization for the school to hold the credit balance in a school-issued stored-value card, **the school must deliver any remaining credit balance within 14 days**.



If a student withdraws from school and any of the FSA credit balance in his or her school-issued stored-value card is unclaimed, the school must return to the Department any unclaimed funds within the time frames specified earlier in this volume under *Time frame for returning unclaimed FSA credit balances*.

## Requirements for Stored-Value and Prepaid Debit Cards

### (DCL GEN 05-16 as modified by 34 CFR 668.164(c)(1)(iii)&(iv), (c)(2)&(c)(3))

A stored-value card is a prepaid debit card that can be used to withdraw cash from an automated teller machine (ATM) or to purchase goods from a merchant. We distinguish a stored-value card from a traditional debit card in this discussion by defining a stored-value card as not being linked to a checking or savings account.

Typically, a school enters into an agreement with a bank under which the bank issues stored-value cards directly to students identified by the school. In a payroll or credit balance transaction, the school electronically transfers funds to the bank on behalf of a student, and the bank makes those funds available to the student by increasing the value of the card. Since the funds are transferred from the school's account to the bank, so long as the school cannot recall those funds to pay other charges for the student without the student's written permission, the transaction would be equivalent to paying the funds directly to the student.

Under the following conditions, a school may use stored-value cards as a way to make direct payments to students (such as credit balances and FWS wages) by following these 10 rules.

1. A school must obtain a student's authorization to use a stored-value card for paying FWS wages.
2. The value of the card must be convertible to cash (e.g., a student must be able to use it at an ATM to make a cash withdrawal). In some cases, the cards are branded such as with the VISA or MasterCard logo, so the card may also be used to buy goods and services. We would not expect a school to limit the use of the card to specific vendors.
3. A student should not incur any fees for using the card to withdraw Title IV funds from ATMs of the issuing bank or credit union, including for failure to maintain a minimum balance. So long as ATMs from the issuing bank are conveniently located, a student may be charged a reasonable fee if the student chooses to use an ATM that is not associated with the issuing bank.
4. A student should not be charged by either the school or the affiliated bank for issuing a stored-value card. However, in the case of a lost or stolen card, a student may be charged a reasonable fee for a replacement card.
5. In order to minimize any risks with disbursing funds to a stored-value card account set up for a student, the account at the bank or credit union must be Federal Deposit Insurance Corporation (FDIC) or National Credit Union Share Insurance Fund (NCUSIF) insured. This means that there has to be an individual account for each student that is FDIC or NCUSIF insured.
6. In order for the disbursements to the stored-value card to be treated as payments made to a student, a school cannot make any claims against the funds on the card without the written permission of the student, except to correct an error in transferring the funds to the bank under existing banking rules.
7. Since the stored-value card is being set up to disburse federal student aid funds to a student, the account should not be marketed or portrayed as a credit card account and should not be structured to be converted into a credit card at any time after it is issued.  
  
A bank may wish to use its relationship with a student to offer other banking services such as checking accounts, savings accounts, or credit cards, but those should not link to the stored-value card account.
8. Prior to the card's activation, a student must be informed of all terms and conditions associated with accepting and using the card.
9. A school must ensure that its stored-value card process meets all regulatory time frames. (For example, a student must have access via the card to any credit balance within the 14-day time frames in 34 CFR 668.164, or to any FWS wages at least once per month.)<sup>1</sup>
10. A student's access to the funds on the stored-value card should not be conditioned upon the student's continued enrollment, academic status, or financial standing with the school.

1. If a school fails to obtain or the student withdraws his or her authorization, the school must have an alternative means of ensuring the student has access to his or her FSA credit balance within the time allowed by regulations and at no cost to the student.



## Special provisions for books and supplies

In order to academically succeed in a program, a student must be able to purchase books and supplies at the beginning of the academic period. Therefore, by the seventh day of a payment period, a school must provide a way for a student who is eligible for a Federal Pell Grant to obtain or purchase the books and supplies required for the payment period if:

- ◆ ten days before the beginning of the payment period, the school could have disbursed FSA funds to the student; and
- ◆ disbursement of those funds would have created an FSA credit balance.

A school must consider all the FSA funds a student is eligible to receive at the time it makes the determination, but the school need not consider aid from non-FSA sources.

A school that includes the costs of books and supplies in the tuition charged and provides all of those materials to the student at the start of his or her classes meets the requirements of these regulations.

The amount a school must provide is the lesser of the presumed credit balance or the amount determined by the school that the student needs to obtain the books and supplies. In determining the required amount, a school may use the actual costs of books and supplies or the allowance for those materials used in estimating the student's cost of attendance for the period.

A school's policy must allow a student to decline to participate in the process the school provides for the student to obtain or purchase books and supplies.

If a school uses a bank-issued stored-value or prepaid debit card that is supported by a federally insured bank account to deliver funds for books and supplies, a student must have access to the funds via the card by the seventh day of his or her payment period. If a bank delays issuing a stored-value or prepaid debit card to the student because it must resolve conflicting identity data under federal law, the Department will not hold the institution accountable as long as the institution exercises reasonable care and diligence in providing in a timely manner any identity information about the student to the bank. Likewise, the school is not responsible if the student provides inaccurate information or delays in responding to a request from the bank to resolve any discrepancies.

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### Provisions for books and supplies

34 CFR 668.164(i)

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#### Authorization not required

If a Pell-eligible student uses the process provided by the school to obtain books or supplies, the student is considered to have authorized the use of the FSA funds, and no written authorization is required.

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#### School options

A school has the flexibility to choose the method or methods to satisfy this provision based on its administrative needs and constraints or an evaluation of the costs and benefits of one or more method. For example, the school may issue a bookstore voucher, make a cash disbursement, issue a stored-value card, or otherwise extend credit to students to make needed purchases.

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#### Schools may apply credit balances early to all students

Although the requirement is about a school providing a way for a student who is eligible for a Federal Pell Grant to obtain books and supplies, a school is not prevented from making credit balance funds available early in the payment period to other students.

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#### Effect of Verification

To be eligible to receive the disbursement for books and supplies, a student must meet all the student eligibility requirements before the start of the student's payment period.

A student who has not completed the verification process, has an unresolved "C" code on the SAR and ISIR, or has unresolved conflicting information is not covered by the special provisions for books and supplies if those issues have not been resolved at least 10 days before the start of the student's payment period.

### 30-day Delay Requirement

If the 30-day delayed disbursement provisions for Stafford Loans apply to a student, a school should not consider the amount of any loan disbursement in determining the credit balance because the school may not disburse that loan 10 days before the start of that student's payment period.

### Taking Attendance

A school may take attendance or use an equivalent method to determine if a student is attending class, but unless the school determines that the student is not attending class, by the seventh day of the payment period, that student must be able to obtain books and supplies.

### When a Student Withdraws

The requirement to provide a way for students to obtain their books and supplies does not change the treatment of FSA funds when a student withdraws as discussed in *Volume 5*.

### When a Student Fails to Begin Attendance

The requirement to provide a way for students to obtain their books and supplies does not change the treatment of FSA funds when a student fails to begin attendance as discussed earlier in this chapter.

Under a consortium agreement between two eligible schools, if a student is enrolled in a course at the host school and classes start before the payment period begins at the home school that is paying the FSA funds, the regulations require that the student obtain the books and supplies by the seventh day of the start of the payment period of the home school. If the host school is paying the FSA funds, the student must be able to obtain the books and supplies by the seventh day of the start of the payment period of the host school.

A student may decline to participate (opt out) in the way a school provides for obtaining books and supplies. For instance, if a school provides a bookstore voucher, the student may opt out by not using the voucher. If the school provides the funds using a stored-value or prepaid debit card, the school must have a procedure through which the student may opt out. For example, a school may require a student to notify the school by a certain date so that the school does not unnecessarily issue a check to the student or transfer funds to the student's bank account. If a student opts out, the school may, but is not required to, offer the student another way to purchase books and supplies as long as it does not otherwise delay providing funds to the student as a credit balance.

A school is required to provide, in its financial aid information and its notifications provided to students receiving FSA funds, information on the way the school provides for Federal Pell Grant eligible students to obtain or purchase required books and supplies by the seventh day of a payment period under certain conditions and how the student may opt out. The information must indicate whether the school will enter a charge on the student's account at the school for books and supplies or pay funds to the student directly. Also, during the aid counseling process, the school must explain to a student who qualifies for the funds advanced to purchase books and supplies how the method is handled at the school and how a student may opt out.

### Time frame for returning an unclaimed Title IV credit balance



If a school attempts to disburse the credit balance by check and the check is not cashed, the school must return the funds no later than 240 days after the date the school issued the check.

If a check is returned to a school or an EFT is rejected, the school may make additional attempts to disburse the funds, provided that those attempts are made not later than 45 days after the funds were returned or rejected. When a check is returned or EFT is rejected and the school does not make another attempt to disburse the funds, the funds must be returned before the end of the initial 45-day period.

The school must cease all attempts to disburse the funds and return them no later than 240 days after the date it issued the first check. All unclaimed credit balances must be returned. There is no *de minimis* amount.

### Book vouchers and institutional charges in the return of Title IV funds calculations



Remember, if a book voucher issued by a school cannot be used to purchase course materials from a **convenient unaffiliated source**, the student does not have a **real and reasonable opportunity** to purchase his or her course materials elsewhere.

In that case, the school must include the cost of books and materials purchased with the voucher as institutional charges in Step 5, Part L of any Return of Title IV funds calculation.

## HOLDING FSA CREDIT BALANCES

A school is permitted to hold credit balances if it obtains a voluntary authorization from the student (or parent, in the case of PLUS). If your school has the authorization to hold the credit balance, it must identify the amount of funds that it holds for the student or parent in a subsidiary ledger account designated for that purpose. Your school also must maintain, at all times, cash in its bank account at least equal to the amount that it holds for students. The school is permitted to retain any interest earned on the student's credit balance funds.

Because FSA funds are awarded to students to pay current year charges, notwithstanding any authorization from the student or parent, you must pay:

- ◆ any remaining balance on FSA loan funds by the end of the loan period, and
- ◆ any other remaining FSA program funds by the end of the last payment period in the award year for which they were awarded.

If your school has lost contact with a student who is due a credit balance, you must use all reasonable means to locate the student. If you still cannot find the student, your school must return the credit balance to the appropriate FSA program(s) and/or lender. The FSA regulations do not set specific rules for determining which funds created a credit balance. However, we encourage schools to return FSA funds to loan programs first to reduce the borrower's loan balance.

### *Authorization to hold an FSA credit balance*



**All elements of an authorization to hold an FSA credit balance must be conspicuous. An authorization must include the following elements:**

- ◆ An authorization must explain what FSA funds are covered by the document, and it must specify the time period covered.
- ◆ An authorization must clearly provide the student or parent with the information he or she needs to make an informed decision.
- ◆ The student or parent must be informed that he or she may refuse to authorize any individual item, that he or she may cancel such authorization at any time, and that a cancellation is not retroactive.
- ◆ A credit-balance authorization must provide detail that is sufficient to give the student or parent an idea of how the credit balance will be used.

**For detailed information to hold a credit balance, see the discussion on that topic under *Authorizations* earlier in this chapter and the sample authorization on the next page.**

### **The Department may prohibit holding credit balances**

If the Department has placed a school on reimbursement or determines that the school has failed to meet financial responsibility standards, it may choose to prohibit the school from holding a credit balance for any student.

## Sample Authorization to Hold an FSA Credit Balance

### TRISKAIDEKA MARLEY UNIVERSITY AUTHORIZATION TO HOLD A FEDERAL STUDENT AID CREDIT BALANCE

Through this document, you will tell Triskaideka Marley University (TKMU/the University) how you would like the school to manage the Federal Student Aid (FSA) credit balance on your student account.

An FSA credit balance is created when the total of all FSA funds credited to a student's account exceeds the total of tuition, fees, room, board, and other eligible educational charges on a student's account. Your FSA credit balance of \$2,500 was created by funds from the Federal Pell Grant and Federal Direct Loan Programs.

Unless a student or parent (in the case of a Parent PLUS loan) authorizes a school to hold a credit balance, the credit balance must be paid to the student or parent as soon as possible but no later than 14 calendar days after the balance is created (or 14 calendar days after the first day of class if the credit balance was created before the first day of class).

This form, if signed by you, authorizes TKMU to retain an FSA credit balance and pay it to you (the student or parent, as applicable) in accordance with *TKMU'S Procedure for Paying Federal Student Aid Credit Balances*. TKMU will pay credit balances by depositing the funds in a savings or checking account designated by the student or parent or transferring the funds to a "stored-value" or "debit card" designated by the student or parent.

A student or parent has the right to withhold agreement from all or part of this authorization. If you elect not to authorize the University to hold your FSA credit balance, the funds will be paid to you (the student or parent as applicable) within the 14-day period noted above. Note that if you elect not to sign this form or if you later cancel your authorization, you will be required to pay any outstanding charges to the University.

This authorization will remain in effect for each subsequent payment period unless you withdraw it. However, in no case will TKMU hold an FSA credit balance of loan funds beyond the end of the loan period, nor an FSA credit balance of other funds beyond the end of the last payment period in the award year for which the funds were awarded.

This authorization may be withdrawn at any time by providing a written request to the following address:

**TKMU Financial Aid Office  
Director of Financial Aid  
1300 Ted Drive, Suite 1313  
Pixie, CA 13013**

If you withdraw your authorization, the University will deliver any remaining credit balance to you within 14 days. (Note that your cancellation is not retroactive.)

Authorization

I voluntarily authorize the University to hold and manage my FSA credit balance as described above, and I acknowledge that interest will not be earned on these balances.

\_\_\_\_\_  
Signature

## LATE DISBURSEMENTS

Generally, an otherwise eligible student or parent becomes ineligible to receive FSA funds on the date that the student:

- ◆ for the Direct Loan program, is no longer enrolled at least half time; or
- ◆ for the FSA Grant, or the Perkins Loan programs, the student is no longer enrolled at the school for the *award year*.

However, if certain conditions are met, students must be considered for a disbursement after the date they became ineligible. These disbursements are called “late disbursements.”

### Conditions for a late disbursement

A student must be considered for a late disbursement if the Department processed a SAR/ISIR with an official EFC before the student became ineligible. Therefore, a school must review its records to see if a student who did not receive a disbursement of FSA funds before becoming ineligible is eligible for a late disbursement. (Check the “processed date” as described in the sidebar.) In addition, for a Direct Loan, the loan must be originated prior to the date the student became ineligible. For an FSEOG or a Federal Perkins Loan, the school must have made the award to the student prior to the date the student became ineligible. For a TEACH Grant, the school must have originated the award.

If a school receives a valid SAR/ISIR for a student who is no longer enrolled, before performing a Return calculation, the school must recalculate the FSA grant eligibility based on the student’s enrollment status on the date the student ceased to be enrolled.

### Late disbursements that must be made vs. late disbursements that may be made

If a student who qualifies for a late disbursement completes the payment period or period of enrollment, or withdraws during the payment period or period of enrollment, a school **must** make or offer, as appropriate, the late disbursement. A late disbursement for a student who has withdrawn during the payment period or period of enrollment is called a post-withdrawal disbursement (see *Volume 5*).

If a student did not withdraw or fail to complete the payment period or period of enrollment but ceased to be enrolled as at least a half-time student, a school **may** make a late disbursement of a Direct Loan. So long as a school has previously confirmed that a student started the loan period enrolled at least half time, a school is not required to reconfirm a student’s attendance before making a late disbursement of an FSA loan.

### Late disbursements

34 CFR 668.164(g)

#### Processed Date

For purposes of determining eligibility for a late disbursement, use the processing date on the SAR/ISIR. For an ISIR, use the field labeled **Processed Date**. For a SAR, use the date above the EFC on the first page. For a SAR Acknowledgment, use the date labeled “transaction process date” in the School Use box.

#### Obtaining SAR/ISIR With Earlier Process Date

In some cases, a school may have a SAR/ISIR with an official EFC processed while the student was enrolled but before the student listed the school on the FAFSA or ISIR. Subsequently, the school may have received a SAR/ISIR for the student with a processed date after the student ceased to be eligible. In this case, you need to obtain a copy of the earlier SAR/ISIR to document eligibility for the late disbursement.

### Pell and Iraq & Afghanistan Service Grant disbursements

If a school receives a valid SAR or ISIR within the applicable deadlines, it must disburse the student’s Pell or Iraq & Afghanistan Service Grant.

34 CFR 690.61(a)



### Late Disbursements May Be Declined

Though a school must make or offer late disbursements, a student or parent is never required to accept it. For example, a student may decline a late disbursement of a loan to avoid taking on debt.

A student who withdraws and subsequently signs a promissory note in time for the school to include the loan funds in the Return of Title IV Aid calculation may receive a late (post-withdrawal) disbursement of the applicable amount of his or her loan funds (see *Volume 5* for more information). In addition, a student who loses eligibility for a reason other than his or her withdrawal and subsequently signs a promissory note may receive a late disbursement of the applicable amount of his or her loan funds.

### Limitations on making a late disbursement

The regulations prohibit a school from making a late disbursement in certain situations, **even if a student otherwise meets the conditions for a late disbursement. A school is prohibited from making:**



- ◆ a late second or subsequent disbursement of Direct Loan funds unless the student has graduated or successfully completed the loan period;
- ◆ a late disbursement of Direct Loan funds to a first-year, first-time borrower who withdraws before the 30th day of the student's program of study, unless the school meets the requirements for a waiver based on low default rates (see *Volume 2*); and
- ◆ a late disbursement of Title IV funds to a student for whom the school did not have a valid SAR/ISIR by the deadline established by the Department.

In addition, a school may not make a late disbursement later than 180 days after the date the student becomes ineligible.

### Post-withdrawal disbursements

A post-withdrawal disbursement, a type of late disbursement, is FSA funds that were not disbursed before a student withdrew but which the student has earned based on a Return of Title IV Funds calculation. The conditions and limitations for a post-withdrawal disbursement are the same as for all other late disbursements. However, there are additional requirements for late disbursements made as post-withdrawal disbursements. A school must follow the rules for paying and/or offering a post-withdrawal disbursement in regulations governing the Return of Title IV Funds (see *Volume 5*).

34 CFR 668.22(a)(5)



### Paying a late disbursement

If a school chooses to make a late disbursement of a Direct Loan to a student who ceases to be enrolled as at least a half-time student, the school determines the amount of the late disbursement of the Direct Loan it will offer the student by determining the educational costs the student incurred for the period of instruction during which the student was enrolled at least half time.



**A school must contact a student prior to making any late disbursement of FSA loan funds and explain to the student his or her obligation to repay the loan funds if they are disbursed.** The information provided in this notification must include the information necessary for the student or parent to make an informed decision about whether the student or parent would like to accept any disbursement of the loan funds. In addition, the school must confirm that the loan funds are still needed by the student and that the student wishes the school to make the disbursement.

Your school may credit a student's account with a late disbursement of FSA grant funds without the student's permission for any current allowable charges. A school must obtain a student's authorization to credit a student's account with FSA grant funds for charges other than current charges.

If grant funds remain to be disbursed from a late disbursement after the outstanding charges on the student's account have been satisfied, the school must pay the grant funds directly to the student within 14 days.



If a student with an FSA credit balance withdraws before the funds are disbursed, other limitations apply. See *Volume 5* for an explanation of the treatment of Title IV credit balances when a student withdraws.

#### Flexibility in Contacting Students

In order to avoid having to contact a student multiple times, a school may use one contact to:

- counsel a borrower about his or her loan repayment obligations;
- obtain permission to credit loan funds to a student's account to cover unpaid institutional charges;
- obtain permission to make a late disbursement of grant or loan funds for other than institutional charges;
- obtain permission to make a late disbursement of grant or loan funds directly to a student; and
- confirm that a student wishes the school to receive, as a direct disbursement, any grant or loan funds the student is due as a late disbursement.

A student's response to an offer of FSA funds from late disbursement does not have to be in writing. However, a school must document the student's response.

### Conditions and Limitations on Late Disbursements

These Conditions Must Be Met Before a Student Loses Eligibility in Order for the Student to Receive a Late Disbursement (34 CFR 668.164(g)(2))

Program		
Pell Grant <sup>1</sup>	For all programs, the Department processed a SAR/ISIR with an official EFC.	No additional requirements.
FSEOG		Student is awarded a grant.
Direct Loans		A loan record is originated. <sup>2</sup>
Perkins Loans		Student is awarded the loan.
TEACH Grants		The grant is originated.

### These Additional Limitations Must Be Satisfied Before a School May Make a Late Disbursement (34 CFR 668.164(g)(4))

Program	
Pell Grant <sup>1</sup>	For all Title IV programs, a school received a valid SAR/ISIR by the date established by the Department.
FSEOG	No additional limitations.
Direct Loans	<ol style="list-style-type: none"> <li>1 For a first-time, first-year borrower, student completed 30 days of the program. (Subject to waivers discussed in <i>Volume 3</i>.)</li> <li>2 For a second disbursement, student graduated or completed the period for which the loan was intended.</li> </ol>
Perkins Loans	No additional limitations.
TEACH Grants	School received a valid SAR/ISIR by the date established by the Department.

<sup>1</sup> Within this chart, the rules for a Pell Grant also apply to Iraq and Afghanistan Service Grants.

<sup>2</sup> A school may not originate a Direct Loan for a loan period in which the student is no longer enrolled on at least a half-time basis, even if the student is otherwise still enrolled at the school.

<sup>3</sup> For all programs, the late disbursement is made no later than 180 days after the date of the school's determination that the student withdrew, or, for a student who did not withdraw, 180 days after the student became ineligible.

# Overawards and Overpayments

## CHAPTER 3

*In this chapter, we will discuss a student's and a school's responsibility for resolving overawards and overpayments. This chapter does not cover returning funds when a student withdraws.*

*Please see Volume 5 for a discussion of returning funds when a student withdraws.*

### OVERAWARDS

An overaward exists when a student's aid package exceeds his or her need. While your school must always take care not to overaward a student when packaging his or her aid, circumstances may change after you have packaged the student's aid that result in an overaward. (Please see *Volume 3* for a discussion of avoiding overawards during the packaging process.) For instance, the student may receive a scholarship or grant from an outside organization. When an overaward situation arises, you may be required to adjust the federal student aid (FSA) in the student's package in order to eliminate the overaward.



Overawards only become overpayments if a school cannot correct them before funds are disbursed to a student. That is, an overpayment exists when some or all of the funds that make up an overaward have been disbursed to the student. An overaward exists whenever a:

- ◆ school awards aid either to a student who is ineligible for a specific program or to a student who is ineligible for any FSA program assistance;
- ◆ student's award in an individual program exceeds the regulatory maximum, e.g., lifetime limit for Pell, annual or aggregate loan limits, annual limit on Federal Supplementary Educational Opportunity Grant (FSEOG) awards, or a Pell award based on the wrong payment schedule/enrollment status;
- ◆ student's aid package exceeds his or her need (including when the student's Expected Family Contribution [EFC] is revised upward after initial packaging);
- ◆ student's award exceeds his or her cost of attendance (COA); and
- ◆ student is receiving a Pell or Iraq and Afghanistan Service Grant at multiple schools for the same period.

In general, unless a school is liable, a student is liable for any overpayment made to him or her that is greater than \$25.00.

#### When There Are Different Regulations



When a student's aid package includes assistance from multiple programs and those programs have different overpayment regulations/requirements, a school must **apply the most stringent/restrictive requirements**.

#### Overpayments

FSA debts 34 CFR 668.35  
Pell Grants 34 CFR 690.79  
DL 34 CFR 685.303(e)

#### Overpayments and eligibility

HEA Sec. 484(a)(3)  
34 CFR 668.22(h), 668.32(g)(4), 668.35(c)&(e)

#### Recovery of interim disbursements

34 CFR 668.61

#### Recovery of loan disbursements to ineligible students

34 CFR 668.139

## ***Pell Grants***

A Pell Grant is determined by using the Pell Payment Schedule appropriate for the student's enrollment status, as well as the correct EFC and COA. A correctly determined Pell Grant is never adjusted to take into account other forms of aid. Therefore, if a student's aid package exceeds his or her need, you must attempt to eliminate the overaward by reducing other aid your school controls. A Pell Grant awarded to an ineligible student is an overaward, as is a grant based on an enrollment status greater than that for which the student is enrolled.

## ***Iraq and Afghanistan Service Grants***

The following situations are considered Iraq and Afghanistan Service Grant overawards and must be corrected:

- ◆ an award made to an ineligible student;
- ◆ an award based on a Pell Grant Payment Schedule for an enrollment status greater than that for which the student is enrolled; and
- ◆ an award that by itself exceeds a student's COA.

Iraq and Afghanistan Service Grants, like Pell Grants, are not adjusted to take into account other forms of aid. So, if a student's aid package includes an Iraq and Afghanistan Service Grant and the aid package exceeds his or her need or cost of attendance, but the Iraq and Afghanistan Service Grant was determined correctly and by itself does not exceed the student's need, you must reduce other aid in your effort to eliminate the overaward.

### **If an Iraq and Afghanistan Service Grant recipient becomes Pell eligible**

If an Iraq and Afghanistan Service Grant recipient becomes eligible for a Pell Grant during the award year, then the school must treat the Pell Grant as Estimated Financial Assistance and may need to adjust the student's aid package.

Schools should have a process to identify Iraq & Afghanistan Service Grant recipients who on ISIRS reporting subsequent transactions become Pell Grant eligible during the year.

## TEACH Grants

### When a student has no need-based aid

TEACH Grants are not considered to be need-based aid. However, a student's TEACH Grant in combination with a student's other non-need-based estimated financial assistance (EFA) may not exceed the student's COA.

If a student is **not** receiving need-based financial assistance, the EFC is not included in determining whether a student is in an overaward status. If you discover a situation where for a student who is not receiving any need-based financial assistance the TEACH Grant in combination with other **non-need based** EFA exceeds the student's COA, the TEACH Grant must be reduced.

### When a student is receiving need-based aid

For a student who is receiving need-based federal student aid, a student's EFC, plus the student's TEACH grant, plus the student's other EFA, may not exceed the student's COA.

As with Unsubsidized Stafford Loans, PLUS loans, and nonfederal education loans, TEACH Grants may be used to replace a student's EFC. If a TEACH Grant exceeds a student's EFC, the excess TEACH Grant is considered financial assistance for other FSA programs.

If a student's EFC, plus the student's TEACH Grant, plus the student's EFA exceeds the student's COA, the school should first apply the TEACH Grant to finance the EFC. (Remember, any TEACH Grant above the EFC is considered financial assistance for other FSA programs.) If the EFC plus any excess TEACH Grant, plus any other EFA still exceeds the student's COA, the student is in an overaward status that the school must resolve.

Before reducing a student's need-based aid the school should reevaluate the student's COA to determine whether the student has increased costs that the school did not anticipate when the school originally awarded aid to the student. If the student's costs have increased, and the student's total aid package does not exceed the revised COA, the school is not required to take further action. If the school determines that the student's aid package still exceeds the student's COA, the school must resolve the overaward.

### COA may not be exceeded

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### TEACH Grant maximums

34 CFR 686.21(c)

### TEACH may replace EFC

34 CFR 686.21(d)

#### Reminders

1. If a school chooses not to use the TEACH Grant to finance the EFC, then all of the TEACH Grant is considered EFA for the other FSA programs.
2. If a TEACH Grant overpayment exists, beginning with any unsubsidized loans, the school should first reduce a student's level of borrowing. Once a student's loans have been reduced, or if the student has no loans, it may be necessary for the school to reduce the student's TEACH Grant or other aid.
3. If a school fails to follow required procedures, it must repay any FSA overpayment. If the school followed the required procedures and the FSA overpayment is \$25.00 or more, the student must repay the overpayment.

## TEACH Grant Overpayments—Examples

### Example 1

#### **When a student is not receiving need-based aid**

*Rule: The TEACH Grant, in combination with other non-need-based EFA, may not exceed COA, and any EFC is ignored.*

COA	\$9,000.00	TEACH Grant	\$4,000.00
EFC (ignore)	1,000.00	Other non-need-based EFA	6,000.00
		Total EFA	\$10,000.00

A student receives a \$6,000.00 **non-need-based** scholarship after beginning class and after his TEACH Grant has been posted to his account. The student is not receiving any need-based EFA, and therefore the EFC is ignored. The TEACH Grant plus the other non-need-based EFA exceeds the COA by \$1,000.00 (\$10,000.00 – \$9,000.00). The \$1,000.00 is a TEACH Grant overpayment the school must resolve.

### Example 2

#### **When a student is receiving need-based aid**

*Rule: The student's EFC plus the Teach Grant, in combination with any other EFA, may not exceed COA. However, the TEACH Grant may be used to replace the EFC. If a school elects this option, the amount by which the TEACH Grant exceeds the EFC is considered EFA for FSA purposes.*

A student receives a \$6,000 **need-based** scholarship after beginning class and after his TEACH Grant has been posted to his account. The student is receiving need-based EFA. Therefore, the EFC must be considered. The total of the EFC (\$1,000.00), the TEACH Grant (\$4,000.00), and other EFA (\$6,000.00), is \$11,000.00 and exceeds the COA by \$2,000.00 (\$11,000.00 – \$9,000.00). The \$2,000.00 is an overpayment the school must resolve.

COA	\$9,000.00	TEACH Grant	\$4,000.00
		Need-based EFA	6,000.00
		EFC that must be included	1,000.00
			\$11,000.00

If the school elects to use \$1,000.00 of the TEACH Grant to *replace* the EFC, only \$3,000.00 of the TEACH Grant will be included as financial assistance, and the overpayment that must be resolved by the school will be reduced to \$1,000.00 (from \$2,000.00 because the total aid will now total only \$10,000.00).



## Campus-Based Programs

If a school learns that a student received financial assistance that was not included in calculating the student's eligibility for aid from the Campus-Based Programs and that assistance resulted in the student's total financial assistance exceeding his or her financial need by more than \$300.00, the school must take steps to resolve the overpayment.

Before reducing the student's Campus-Based aid, the school should reevaluate the student's need to determine whether he or she has increased need that was not anticipated when the school initially awarded aid to the student. If the student's need has increased and if the total financial assistance does not exceed the revised need by more than \$300.00, the school is not required to take further action.

If the school recalculates the student's need and determines that the student's need has not increased, or that his or her need has increased but that the total financial assistance still exceeds his or her need by more than \$300.00, the amount that exceeds the student's need by more than \$300 is an overpayment. The school must eliminate the amount of the overpayment that exceeds the \$300.00 threshold.

## FWS Program

Because a student can't be required to repay wages earned, you can only adjust FWS by reducing the hours a student can work in the future and thus the student's future earning. You can continue to employ the student, but the student can't be paid from FWS funds. If you've already adjusted all other federal aid and institutional aid, and there's still an overaward, **you must reimburse the FWS program from your school's funds.**

## FSEOG Overpayments

For purposes of FSEOG overpayments, when a school awards FSEOG using the individual recipient or aggregate matching share methods, the FSEOG overpayment amount includes only the federal share. When a school uses the fund-specific method of matching, there is no distinction between federal and other funds. As a result, 100% of the funds disbursed are considered part of the overpayment.

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### Campus-Based overawards

34 CFR 673.5(d)

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### Campus-Based overaward tolerance

The \$300.00 overaward tolerance/threshold for the Campus-Based Programs is allowed only if an overaward occurs after Campus-Based aid has been packaged.

The threshold does not allow a school to deliberately award Campus-Based aid that, in combination with other, exceeds the student's financial need.

## Direct Loans

### Overaward Tolerance for Stafford Loans

In general, there is no tolerance when determining an overaward in the Direct Loan Program. However, if a student's financial aid package contains a Direct Loan and an FWS award, a \$300 tolerance can be applied to eliminate the overaward.

If an overpayment occurs for a student who has a Direct Loan and Campus-Based awards, unless the Direct loan has been fully disbursed, the Direct Loan must be reduced before the Campus-Based awards are adjusted or canceled.

### Overaward and Unsubsidized Loan Example

Hector's EFC is 4,000. His cost of attendance is \$12,000. He is supposed to receive a subsidized Stafford Loan of \$5,000 and an unsubsidized Stafford Loan of \$3,000, which completely meets his need. Before he receives his first loan disbursement, Guerrero University also gives him a \$2,000 scholarship. If Hector's entire loan amount of \$8,000 had been subsidized, Guerrero would have to send some of the loan back. But because part of the loan amount is unsubsidized, Guerrero simply considers that \$2,000 of the unsubsidized loan that applied to Hector's financial need is now being used to replace part of his EFC.

### TIP

If a school wants to replace a Direct Subsidized Loan with a Direct Unsubsidized Loan, (since COD reporting and interface information is so closely tied to the award type as identified in the award ID) a school must cancel the Direct Subsidized Loan and originate a new Direct Unsubsidized Loan.

If you discover that a student has been overawarded and your school has already received and disbursed Direct Stafford or PLUS loan funds, you have a number of options:

- ◆ If the package includes an Unsubsidized Direct Loan, a Direct PLUS Loan, or a nonfederal education loan and the aid package doesn't already apply these loans to finance the EFC, and the school so chooses, the aid package can be adjusted so that all or some part of these loans replaces the EFC, thus reducing or eliminating the overaward.
- ◆ The second or subsequent disbursement of a Direct Stafford Loan, a Direct PLUS Loan, or a nonfederal education loan can be canceled or reduced.
- ◆ If the aforementioned adjustments have been made and an overaward still exists for a Direct Loan borrower, you must withhold and promptly return to the Department any funds that have not yet been disbursed to the borrower.
- ◆ If the student is determined to be ineligible for the entire loan disbursement and the overaward cannot be reduced or eliminated, you must return all of the loan proceeds. Note that Direct Loan overawards must be repaid before adjusting or cancelling Campus-Based funds.
- ◆ If a student becomes ineligible for only a part of a Direct Loan, you can reduce the loan to eliminate the amount for which the student is ineligible.

If the overaward situation occurs after Direct Loan funds have been fully disbursed, you do not need to adjust it. However, you might have to adjust the aid package to prevent an overaward of Campus-Based funds.

Although a school isn't required to return Direct Stafford Loan, Direct PLUS Loan, or nonfederal education loan funds that were disbursed to the borrower (either directly or by applying them to the student account) before the overaward situation occurred, the law doesn't prevent your school from returning funds that were applied to the student account if you choose to do so. A borrower who receives a direct payment of loan funds is not required to repay an overawarded amount, unless the overaward was caused by his or her misreporting or withholding information.

### ***A resolved overaward may become an overpayment***

#### **TIP**

If a school has resolved an overpayment by reducing scheduled future disbursements for a second or subsequent payment period and the student ceases attendance before the end of the current payment period, that portion of the student's award that was an overpayment must be repaid outside of the requirements of 34 CFR 668.22.

If the school is responsible for repaying the overpayment, the school must repay the overpayment **before** completing any required Return calculation as described in *Volume 5*.

If a student is responsible for repaying the overpayment and the student withdrew after the 60 percent point in the payment period or period of attendance, as applicable, the school should try to collect the overpayment from the student, and if it is unable to do so, should refer the student to the Department's Debt Resolution Services.

If the student is responsible for repaying the overpayment, and the student withdrew before the 60 percent point in the payment period or period of attendance, as applicable, the school should not take any action until it has completed the required Return calculation.

However, when performing the Return calculation, the school should not include the amount of the overpayment for which the student is responsible as *Aid that was or could have been disbursed* (see *Volume 5*). Then, when the school has completed the Return calculation, it should document the amount of the overpayment and, as applicable, reduce any post-withdrawal disbursement or increase any amount the student must return by the amount of the overpayment owed by the student.

## WHEN A STUDENT FAILS TO BEGIN ATTENDANCE

A student is considered not to have begun attendance if a school is unable to document the student's attendance in any class.

### Returning funds for students who do not register or fail to begin attendance

34 CFR 668.21  
34 CFR 674.16(f)  
34 CFR 676.16(d)  
34 CFR 685.303(b)(4)  
DCL GEN-13-02

### Time frame for returning funds for students who fail to begin attendance

34 CFR 668.21(b)

### When a Student Withdraws After Starting Classes but Before a School's Census Date

A student begins earning FSA funds on his or her first day of attendance. Therefore, even if a student withdraws before a school's census date, the school must perform a Return calculation described in *Volume 5*, Chapter 2.

### Recalculating Pell eligibility when a student's enrollment status changes before beginning attendance in all classes

34 CFR 690.80(b)(2)(ii)

If your school disburses Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant, Perkins Loan or FSEOG funds, but the student never begins attending classes, you must return the disbursed funds to the respective programs even if those funds were disbursed directly to the student.<sup>1</sup> If the student begins attending some but not all of his or her classes, you will have to recalculate the student's Pell or Iraq and Afghanistan Service Grant award based on the student's actual enrollment status (see *Volume 3*).

If a school disburses Direct Loan funds but the student does not begin attendance, the school must return all Direct Loan funds that were credited to the student's account at the school for the payment period or period of enrollment. In addition, a school must return the amount of any payments made directly by or on behalf of the student to the school for the payment period or period of enrollment, up to the total amount of the loan funds disbursed.

In addition, a school must return any Direct Loan funds that it disbursed directly to a student if the school knew prior to disbursing the funds directly to the student that the student would not begin attendance (for example, if a student notified the school that he or she would not be attending or if the school expelled the student prior to directly disbursing the funds).

**A school may not ignore information available to any office at the school indicating that a student failed to begin attendance.**



For any remaining loan funds disbursed directly to a student, the school must notify the appropriate loan servicer of the loan funds that are outstanding, so that the Department can issue a 30-day demand letter to the student. To identify the current servicer of an FSA loan, access NSLDS and select "Aid." Then identify the student and select "Loan History." Under Loan History, the current loan will be listed at the top. Use the field "Servicer" to identify the organization to which you will be returning funds. Click on the servicer name to access the NSLDS Organizational Contact List page. Additional contact information for the loan servicers is available on IFAP under the Help menu (Contact Information / Service Centers for Schools / Loan Servicing Centers for Schools).

1. A school may satisfy this requirement either by redepositing the funds in its federal funds account and disbursing them within three days to another eligible student or by returning them to the appropriate FSA program using the refund function in G5.

Schools must return funds disbursed to students who failed to begin attendance as soon as possible but no later than 30 days after the date that the school becomes aware that a student will not or has not begun attendance.

At a school that is not required to take attendance but that has a census date on which it reports its enrollment levels to a state, local jurisdiction, or outside agency, it is reasonable to expect the school to return funds as soon as possible, but no later than 30 days after the census date.

A school that draws down FSA grant or Direct Loan funds under the advanced payment method must disburse those funds no later than three business days following the date the school receives them. If, after a school draws down FSA grant or Direct Loan funds, but before the school disburses them, the school discovers that it cannot disburse all the funds because one of the students for whom the funds were intended has not begun classes, the school must return those funds within the three-day period unless it can disburse them to another eligible borrower or as described under *Excess Cash* in Chapter 1.



**After the start of classes, FSA funds should not be disbursed without schools confirming that recipients have begun attendance.**

### **When a student begins attendance on a less than half-time basis**



If a student who received a Direct Loan disbursement begins attendance for the loan period but does so on a less than half-time basis despite having originally enrolled (registered for classes) on at least a half-time basis, neither the school nor the student is required to return any loan proceeds. However, the school must not make any subsequent disbursements of the loan unless the student resumes enrollment on at least a half-time basis.

### **When funds are considered to have been returned for a student who fails to begin attendance**

The Department considers a school to have returned FSA funds timely if the school does the following:

1. deposits or transfers the funds into its federal funds account no later than 30 days after the date that the school becomes aware that a student will not or has not begun attendance;
2. initiates an electronic funds transfer (EFT) no later than 30 days after the date that the school becomes aware that a student will not or has not begun attendance; or

### **Reporting enrollment changes in NSLDS**

If a student who received a Direct Loan disbursement either fails to begin attendance or begins attendance on a less than half-time basis, the school must report the change in the student's enrollment status to the Department using the NSLDS enrollment reporting process.

Upon receiving the revised enrollment status from NSLDS, the student's Federal loan servicer will change the student's loan status as follows:

- In-school status will change to grace period status.
- In-school deferment status will change to repayment status.

34 CFR 685.309(b)  
DCL GEN-13-02



### **When a Student's SAR/ISIR Contains a Disqualifying Comment Code**

If a student's SAR/ISIR contains a Comment Code that requires resolution (e.g., 100 - Perkins Overpayment, 132 - Default), the underlying issue must be resolved before any funds may be disbursed to the student.

In addition, if a school disburses Title IV funds to a student with a SAR Comment Code that requires resolution and the student withdraws before the school has resolved the underlying issue, any funds disbursed must be returned to ED. See *Volume 5* for more information about a student who withdraws.

3. issues a check no later than 30 days after the date the school becomes aware that a student will not or has not begun attendance. A school does not satisfy this requirement if
  - the school's records show that the check was issued more than 30 days after the date that the school becomes aware that the student will not or has not begun attendance; or
  - the date on the cancelled check shows that the bank used by the Department endorsed that check more than 45 days after the date that the school becomes aware that the student will not or has not begun attendance.

#### Examples of Overpayments Due to School Error

Allen received a Pell at Sarven Technical Institute. Although Sarven had the correct EFC on Allen's ISIR, the school looked at the wrong chart and used a different EFC in the Pell calculation. So, Allen received too much money. Because the overpayment is due to a school error, Sarven is liable for the overpayment.

Owen received an outside scholarship to attend Guerrero University. The bursar's office was notified of the scholarship so that it would apply the payments properly but didn't notify the financial aid office. Owen received a Perkins Loan, but the financial aid office didn't take the scholarship into account when awarding the loan because it didn't know about the scholarship. When the financial aid office later found out about the scholarship, it discovered that Owen received too much aid and had a \$600.00 Perkins overpayment. Because the school had information about the scholarship (even though the financial aid office didn't), the overpayment is due to a school error.

## TREATMENT OF OVERPAYMENTS

### *Overpayments for which the school is responsible*

*Please also see the discussion later in this chapter under "Overpayments for which the student is responsible."*

Your school is liable for any amount of a Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant, Perkins Loan or FSEOG overpayment (including amounts under \$25) that occurred because your school failed to follow the requirements in 34 CFR parts 668, 673, 674, 676, 690, or 691, as applicable. If your school makes a Perkins Loan or FSEOG overpayment in any amount for which it is liable, you must immediately restore (to your Perkins loan fund or FSEOG account, as applicable) an amount equal to the overpayment plus any administrative cost allowance claimed on the overpayment. When returning Pell Grant, Iraq and Afghanistan Service Grant, and TEACH Grant overpayments, you must make a downward adjustment to the student's award in COD, and either return the funds through G5 or disburse them to another eligible student. For a description of overpayments for which students are responsible, see the discussion later in this chapter.

A school may attempt to collect from a student funds it has returned. However, this is not an FSA debt because an overpayment for which a school is responsible can never become an FSA debt for a student. Therefore an overpayment for which a school is responsible can never result in a student's losing FSA eligibility and should never be reported to NSLDS or referred to the Department for collection.

### Recovery of funds from interim disbursements

34 CFR 668.61



If an overpayment is the result of an interim disbursement of Pell, Perkins Loan, or FSEOG funds (see the AVG) to the extent that the overpayment is not recovered by reducing subsequent disbursements to the student for the award year or by a payment made by the student, the school must eliminate the overpayment by reimbursing the appropriate account by:

- ◆ requiring the student to return the overpayment, or
- ◆ making restitution from its own funds

by the earlier of 60 days after the applicant's last day of attendance, or the last day of the award year.

If an overpayment is the result of an interim disbursement of FWS Program funds, the school must eliminate the FWS overpayment by adjusting the applicant's other financial aid or reimbursing the FWS Program account from its own funds. If the school cannot correct the overpayment by adjusting the student's other financial assistance, the student must still be paid for all work performed.



**Because the interim disbursement was made at the school's discretion, the school is ultimately responsible for repaying it.** Moreover, because the student does not owe an FSA overpayment, the student should not be reported to NSLDS or referred to the Department for collection.

### ***Prohibition on receiving funds for enrollment at more than one school***

A student may not receive Federal Pell Grant or Iraq and Afghanistan Service Grant funds for concurrent enrollment at more than one school (nor both at the same school). **The COD system will identify students who have been reported as Pell Grant recipients by multiple schools as potential overpayments (POP files).** The schools that awarded the student Pell Grant funds for the period must coordinate their response so that the student is receiving Pell Grant funds for attendance at only one school during the period. If after 30 days the schools have not resolved the overpayment, the COD system will reduce both schools' authorization for this student to zero, and the issue will have to be addressed with the Department's involvement.

**Note:** COD will not automatically notify schools if a student is receiving an Iraq and Afghanistan Service Grant at multiple schools. Rather, the Department will monitor Iraq and Afghanistan Service Grants, and inform schools of students who are overawarded or incorrectly awarded.

## Overpayments for which the student is responsible

In some instances, a student rather than the school is responsible for repaying the overpayment.

If a student has received more Pell or Iraq and Afghanistan Service Grant funds than the student was eligible to receive because the student's eligibility for a Pell or Iraq and Afghanistan Service Grant decreased, you can try to eliminate the Pell or Iraq and Afghanistan Service Grant overpayment by adjusting later disbursements for the award year. **You may not reduce a student's correctly awarded and disbursed Pell or Iraq and Afghanistan Service Grant to address overpayments in other programs.**

For TEACH Grant, FSEOG, and Perkins Loan overpayments, you can adjust subsequent disbursements.

If that is not possible, you must promptly attempt to recover the overpayment by notifying the student (by paper or electronically) and requesting full payment. The notice must state that if the student fails to repay the overpayment or to make satisfactory arrangements for repayment, he or she will be ineligible for FSA funds until the overpayment is resolved.

If the student claims that your school made a mistake in determining the overpayment, you must consider any information he or she provides and judge whether the objection is warranted.

If, after notification to the student and consideration of possible objections, an overpayment remains and the student has not repaid or made satisfactory arrangements to repay the overpayment, you must take further action.

For TEACH Grant, FSEOG, Iraq and Afghanistan Service Grant, and Pell Grant funds, you must refer the overpayment to the Department with the required information (see *Referring overpayments to Debt Resolution Services* later in this chapter), and you must report to NSLDS the unresolved overpayment. After that, you are not required to make any further attempt to collect the TEACH Grant, FSEOG, Iraq and Afghanistan Service Grant, or Pell Grant overpayment.

### Examples of Overpayments Due to Student Error

When Chavo applied, he didn't have his tax returns, so he estimated his income and said that he wasn't going to file a tax return. After he received his aid from Sarven Technical Institute in June, he told the aid office that he'd underestimated his income and had to file a tax return. When Chavo submitted the corrections, his EFC increased, and Sarven determined that he'd received a Pell overpayment. Sarven canceled his second Pell disbursement, but he still owed \$100.00. Sarven allowed Chavo to make an agreement to repay \$25.00 a month for four months so that he'd still be eligible for other aid for the rest of the year.

Meurig has to report financial information about his father on the application although he's living with his stepfather. On his 2013–2014 application, Meurig didn't report any assets for his father, and Brust Conservatory used the information from that application to award FSA aid. However, his 2014–2015 application is selected for verification, and during the verification process Brust discovers that Meurig's father has a business that should have been reported as an asset. Brust asks for tax information for the previous year and determines that Meurig should also have reported the business as an asset on the 2013–2014 application. Meurig's EFC increases when he makes the correction, and he received an overpayment for the 2013–2014 award year. Because he's already received all his aid for the year, he has to either pay the overpayment or negotiate a satisfactory repayment agreement.

For Perkins Loans, you are not required to refer overpayments to Debt Resolution Services, but you must report them to NSLDS because the student is required to repay the overpayment to your school's revolving loan fund.

A student is not liable for an overpayment when the original amount of the overpayment is less than \$25.00. A student is liable for an overpayment of less than \$25.00 when that \$25.00 is a remaining balance. That is, when the overpayment amount was originally \$25.00 or more but is now less than \$25.00 because the student has made payments.

**TIP**

A student is also liable for overpayments of less than \$25.00 when that amount is the result of applying the \$300 Campus-Based overaward threshold/tolerance. For example, if a school discovers that after a student's Campus-Based aid was disbursed, the student received additional aid that resulted in the aid the student received exceeding his or her need by \$314.00, the \$314.00 is an overaward. When the school applies the \$300 overaward tolerance, the student only has a Campus-Based overpayment of \$14.00. The student is responsible for repaying the \$14.00 because the initial amount of the overpayment (before the \$300.00 tolerance was applied) was \$314.00 (which is in excess of the less than \$25.00 *de minimis* amount).

Your school may decide to pay a student's obligation by returning to the appropriate FSA program account the amount overpaid to the student. Once your school makes the appropriate return, the student will no longer owe an FSA debt, but rather a debt to your school that you can collect according to your procedures. The student's eligibility for FSA funds is restored as long as the student meets other FSA eligibility criteria.

A student who receives an overpayment of an FSA program loan, or an FSA program grant, may re-establish eligibility for FSA program assistance by repaying the excess amount or by making arrangements satisfactory to the holder of the overpayment debt to pay the excess amount.

**TIP****When a School Takes Action to Restore a Student's Eligibility**

If a student (through the school) or a school (with its own funds) satisfies the student's overpayment, the school must update the student's overpayment information in NSLDS as discussed in later in this chapter under *Reporting Overpayments to NSLDS*.

### Exceptions to student liability

Though the *de minimis* threshold for overpayments due to withdrawal has increased, the *de minimis* amount for all other overpayments remains less than \$25.00.

There are some exceptions to holding a student liable for a Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant, Perkins Loan, or FSEOG overpayment.

Generally, a student is liable for any Pell Grant, Iraq and Afghanistan Service Grant, FSEOG, or Perkins Loan overpayment he or she receives unless the school is liable for it. However, as noted previously, the student is not liable for the overpayment if it is less than \$25.00 and is not a remaining balance or, in the case of a Perkins Loan or FSEOG, is the result of the application of the \$300.00 overaward threshold.

Such overpayments do not affect the student's FSA eligibility. Therefore, your school need not:

- ◆ attempt recovery of such overpayments,
- ◆ report such overpayments to NSLDS, or
- ◆ refer such overpayments to the Department for collection.

### **Overpayments created by inadvertent overborrowing**

Another kind of overpayment occurs when a student inadvertently has received FSA loan funds in excess of annual **or** aggregate loan limits and is no longer eligible for FSA funds.



A school must determine that a borrower's receipt of loan funds in excess of an annual or aggregate loan limit was inadvertent before the borrower may regain Title IV eligibility.

Examples of circumstances that may have resulted in a student inadvertently exceeding an annual or aggregate loan limit include, but are not limited to: school processing errors, missing or incorrect National Student Loan Data System (NSLDS) information (e.g., capitalized interest incorrectly included in a borrower's aggregate outstanding loan balance), or unintentional student error or omission.

Borrowing in excess of annual or aggregate loan limits is not considered to have been inadvertent if there is any evidence that the overborrowing was the result of deliberate action on the part of the school that determined the borrower's eligibility for the loan or on the part of the borrower who received the loan. If the school determines that the overborrowing was the result of deliberate action on the part of another school or the borrower, it must notify its Federal Student Aid School Participation Team and provide the necessary evidence. If the school suspects fraud involving federal student aid, it should call the Inspector General Hotline at 1-800-MIS-USED (1-800-647-8733).



**If a student has consolidated the loan(s) that exceeded the annual or aggregate loan limit, he or she is considered to have made satisfactory arrangements to repay the debt, and no additional action on the part of the student is required.** This is true regardless of the type of loan (FFEL or Direct) consolidated and no matter the type of consolidated loan the student obtained. Note that a student who lost eligibility because he or she exceeded the undergraduate aggregate maximum loan limit does not automatically regain eligibility if he or she advances to the graduate level. Rather, the student must resolve the previous overpayment in order to regain eligibility for FSA funds.

A student who is not in default on an FSA program loan but who has inadvertently obtained FSA program loan funds in an amount that exceeds the annual or aggregate loan limits is ineligible for any further FSA program assistance until the student (1) repays in full the excess loan amount; or (2) makes arrangements, satisfactory to the holder of the loan, to repay that excess loan amount.

### **Regaining Title IV eligibility after exceeding loan limits**

**DCL: GEN-13-02**



A student who received subsidized loan funds in excess of the applicable subsidized annual or aggregate loan limit (during a previous academic year or loan period) can no longer regain Title IV eligibility by having the excess subsidized loan amount changed to an unsubsidized loan.

If a student who has inadvertently received loan funds in excess of an annual or aggregate loan limit wishes to receive additional Title IV aid, the school where the student wishes to receive the aid must identify the loan(s) that resulted in the overborrowing, discuss the overborrowing with the student, and resolve any discrepancies in the information that is obtained.

If the loan that caused the inadvertent overborrowing is a Direct Loan or a Federal Family Education Loan (FFEL) Program loan that is held by the Department, the student must contact the federal loan servicer that services the loan to resolve the inadvertent overborrowing. If the loan that caused the inadvertent overborrowing is a FFEL Program loan held by a loan holder other than the Department (a “commercially held” FFEL Program loan), the student must contact the FFEL loan holder or the servicer for the loan to resolve the inadvertent overborrowing.

### Repayment of the excess loan amount

If a student who has inadvertently overborrowed wishes to regain Title IV eligibility by repaying the excess loan amount, the student must contact the applicable servicer and comply with the servicer’s repayment instructions. The school may assist the student in identifying and contacting the servicer, but the student, not the school, must make the payment of the excess loan funds in accordance with the servicer’s instructions. Once the student has repaid the excess loan amount in full, the servicer will send the student confirmation that the excess loan amount has been repaid. The student or servicer must provide a copy of the repayment confirmation to the school. The inadvertent overborrowing is considered to have been resolved as of the date the servicer received the borrower’s full payment of the excess loan amount.

### Satisfactory repayment arrangements

A student who has inadvertently overborrowed may regain Title IV eligibility by making satisfactory repayment arrangements acceptable to the servicer of the loan. The satisfactory repayment arrangement requirement can be met if the student agrees, in writing, to repay the excess amount according to the terms and conditions of the promissory note that supported the loan. This is called “reaffirmation.” The reaffirmation process includes the following five steps:

1. Either the school or the student contacts the servicer and explains that the student has inadvertently overborrowed and wishes to reaffirm the debt.
2. The servicer sends the student a reaffirmation agreement.
3. The student reads, signs, and returns to the servicer the reaffirmation agreement.
4. The servicer sends the student confirmation that the reaffirmation agreement has been accepted. The student or servicer must provide a copy of the reaffirmation confirmation to the school.

#### Satisfactory Repayment Arrangements

We require a borrower who does not repay the excess loan amount in full to make satisfactory repayment arrangements in order to ensure that the borrower acknowledges a debt in excess of the regulatory maximum.

For defaulted loans, the law and regulations specify what constitutes a satisfactory repayment agreement. For students who have exceeded loan limits or owe an overpayment of an FSA grant, the law and regulations do not specify what makes a repayment agreement satisfactory. The Department or the school determines whether the repayment arrangement is satisfactory.



5. The inadvertent overborrowing is considered to have been resolved as of the date the servicer receives the student's signed reaffirmation agreement.

Once you have documented that the inadvertent overborrowing has been resolved (through repayment in full, making satisfactory arrangements to repay the debt, replacement of an excess subsidized loan with an unsubsidized loan (see side bar), or consolidation of the excess loan amount), you may award additional FSA funds to the student. Keep in mind, however, that the student may have no remaining loan eligibility or may be eligible only for unsubsidized loans.

Because you're responsible for knowing about the student's prior FSA loans before disbursing additional loan funds to the student, inadvertent overborrowing shouldn't occur often. Excess borrowing might occur if a school is unaware of loans a student received at another school. This might happen if the student received the loans under a different name or Social Security number (SSN). (See *Volume 1* for a description of how the NSLDS postscreening and transfer monitoring processes can help prevent these kinds of overpayments.)

A student who inadvertently overborrowed and who has regained Title IV eligibility by either repaying the excess loan amount or by signing a "reaffirmation agreement" may receive additional Direct Loan funds.

A student who regains Title IV eligibility after having exceeded an annual loan limit for an academic year is not be eligible to receive additional Direct Loan funds for that same academic year, but could receive other types of Title IV aid for the year. However, if the student exceeded only the subsidized aggregate limit, the student might be eligible to receive Direct Unsubsidized Loans up to the annual and aggregate maximums.

The student may be eligible to receive additional Direct Loan funds for subsequent academic years if the student has remaining eligibility under the aggregate loan limits, depending on which aggregate limit was exceeded. A student who had inadvertently exceeded the combined subsidized/unsubsidized aggregate loan limit may not receive any additional Direct Subsidized Loans or Direct Unsubsidized Loans (though a dependent student's parent or a graduate or professional student could receive Direct PLUS Loans).

## Clarification

### Replacing a Direct Subsidized Loan with a Direct Unsubsidized Loan

The prohibition on replacing Direct Subsidized Loan funds with Direct Unsubsidized Loan funds discussed in DCL GEN-13-02 does not apply to a school that is trying to correct an award of Direct Subsidized Loan funds in excess of an annual or aggregate maximum (an overaward) for a current loan period so long as the excess funds have not yet been disbursed, the student remains enrolled and eligible, and the student has remaining annual and aggregate eligibility for Direct Unsubsidized Loans.

### Effective Date for Regaining Title IV Eligibility

When an otherwise eligible student resolves an inadvertent overborrowing issue by one of the methods discussed above, the student regains eligibility for the Pell Grant, Campus-Based, TEACH Grant, and Iraq and Afghanistan Service Grant programs beginning with the payment period in which the issue was resolved and regains Direct Loan Program eligibility retroactive to the beginning of the academic year in which the issue was resolved.

**TIP**

**TIP**

**TIP**

### ***Recording student payments and reductions in the Direct Loan Program***

If, through its Return calculation, a school determines that a student has received an overpayment of Direct Loan funds, the school should reduce the student's award/disbursements by making a downward adjustment in COD.

Schools can report current year adjustments for awards/disbursements either through their loan processing software or by using the COD website at:

<https://cod.ed.gov>

### ***Returning Direct Loan funds***

**If a school is required to return DL funds to comply with a regulatory or statutory requirement—even if more than 120 days have elapsed since the disbursement date—the school must return DL funds through G5.** The school returns DL funds to the Department following the same procedures the school follows when making other G5 refunds/returns.

If a school needs to process data after closeout, extended processing is available on a limited basis for authorized reasons. A school that needs to request extended processing should contact COD School Relations at 1-800-848-0978 or CODSupport@ed.gov.

For more information on returning FSA funds, see Chapter 4.

### **Recording student payments and reductions in the Pell Grant, Iraq and Afghanistan Service Grant, and TEACH Grant programs**

For reductions to awards and payments, schools should record reductions and payments by entering a replacement value in the COD system. **The replacement value will be the original value less only the amount the school has returned** (the sum of: (a) that amount the school is responsible for returning + (b) any portion of the grant overpayment that otherwise would be the responsibility of the student but which the school has chosen to return for the student + (c) any portion of the grant overpayment the school has collected from the student). **Do not reduce the award/disbursement by the amount the student must return (unless the student has made a payment to the school).**

If a school receives a payment for a current-year overpayment that has not been referred to Debt Resolution Services, the school should NOT send the payment to Debt Resolution Services. Instead, after you have reduced the student's disbursement in COD, return the unearned funds as follows:

- ◆ If your school has made repayment arrangements with a student and received a payment on a current-year overpayment, the school should deposit the funds in its Pell, Iraq and Afghanistan Service Grant, or TEACH Grant account and make the appropriate entry in the COD system.
- ◆ If a student makes a payment on any previous year's Pell Grant, Iraq and Afghanistan Service Grant, or TEACH Grant overpayment, a school makes the aforementioned COD system entry using the same software the school used to create the award. The school then returns the funds to the Department using the Electronic Refund function in G5 following the same procedures the school follows when making other G5 refunds or returns.

If, through its Return calculation, a school determines that a student has received an overpayment of FSEOG funds, the school must adjust its institutional ledgers, financial aid records, and the student's account by subtracting the amount the school must return (the FISAP filed for the year will reflect the net award to the student). If a student makes a payment on an FSEOG overpayment made in the current award year, the school should deposit the payment in its *federal funds account* and award the funds to other needy students.

If the school collects an overpayment of an FSEOG for an award made in a **prior award year**, the funds recovered should be returned to the Department using the Electronic Refund function in G5. Payments should be applied to the award year in which the recovered funds were awarded.

#### **Importance of Making Timely Adjustments**

Since each disbursement transaction (positive or negative) to a student's Pell Grant in COD affects a student's lifetime eligibility for Pell funds, schools should ensure that adjustments are made in a timely manner.

See *Volume 3* for a discussion of the Pell Lifetime Eligibility.

#### **Removal of Pell Grant Data from COD**

Pell Grant data is usually available on the COD production environment for five years after the end of the award year. Once a closed year's data has been removed from the production environment

**TIP**

- All records for the closed years that are submitted to the COD System will be rejected. Schools will receive COD Edit 996 (Invalid Value).
- Data for the closed years will not be available via the COD website. The closed years will not appear in drop-down menus on the COD website.

## REPORTING OVERPAYMENTS TO NSLDS

### Reporting Overpayments to NSLDS

DCL GEN-98-14, July 1998

All new Perkins, Pell Grant, Iraq and Afghanistan Service Grant, ACG, National SMART Grant, TEACH Grant, and FSEOG overpayments and previously reported FSEOG overpayments for which an NSLDS data element has changed must be reported.

Perkins and other data providers must meet all NSLDS reporting requirements as detailed in the appropriate operating manuals.

NSLDS reference materials are available on IFAP in our iLibrary at:

**[ifap.ed.gov](http://ifap.ed.gov)**

You must report overpayments or changes to previously submitted information to NSLDS within 30 days of the date you learn of the overpayment or change.

If a grant overpayment is the result of the student's withdrawal and a return to Title IV calculation, you must contact the student within 30 days of determining that the student withdrew (see *Volume 5*).

You only report unresolved overpayments if they're due to student error; don't report overpayments that are a result of school error. Instead, as discussed previously, you must use school funds to repay the overpayment.

You must use the NSLDS Professional Access Website to report overpayments. To do so, your school must have Internet access, and your Primary Destination Point Administrator (PDPA) must have signed up at least one user for Overpayment Updates for NSLDS online services at **<https://fsawebenroll.ed.gov>**.

Once the overpayment is reported to NSLDS, the student's future output documents will show that he or she has an overpayment (see "NSLDS Match"). The Financial Aid History section of the SAR and ISIR will have information on the overpayment, including whether the student has made satisfactory repayment arrangements.

## REFERRING OVERPAYMENTS

### *Referring overpayments to Debt Resolution Services*

If you have tried but not succeeded in collecting a Pell Grant, Iraq and Afghanistan Service Grant, ACG, National SMART Grant, TEACH Grant or FSEOG overpayment for which the student is liable, you must refer the overpayment to FSA’s Debt Resolution Services. To be referred, the **initial amount** of the overpayment must be at least \$25.00.

**Note:** For an FSEOG overpayment, when a school uses the individual recipient or aggregate matching methods, the overpayment includes only the federal share. When the school uses the fund-specific method of matching, the overpayment includes both the federal and nonfederal shares. See *Volume 6* for more information.

You would still refer a student debt of less than \$25.00 to Debt Resolution Services when the amount due is a remaining balance or when the amount is the result of the application of the Campus-Based overaward threshold/tolerance. You must make this referral in addition to reporting the overpayment to NSLDS. If your school elects not to refer an overpayment to Debt Resolution Services, then your school is liable for the overpayment. In that case, the school must repay the overpayment from its own funds.

To refer student overpayments for collection, schools should use a format similar to the one found at the end of this chapter and send the data to the address at the bottom of that page. Each referral must be typed or printed and must be submitted on school letterhead.



**In order to avoid creating a double record for a single overpayment, the school must populate its Overpayment Referral Form: Dates of Disbursement with the exact same dates the school used when it created the NSLDS record. In addition, a school must ensure that it enters the year the disbursement was made in the award year field.**

In addition, when referring the overpayment, you should update the overpayment information previously reported to NSLDS by changing the “Source” field from SCH-SCHOOL to TRF-TRANSFER. Once Debt Resolution Services has accepted a referred student overpayment, Debt Resolution Services will transmit the information to NSLDS and “ED Region” will replace “School” as the appropriate contact source for information about the overpayment.



**On its Overpayment Referral, schools must provide their school’s Pell Identification Number. Schools should NOT enter their Routing Identifier.**

#### **Schools Must Resolve Student Concerns**

If a student claims that a school’s overpayment determination is erroneous, the school must consider any information the student provides and determine whether the objection is warranted before referring the case for collection.

### **School responsibility after referral**

Once you have referred the account to Debt Resolution Services, you have no further responsibility in the collection of the debt unless the student contacts your school to make a payment or Debt Resolution Services sends the referral back because it is incomplete. If Debt Resolution Services sends the referral back to you because it is incomplete, you'll need to supply additional information and resend the referral.



If a student wishes to make a payment, you may (but are not required to) accept it on behalf of the Department and forward it to Debt Resolution Services.

A school that accepts a check made out to the Department on an overpayment that has been referred to Borrower Services must:

- ◆ note the student's name and SSN on the check;
- ◆ indicate that the payment is for an overpayment of an FSA grant; and
- ◆ forward the payment to Debt Resolution Services at:

National Payment Center  
P.O. Box 105028  
Atlanta, Georgia 30348-5028

If you want a payment to be applied to a specific overpayment (by program and award year) you must include a memorandum on school letterhead. The memorandum must include the award year and program award number of the award you want credited, and your D-U-N-S number.



If the student whose overpayment case has been accepted by the Department wishes to establish a repayment schedule, the student should contact Debt Resolution Services by calling:

1-800-621-3115

A student can contact us by going to: [www.myeddebt.com](http://www.myeddebt.com), and selecting the *Borrower* tab, *Contact Us*, and *Secure email*.



### Accepting payments on referred overpayments

A school may continue to accept payments on FSA grant overpayments after those overpayments have been referred to the Department. A school that accepts a check on an overpayment that has been referred to Debt Resolution Services must:

- ◆ note the student's name and SSN on the check;
- ◆ indicate that the payment is for an overpayment of an FSA grant; and
- ◆ forward the payment to Debt Resolution Services at:

**National Payment Center**  
**P.O. Box 105028**  
**Atlanta, Georgia 30348-5028**

If a school accepts a cash payment from one or more students who owe overpayments and who have been referred to Debt Resolution Services, the school should write its own check to the Department and attach a letter indicating that the check is for an FSA grant overpayment. The school must include in its letter a roster that includes, for each student who made a payment, the student's name, social security number, and amount paid.

If a school receives a payment for an overpayment **previously referred to** Debt Resolution Services and if:

- ◆ the overpayment was made in the current award year, and
- ◆ the payment will retire the student's debt in full,

the school must:

- ◆ deposit the payment in its appropriate institutionally maintained federal funds account;
- ◆ for Federal Pell Grant overpayments, make the appropriate entry in the student's record on the COD system (either on COD or via Common Record) and
- ◆ send a letter or fax to Debt Resolution Services identifying the student and indicating that the student's overpayment has been completely repaid. This will allow the Department to properly update its records in both the Debt Resolution Services system and NSLDS.

The fax number for this purpose and **school use only** is

**1-903-454-5398**



**Note:** This process cannot be performed via email.

#### Payment in full

Anytime a school receives a payment (including the application of an FSA credit balance) that will repay an overpayment in full, the school must also update its original submission to NSLDS by changing the entry on the "Overpayment Update Screen" for the Indicator Field to "Repaid."

In the fax or letter, a school must include the:

- ◆ award year of the overpayment (current award year only);
- ◆ student's Social Security number;
- ◆ student's last name, first name, and middle initial;
- ◆ student's date of birth;
- ◆ type of overpayment—Federal Pell Grant, Iraq and Afghanistan Service Grant, FSEOG, or TEACH Grant; and
- ◆ the disbursement date the institution used to create the overpayment record in NSLDS.

### ***Responsibilities of Debt Resolution Services***

Upon receipt of an overpayment referral, the Department will determine if enough information has been provided to start collection activity; any referral lacking information will be returned to your school to be completed.

Debt Resolution Services will then try via letters and telephone to establish a repayment schedule or to secure payment in full. Debt Resolution Services will also update the NSLDS information that you've already reported to show that the Department now holds the overpayment. Any future SARs or ISIRs for the student will show that he or she owes an overpayment and will direct the student to contact Debt Resolution Services instead of the school. Finally, Debt Resolution Services also communicates Pell Grant overpayment referrals to the COD system. COD will then alert a school of a student's Pell Grant overpayment status if the student submits a FAFSA in the future. A student's Iraq and Afghanistan Service overpayment status will be tracked and reported manually.

# Information Required when Referring Student Overpayments to Debt Resolution Services

## Student Information

Name (Last, First, MI): \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

If the overpayment includes an Academic Competitiveness, National SMART or TEACH Grant, enter the Award Identifier (ID) used when the award was created in COD.

ACG Award ID: \_\_\_\_\_ National SMART Grant Award ID: \_\_\_\_\_

TEACH Award ID: \_\_\_\_\_

## Parent/Spouse Information

Name (Last, First, MI): \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

## School Information

If your Pell Reporting ID is different than your Pell Attended ID, please provide both. Otherwise, just report the Pell Attended ID.

Reporting School's Pell ID Number: \_\_\_\_\_ Attending School's Pell ID Number: \_\_\_\_\_

**If your school does not have a Pell ID, enter your OPE ID:** \_\_\_\_\_

Name of Contact: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

## Disbursements and Repayments

	Pell Grant	ACG or National SMART Grant <span style="color: red;">(Specify)</span>	Iraq & Afghanistan Service Grant	FSEOG <sup>1</sup>	TEACH Grant
Award year in which overpayment was disbursed:	_____	_____	_____	_____	_____
Total grant disbursed:	_____	_____	_____	_____	_____
Dates of disbursement: <span style="color: red;">(Must match NSLDS overpayment record)</span>	_____	_____	_____	_____	_____
Overpayment amount owed by student *	_____	_____	_____	_____	_____
Total grant repaid by student to school, if any:	_____	_____	_____	_____	_____
Date of last payment to school, if any:	_____	_____	_____	_____	_____

<sup>1</sup> If using individual or aggregate matching, report federal share only. Otherwise report total FSEOG.

\* If the overpayment is the result of a withdrawal, provide the date of the withdrawal

/ /

If the overpayment is **not** the result of a withdrawal, please provide a brief explanation of the reason for the overpayment.

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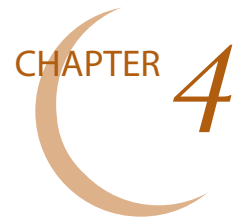
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SEND INFORMATION TO ⇒ Student Loan Processing Center-Overpayments  
P.O. Box 4157  
Greenville, Texas 75403

1-903-454-5398 ⇐ FAX



# Returning FSA Funds



*Here we provide instructions for returning FSA funds for reasons other than the return of funds required when a student withdraws or otherwise ceases attendance during a payment period or period of enrollment.*

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## RETURNING FUNDS

There are a number of reasons why a school may have to return funds to the Department, including:

- ◆ the return of FSA funds required when a school must correct an overaward or an overpayment, and the return of funds required when a student withdraws or otherwise ceases attendance during a payment period or period of enrollment (the return of funds when a student withdraws or otherwise ceases attendance is discussed in *Volume 5*);
- ◆ having FSA funds on hand with no expectation they can be disbursed to other eligible students within three days (excess cash);
- ◆ owing the Department for expenditures disallowed during a program review or audit;
- ◆ having earned interest on its federal funds (other than in its Perkins account) in excess of \$250.00; and
- ◆ holding large Federal Perkins Loan cash balances on hand (COH) on the Fiscal Operations report and Application to Participate (FISAP).

Schools can return money to the Department (including excess interest) using the **electronic refund functionality in G5**. For questions or more information on returning funds through G5, please contact the G5 help desk at 1-888-336-8930.

**Returning Funds by Check**

*(These instructions do not apply to returning funds from an audit or program review.)*

If **exceptional circumstances** require that you return FSA funds by check, you must:

1. make the check payable to the U.S. Department of Education;
2. use a separate check for each award year; and
3. note the school's D-U-N-S number and the appropriate Program Award Number (Pell Grant Award Number) on the check.

The G5 lockbox address for FSA (except Direct Loan) funds is:

**U.S. Department of Education  
P.O. Box 979053  
St. Louis, Missouri 63197-9000**

**Returning funds by depositing them in a school account**

Returning funds in a timely manner is one of the factors examined by the Department in evaluating a school's financial responsibility. In addition to the general requirement for schools to return funds, the Department sets specific time frames for students who do not begin attendance and those who begin attendance but cease attendance before completing the period for which they have received Title IV funds. One way for schools to satisfy the requirement is to deposit the funds in the account in which the school keeps its federal funds.

**Returning funds by depositing them in a federal funds account**

For funds obtained from the Department, a school meets the Return requirement if it deposits or transfers the funds into its federal account no later than 45 days after the school determined that a student withdrew or received an overpayment the school was responsible for returning. (Also see Volume 5.)

If a school has not drawn down federal funds or has made disbursements that exceed the amount the school has drawn, the school does not need to deposit funds in its federal account. Of course, the school's accounting records must show that school funds were used to credit the student's account.

**Return of Title IV funds when a school does not maintain a separate federal bank account**

The Department considers a school that maintains FSA funds and general operating funds in the same bank account (commingles) to satisfy the requirement that it return unearned funds on a timely basis if:

- ♦ the school maintains subsidiary ledgers for each type of funds commingled in that account that clearly show how and when those funds were used and the subsidiary ledgers are reconciled to its general ledger,
- ♦ the subsidiary ledger for each FSA program provides a detailed audit trail on a student-by-student basis that reconciles to the amount of FSA program funds received and disbursed by the school, and
- ♦ the school updates the relevant subsidiary ledger accounts in its general ledger no later than 45 days after it determines that the student withdrew.

More specifically, the return of an unearned funds transaction should be recorded as a debit to an FSA program fund subsidiary ledger account and a credit to the school's operating fund subsidiary ledger account. The date of the return is the date this transaction is posted to the school's general ledger.



**NEW**

**Discontinuing Paper Check Processing for Direct Loan Refunds of Cash Beginning January 1, 2015**

In an effort to increase efficiency and improve funds control, Federal Student Aid encourages schools to refund cash electronically via the G5 website. This method is faster and more secure than manual/paper processing, and is less likely to result in errors.

Beginning January 1, 2015, FSA will no longer accept Direct Loan refunds of cash sent manually via paper check. As a result, schools should begin to update their processes to refund cash electronically via the G5 website at <https://www.g5.gov/> as soon as possible, but no later than December 31, 2014.

For additional information on refunding cash via G5, refer to the G5 website at <https://www.g5.gov/> or call the G5 Hotline at 888/336-8930 or 202/401-6238 for assistance.

For questions about refunding cash, contact the COD School Relations Center at 800/848-0978 or 571/392-3737. You may also email [CODSupport@ed.gov](mailto:CODSupport@ed.gov).



## WHEN FUNDS ARE CONSIDERED TO HAVE BEEN RETURNED

The Department considers a school to have returned FSA funds when the school has:

- ◆ deposited or transferred the funds into its federal funds account;
- ◆ initiated an electronic funds transfer (EFT) to the Department; or
- ◆ issued a check. A school has not satisfied this requirement until the bank used by the Department has endorsed and cancelled that check (processed it for deposit).

## RETURNING FUNDS FROM AN AUDIT OR PROGRAM REVIEW

If, as a result of a program review or audit, a school is required to repay FSA funds, a copy of its Final Audit Determination Letter (FADL) or Final Program Review Determination (FPRD) letter is sent to the Department's Receivables and Cash Receipts Team (RCRT), where an account receivable is established for the school. The Department will then, through its billing agent, bill the school for the disallowed expenditures, accrued interest, and penalties, if any. Payment instructions will be included with the bill.

- ◆ If a school owes the Department \$100,000 or more, it must remit payment through its financial institution by FEDWIRE.
- ◆ If a school owes the Department less than \$100,000, it must remit payment by check to the Department's billing agent.

A school may not reduce amounts reported as net drawdowns on its G5 Activity Reports to account for expenditures disallowed as a result of an audit or program review. Any FSA funds returned for this purpose will not be credited to a school's G5 account.

Unless otherwise directed by the FADL or FPRD letter, a school may not adjust its prior-year FISAPs or Federal Pell Grant/Iraq and Afghanistan Service Grant processed payment information to reflect expenditures disallowed as a result of an audit or program review. Also, unless specifically instructed by the Department, a school should always repay funds using the appropriate function in G5.

### Recommendation

We strongly recommend returning funds electronically because this method is faster and more secure than manual paper processing and less likely to result in errors. Note that refunds of cash greater than \$100,000 must be returned electronically via G5.

For additional information on returning funds via G5, refer to the G5 website at [www.g5.gov](http://www.g5.gov), or call the G5 Hotline at 1-888-336-8930 for assistance.

### When funds are considered to have been returned for a student who fails to begin attendance

The Department considers a school to have returned FSA funds timely if the school:

1. deposits or transfers the funds into its federal funds account no later than 30 days after the date that the school became aware that a student will not or has not begun attendance;
2. initiates an electronic funds transfer (EFT) no later than 30 days after the date that the school became aware that a student will not or has not begun attendance; or
3. issues a check no later than 30 days after the date that the school became aware that a student will not or has not begun attendance. An institution does not satisfy this requirement if
  - the school's records show that the check was issued more than 30 days after the date that the school became aware that the student will not or has not begun attendance; or
  - the date on the cancelled check shows that the bank used by the Department endorsed that check more than 45 days after the date that the school became aware that the student will not or has not begun attendance.

## Direct Loan funds may be reawarded

Direct Loan funds are not student-specific; they are program year-specific. This means that when all or a portion of a loan for a student is cancelled, the cancelled loan funds can be disbursed to another eligible student who is receiving a loan for that same Direct Loan program year.

If the funds cannot be disbursed within the regulatory time frames, they must be returned to the Department via G5.

## Returning DL funds that can't be disbursed within three days

A school that has drawn down more funds than it can disburse due to changes in students' status between the drawdown and disbursement date would need to return the funds if they could not disburse them within the allowed time frame. However, such returns would not be offset by reductions in students' records in COD.

## DOWNWARD ADJUSTMENT OF FSA GRANT DISBURSEMENT RECORDS AND DIRECT LOAN DISBURSEMENT RECORDS REQUIRED

**Returns of FSA Grants funds (except FSEOG and Iraq and Afghanistan Service Grants ), other than funds that are being returned to stay in compliance with the excess cash requirements, must be offset by downward reductions in students' records in COD.** Likewise, all returns of Direct Loan funds must be offset by downward reductions in students' records in COD.

In addition, when all or a portion of a Direct Loan is cancelled (either because the borrower requested the cancellation within the regulatory time frames or to comply with statutory or regulatory requirements), the school must make the appropriate adjustment to the student records in COD.

**All returns of FSA Grants and Direct Loan funds previously disbursed (unclaimed credit balances) should be made through the G5 system.**

## RETURNING DIRECT LOAN FUNDS

If a school is required to return DL funds to comply with a regulatory or statutory requirement, even if more than 120 days have elapsed since the disbursement date, the school must return DL funds through G5. The school returns DL funds to the Department following the same procedures the school follows when making other G5 refunds/returns.

### TIP

#### Removal of Pell Grant and Direct Loan Data from COD

Direct Loan data is usually available for two years after the end of the award year. Once a closed year's data has been removed from the production environment

- All records for the closed years that are submitted to the COD System will be rejected. Schools will receive COD Edit 996 (Invalid Value).
- Data for the closed years will not be available via the COD Web site. The closed years will not appear in drop-down menus on the COD Web site.

## RETURNING FUNDS AFTER 240 DAYS

*In all cases, a school will have to request permission to make a change to the FISAP after December 15 following the close of the award year.*

If FSA Grant funds (other than FSEOG and Iraq and Afghanistan Service Grants) must be returned after 240 days, a school must:

- ◆ enter the student’s revised Pell Grant award in COD;
- ◆ return the funds to the Department through G5, if applicable; and
- ◆ make the appropriate change to the FISAP (see sidebar).

Note that for Pell funds from a prior award year, a school may not use the funds for an eligible student in the current year.

If FSEOG funds must be returned after 240 days, a school must:

- ◆ enter the student’s revised FSEOG award both in the individual student’s account and the school’s FSEOG ledger;
- ◆ either return the funds to the Department through G5 OR carry them forward to the next award year; and
- ◆ make the appropriate change to the FISAP (see sidebar).

If Perkins Loan funds from a prior award year must be returned after 240 days, a school must:

- ◆ reimburse its Perkins Loan fund;
- ◆ report those funds as income in Part III, Section A of the FISAP; and
- ◆ reduce the student’s Perkins Loan balance and make an accounting entry to tie that reduction to the journal entry for the aforementioned reimbursement of its Perkins Loan fund.

The school should not make any changes to the student’s Perkins promissory note.

If a school cannot locate a student to whom it owes FWS funds the student has earned, the federal portion must be returned to the school’s FWS account. If the student comes back or the school later locates the student, the school can recover the FWS funds as long as the account for that year is still open. If the account is closed, the school must pay the student (under the wage and hour laws) using its own funds.

### Amending a Fisap After the Close of an Award Year or After a School Has Submitted a Final FISAP for an Award Year

To amend its FISAP, a school logs in to eCB for the appropriate FISAP year and selects the appropriate Campus-Based program from the menu on the left. After the school has made the appropriate changes, updated the totals, and saved the data, the school selects the “Submit” link on the left. The phrase “Change Request” then appears below “Submit.” The school must select “Change Request” in order to move to the next prompt. After the school selects “Change Request,” the system will prompt the school to explain what changes the school is making and why. The school then must provide:

- the FISAP part, section number, and line number(s) on which the changes were made;
- the amount of the change; and
- a description of the conditions that require the revision (e.g., to comply with the requirements of 34 CFR 668.22).

After providing all of the required information, the school clicks the “Submit Button” and then affirms that it wants to “Continue to Submit.”

The Campus-Based staff will evaluate the school’s submission. If a school’s request is denied, the Campus-Based staff will inform the school why its request was denied. If the school’s request is approved, the Campus-Based staff will notify the school by sending an email to the individual on record as the school’s financial aid director (in Field 19) that the school’s FISAP has been unlocked and that the school has five days to submit the revised working copy as the final copy.

For assistance with amending a previous year’s FISAP, schools should call the Campus-Based Call Center at:

**1-877-801-7168.**

## RETURNING FUNDS FROM FFEL LOANS PURCHASED/SERVICED BY THE DEPARTMENT

### Information required when returning loan funds to a servicer by check

If a school cannot use the electronic process preferred by the loan's servicer and must return the funds with a paper check, together with the check for the funds the school is returning, the school must include, **on school letterhead**, the following information:

1. The borrower's name,
2. The borrower's Social Security number,
3. The loan's unique CommonLine ID,
4. The type of loan (subsidized, unsubsidized, PLUS, etc.),
5. The period for which the loan was certified,
6. The scheduled and actual date of the disbursement,
7. The amount of the disbursement,
8. The amount being returned,
9. The reason the funds are being returned (cancellation, overpayment, withdrawal, or failed to begin class),
10. The school OPE ID, and
11. The name and phone number of the school official returning the funds.

The Department has purchased many Federal Family Education Loan (FFEL) Program loans from FFEL loan holders. The Department has contracted with several organizations to provide loan services on these purchased FFEL loans.

If a school is required to return any portion of a FFEL Program loan that has been purchased by the Department, the money would be returned to the appropriate federal servicer for that loan.

To identify the current servicer of an FSA loan, access NSLDS and select "Aid." Then identify the student and select "Loan History." Under Loan History, the current loan will be listed at the top. Use the field "Servicer" to identify the organization to which you will be returning funds. Click on the servicer name to access the NSLDS Organizational Contact List page. Additional contact information for the loan servicers is available on IFAP under the "Help" menu (Contact Information / Service Centers for Schools, / Loan Service Centers for Schools.)

You can find a global list of contact information for services on IFAP ([ifap.ed.gov](http://ifap.ed.gov)) under Electronic Announcements.


 CHAPTER 5

# Reconciliation in the Pell Grant and Campus-Based Programs

## RECONCILIATION

### *Reconciliation and fiduciary responsibility*

Except for funds received by a school for administrative expenses and for funds used for the Job Location and Development (JLD) Program, funds received by a school under the federal student aid (FSA) programs are held in trust for the intended student beneficiaries. As a trustee of those funds, a school must have procedures in place that ensure FSA funds are used as intended.

The cash management regulations establish rules and procedures that a school must follow in requesting and managing FSA program funds. Under the cash management regulations, a school has a fiduciary responsibility to have a system in place to:

- ◆ safeguard FSA funds,
- ◆ ensure FSA funds are used only for the purposes intended,
- ◆ act on the student's behalf to repay a student's FSA education loan debt when the school is unable to pay a credit balance directly to the student, and
- ◆ return to the Department any FSA funds that cannot be used as intended.



**Failure to have such a system in place calls into question a school's administrative capability, its fiscal responsibility, and its system of internal controls. In short, it calls into question a school's qualifications to participate in the FSA programs.**

A key component of the system described is the process of *reconciliation*. Reconciliation is a process in which financial records are compared and discrepancies resolved. Conducting reconciliation frequently can help ensure that your school is properly exercising its fiduciary responsibilities to safeguard federal funds and ensure that they are used as intended.

### Internal Controls in Automated Systems

Since no one person may have the ability to change data that affect both authorization and disbursement, if award entries made by the financial aid office automatically roll over and populate award fields in the business office, then the separation of functions must take place elsewhere.

For example, if your system automatically awards funds based on a student's budget, then your system must ensure that only employees with a special security standing can change those budgets or otherwise modify a student's award. In addition your system must be able to identify any employee who makes a change to a data element that can affect the level of a student's award (anyone who initiates a budget or award override).

Your school should have documented reconciliation procedures describing who, how, and when your school will reconcile. You should review these procedures regularly to identify issues and make any necessary improvements. Your school must meet all cash management and disbursement reporting requirements. Regular reconciliation can help identify and resolve discrepancies so your school can stay in compliance.



Title IV reconciliation is the process by which a school reviews and compares Title IV aid (grants, loans, and Campus-Based aid) recorded on the Department's systems with the information in the school's internal records. Through reconciliation, disbursement and cash discrepancies are identified and resolved in a timely manner to ensure the school meets all regulatory requirements. Schools must document their reconciliation efforts and retain this documentation for auditing purposes.

If completed on a regular basis, reconciliation can assist schools with disbursements, adjustments, reporting requirements, and complying with cash management regulations.

When a school compares business office records of funds requested, received, disbursed, and returned to financial aid office records of funds awarded to students it is performing **internal reconciliation**. When the school compares its reconciled internal records to the Department's records of funds received and returned, and of grants or loans originated and disbursed to students at the school, it is performing **external reconciliation**. When it performs external reconciliation, a school is ensuring that the Department's records reconcile with the school's records, both at the cumulative and individual student levels.

**At a minimum, your school should reconcile its FSA financial records monthly.** However, the more frequently your school performs reconciliation, the more likely you will be able to identify issues and resolve them before they become part of a systemic problem. Frequent reconciliation is an important internal control procedure that can make a significant contribution to increasing the overall program integrity of the FSA programs at your school. In addition, schools that have systems in place to compare and identify discrepancies between their internal records and data from Department reports will find that the required monthly reconciliation is much easier and makes closing out a year less time consuming.



Speak with your school's administrative software systems specialists about creating a program that compares COD student level data to:

- ◆ student Title IV award information maintained separately by the financial aid office;
- ◆ Title IV funds posted to each student's account;

and reports exceptions found during the comparison process.



The following are conditions that might cause the type of discrepancies you can identify by using COD reports in your school's reconciliation process:

- ◆ A recipient's disbursement data appears on the school's records for an award amount less than the amount shown in the COD system;
- ◆ A recipient's data appears on the school's records for an award amount greater than the amount shown in the COD system; and
- ◆ A recipient's disbursement data appears on the school's records but does not appear in the COD system.

**Note:** The Department has reviewed the operation of schools where the schools' administrative systems generate reports whenever data in the schools' business and financial aid offices do not agree (sometimes as often as daily). The schools' Directors of Financial Aid and its Business Officers meet whenever the reports are generated to resolve discrepancies. We found that at these schools, the annual internal closeout takes hours rather than days and that time required for reconciliation with the Department's data is equally reduced.

### ***Who is responsible for reconciliation***

Because each office has access to and expertise with data needed to facilitate the process, cooperation between the business and financial aid offices is essential if reconciliation of FSA funds is to be successful. For example, the financial aid office will likely be the source of information sent to and reports received from the COD system, whereas the business office is generally responsible for G5 and student accounts.

While it is possible and even advisable for financial aid and business office staff to be able to view information in each other's systems, there is no substitute for the direct involvement of professionals in each office in the reconciliation process.

### ***Reconciliation and a school's coordinating official***

Department regulations require that every participating school designate a capable individual to coordinate aid from the FSA programs with all other aid received by students attending the school. The coordinating official is responsible for ensuring that the school has a system for identifying and resolving discrepancies in FSA-related information no matter where it occurs at the school. Note that resolution includes determining what information is correct **and** correcting the inaccurate data. Since the resolution of discrepancies in data is the essence of reconciliation, your school's coordinating official should be part of the reconciliation process. (See *Volume 2* for more information about the requirement for schools to have coordinating officials.)

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**Coordinating official**  
34 CFR 668.16(b)(1)

**IMPORTANT**

Reconciliation is a process that a school must perform in operating the FSA programs. It is also a tool that a school should use to ensure that its management of the FSA programs is optimal. Most importantly, reconciliation is a shared responsibility. That is, the business office and the financial aid office are equally responsible for performing the periodic reconciliation that is required to make certain that a school is managing the FSA programs as they should be managed. This responsibility involves much more than the mere sharing of reports. It requires joint action by the financial aid and business office to identify discrepancies and to correct them in a timely manner.



The Department does not specify the office in which your school's coordinating official must work. Neither do we specify the type of system your school must have to reconcile its data internally and externally. The Department does require that your school have a coordinating official and that your school performs reconciliation. (See Volume 2 for more information on the requirement to have a coordinating official and other key requirements of administrative capability.)

***Recommended general reconciliation practices***

A key factor in facilitating reconciliation is staying on top of the process. The Department encourages schools to:

- ◆ define responsibilities of key individuals and offices;
- ◆ document your reconciliation procedures;
- ◆ build in regular communication between your business office, financial aid office, and school's technical staff;
- ◆ compare internal student accounts and business office/bursar records with financial aid office records and resolve any discrepancies;
- ◆ balance all subsidiary accounts to the general ledger;
- ◆ ensure that all drawdowns and refunds of cash are accounted for and applied to the correct program year;
- ◆ ensure that all batches have been sent to and accepted by the COD system, all disbursements and adjustments are accurately reflected on the COD system, and all responses are imported into the school's system;
- ◆ ensure that all unbooked loans are booked or inactivated (reduced to \$0) for Direct Loans;
- ◆ resolve all outstanding rejected records;
- ◆ return all refunds of cash via G5; and
- ◆ request any remaining funds owed to the school based on actual disbursements accepted by the COD System.

**Contact Information**

For disbursement reporting, excess cash, or reconciliation questions specific to the Federal Pell Grant or Direct Loan Programs, contact the COD School Relations Center at 1-800-474-7268 for Grants and 1-800-848-0978 for Direct Loans. You may also email [CODSupport@ed.gov](mailto:CODSupport@ed.gov).

For reconciliation questions specific to the Federal Work-Study, Federal Supplemental Educational Opportunity Grant, or Federal Perkins Loan programs, contact the Campus-Based Call Center at 1-877-801-7168. You may also email [CBFOB@ed.gov](mailto:CBFOB@ed.gov).

Each school is assigned a COD reconciliation coordinator who can assist you with specific reconciliation questions. They can be reached by calling the number above. If reconciliation issues arise that require your school's immediate attention, your school's COD Reconciliation Coordinator may contact you.

### ***Internal Reconciliation***

We recommended that before you compare your school's records to the Department's records, you ensure the financial aid office and the business office agree on the amount of funds that should have been drawn down from G5 to cover the funds disbursed to students. Therefore, the first step in the reconciliation process should be to confirm that business office records of actual disbursements posted to student accounts are consistent with financial aid office records of student award and scheduled disbursement amounts.

Internal reconciliation should also include steps to reconcile cash transactions such as drawdowns and refunds of cash. Your school should ensure that bank statements correctly reflect all funds drawn or returned and that this information matches the school's ledgers and other internal records. Your school should confirm that any returns of Title IV Aid calculated by the financial aid office are reflected correctly in business office student account records and that any funds not necessary for immediate use have been returned to the Department.”

So, you could begin the internal reconciliation process by comparing a monthly financial aid office roster of scheduled disbursements to a monthly business office cash detail report that reflects funds drawn down and funds disbursed for the month. If you discover discrepancies, you must resolve them.

In addition, you should also compare business office and financial aid office records of adjustments (refunds of cash) made during the month. Often, Returns due to withdrawals performed by the financial aid office aren't applied by the business office. Just as often, adjustments made by the business office aren't noted in the financial aid office. Either of these omissions can cause an internal discrepancy that will affect a school's Ending Cash Balance and should be resolved before a school begins its external reconciliation process.

Remember, no matter the method you choose to perform internal reconciliation, the Department advises you to complete that process before you begin external reconciliation.

### ***External Reconciliation***

During internal reconciliation, the school will have resolved any differences between records in the financial aid office and those in the business office. In external reconciliation, a school will reconcile its records to the Department's records.

## RECONCILIATION IN THE PELL GRANT PROGRAM

### Time Frame for Submitting Disbursements

A school must submit Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement records and Direct Loan disbursement records, as applicable, no later than 15 days after making the disbursement or becoming aware of the need to adjust a student's previously reported Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement.

The Department considers that Federal Pell Grant and Iraq and Afghanistan Service Grant funds are disbursed on the date that the school: (a) credits those funds to a student's account in the school's general ledger or any subledger of the general ledger, or (b) pays those funds to a student directly. We consider that Federal Pell Grant and Iraq and Afghanistan Service Grant funds are disbursed even if a school uses its own funds in advance of receiving program funds from the Department.

A school's failure to submit disbursement records within the required time frame may result in the Department rejecting all or part of the reported disbursement. In addition, such failure may result in an audit or program review finding. In addition, the Department may initiate an adverse action, such as a fine or other penalty for such failure.

Federal Register Volume 78, Number 40  
(Thursday, February 28, 2013)]

Though there is no regulatory requirement for reconciling your school's Pell Grant Program operations on a monthly basis, it is almost impossible to satisfy other program requirements without performing monthly reconciliation of your school's Pell Grant Program participation.

For example, an institution must submit Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement records no later than the deadline dates as published in the Federal Register notice (see sidebar) after making a Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement or becoming aware of the need to adjust a student's previously reported Federal Pell Grant or Iraq and Afghanistan Service Grant disbursement. A school's failure to submit disbursement records within the required time frame may result in an audit or program review finding.

To be proactive, on a monthly basis, your school should compare

- ◆ the records of Pell Grant awards and scheduled disbursement to students made in the financial aid office to awards on individual student accounts in the business office;
- ◆ the record of disbursements in the school's Pell Grant Program ledger to the record of Pell Grants disbursed to students in the business office;
- ◆ the individual and program records of all adjustments (positive and negative) made during the period; and
- ◆ on an individual and program basis, the record of Pell Grants disbursed to students in COD to the records of Pell Grant disbursements in the business office.

Monthly reconciliation for the Pell Grant Program should include verifying that individually and cumulatively the following:

- ◆ records of student awards and pending disbursements calculated and maintained by the financial aid office match the records of pending disbursement data received or maintained by the business office;
- ◆ business office records of actual disbursements posted to student accounts are consistent with financial aid office records of student eligibility and applicable award and disbursement amounts;
- ◆ records of disbursements in the general ledger match those in subsidiary ledgers (e.g. student ledgers and accounts);
- ◆ the actual disbursements posted to students' accounts internally match the actual disbursements accepted in the COD system (including any adjustments to actual disbursements); and

- ◆ cumulative school and COD records of Pell Grant disbursements match Net Draws (Drawdowns – Refunds of Cash) in G5 for the award year in the Pell Grant Program.



### Reconciling school-level data

Whether you maintain your records electronically or on paper, comparing the records of Pell Grant awards made to students by the financial aid office to the records of Pell Grant disbursements recorded in individual student accounts is not a complex task. If awards recorded by the aid office automatically populate the business office records, the data should always agree.

If your school's processes are automated, your systems' staff can create a program that compares the relevant data elements and generates an exception report that identifies discrepancies between business office and financial aid office data. Reconciliation of school level data functions is an internal control check mechanism. By reviewing the exception report on a daily basis, the bursar ensures that the school's internal records agree and he or she also confirms that the school's system for communicating data between offices is functioning correctly.

### Reconciling school-level data with COD Pell Grant data

Your school should reconcile all cash (Drawdowns and Refunds of Cash) and disbursement records (Actual Disbursements and Adjustments) with information in COD on an ongoing basis (external reconciliation). This will greatly minimize the number of post deadline adjustments and help identify and resolve issues as they arise. There are many tools specific to the Pell Grant program available to assist you in your reconciliation efforts.

In reconciling school level Pell Grant records of individual awards to students with individual student records maintained in COD you can use the following tools:

- ◆ Pell Grant Reconciliation Report

The Pell Grant Reconciliation Report is a one-record student summary of processed records and can be helpful to your school as it completes both the year-end and ongoing reconciliation processes. This report can be downloaded, printed, or imported into a spreadsheet for comparison with your school's data. This report provides the total year-to-date (YTD) disbursement amount per student as it is in COD.

#### Resources

The COD School Relations staff at

**1-800-474-7268** and at

**CODSupport@ed.gov**

is available to help users within COD reports in the reconciliation process.

Note that the email address for COD School Relations is new.

**TIP**

#### COD reports

The Common Origination and Disbursement (COD) Technical Reference, Volume VI, Section 8 – Reports can be found at: <https://ifap.ed.gov/ifap/publications.jsp>.

Click on *COD Technical Reference* and choose the appropriate Award Year.

- ◆ Pell Grant Electronic Statement of Account (ESOA)

The ESOA summarizes the status of a school's current funding level (CFL) versus the net drawdown for that award year. In addition, the ESOA provides (for the current processing day only) the YTD Unduplicated Recipient Count, the YTD Total Accepted and Posted Disbursements, the YTD Total ACA paid to schools, and the net drawdown payments in G5 up to the current processing day. That is, it provides the sum of school initiated drawdowns, direct payments for Obligate/Pay accounts, adjustments (+/-) less refunds and returns.

- ◆ Pending Disbursement List Report

The Pending Disbursement List Report contains disbursements not yet funded in COD. This "list by student" reports anticipated disbursements received and accepted, but not yet made, in a school's Pell Grant Program.

- ◆ Pell Grant YTD Record

A Pell Grant YTD Record can be requested for an individual student or for all Pell Grant recipients at your school. A YTD Record contains more detailed award and disbursement data than the Pell Grant Reconciliation Report. It contains information at the individual transaction level. The YTD Record can be used to replace a corrupt database or to reconcile records with accepted data on COD.

The YTD Record shows the award information that COD is using for each student. You can view each individual disbursement as well as the total disbursed to a student for the year. The YTD Summary will show the total number of recipients at your school, and the number of awards, and the disbursements accepted, rejected, or corrected. The detailed information in a YTD Record can help your school resolve discrepancies between school and COD data.

### Completing Reconciliation

If a school is meeting all disbursement/adjustment reporting, excess cash, and reconciliation requirements, a final reconciliation should begin no later than the last award or payment period end date at the school for a given program and year. A school should be able to reconcile to a zero ending cash balance soon after its final disbursements and should not carry an ending cash balance (positive or negative) for an extended period.

All schools must finalize reconciliation of cash and reporting of Pell Grant and Iraq and Afghanistan Service Grant disbursements and disbursement adjustments by the annual deadline of September 30 of the award year (i.e. for 2012–2013, the deadline will be September 30, 2013). Any adjustments to disbursements after that date may require a request for extended processing. Both Pell Grant and Iraq and Afghanistan Service Grant are closed five years after the end of the award year. Therefore, no disbursement or disbursement adjustments may be made in those programs after that time. Any funds that need to be returned after the five-year period must be returned directly to the Treasury. If you need assistance returning funds after the five year closing date, please contact G5 customer service at 1-888-336-8930.



## RECONCILIATION, RECORDS, AND INTERNAL CONTROLS IN THE CAMPUS-BASED PROGRAMS



A school is required to reconcile its Campus-Based program and financial records at least monthly. In addition, you perform annual reconciliation of your school's annual participation in the Campus-Based programs when you complete the *The Fiscal Operations Report* (FISOP). The FISOP is parts III, IV, V, and VI of the *The Fiscal Operations Report and Application to Participate* (FISAP).

**Note:** If you participated in any Campus-Based programs in an award year, you must report on your activities for those programs by completing the appropriate portions of the FISAP by the following October.

Your school must reconcile, at least monthly, your Campus-Based draws recorded in G5 to the funds received in the bank account your school has designated to receive electronic transfers and account for any discrepancies.

In addition, your school must have a system that, on at least a monthly basis, reconciles your drawdowns for the award year in the individual Campus-Based Programs plus any funds provided by your school or received from other sources to the amounts expended in the three programs.

### *Reconciliation and the Federal Perkins Loan Program*



Your school must have a system that, on at least a monthly basis, reconciles and accounts for any discrepancies among:

- ◆ the cash on hand in your Perkins fund at the start of the period,
- ◆ any federal funds received and deposited in your Perkins fund during the period,
- ◆ any school funds deposited in the Perkins fund during the period,
- ◆ any payments of principal, interest, late charges, and collection charges received during the period,
- ◆ any other additions to the Perkins fund during the period, to loans made to students during the period,
- ◆ expenses paid from the fund during the period (including ACA),
- ◆ cash on hand in the fund at the end of the period.

### Monthly Reconciliation Required

A school is required to reconcile its Campus-Based records no less frequently than once a month.

Schools may be required to provide records of their monthly reconciliations during the required annual audit or during a program review.

Perkins 34 CFR 674.19(d)(1)  
FWS 34 CFR 675.19(b)(2)(iv)  
FSEOG 34 CFR 676.19(b)(2)

### FISAP

Campus-Based Programs 34 CFR 673.3  
Perkins Loan Program 34 CFR 674.19(d)(2)  
FWS 34 CFR 675.19(b)(3)  
FSEOG 34 CFR 676.19(b)(3)

### ***Reconciliation and the Federal Supplemental Educational Opportunity Grant Program***



Your school must have a system that, on at least a monthly basis, reconciles the federal funds drawn down during the period for FSEOG awards, plus funds transferred (or carried) in from the other Campus-Based Programs during the period, plus any nonfederal funds (both institutional and noninstitutional) made available for grants to students during the period, plus any other resources designated as FSEOG awards to students during the period to FSEOG awards made to students during the period, plus ACA, and accounts for any discrepancies.

### ***Reconciliation and the Federal Work-Study Program***



You should reconcile monthly the amount drawn down and received to the amounts disbursed to students or returned to the Department, and explain all discrepancies.

Your school must have a system that, on at least a monthly basis, reconciles the federal funds drawn down during the period for FWS awards, plus funds transferred (or carried) in from the other Campus-Based programs during the period, plus any nonfederal (both institutional and noninstitutional) funds made available for FWS payments to students during the period to FWS funds paid to students during the period, plus ACA, plus Job Location and Development expenditures, and accounts for any discrepancies.

In addition, you should examine your FWS Program and fiscal records at the start of the award year and monthly thereafter.

- ◆ Do you have a method for verifying that a student's rate of pay in your payroll system matches the rate of pay on which the award was calculated, and if the rate assigned to the position and the experience level of the student matches the levels required by the school's policies and procedures?
- ◆ Do you have a system that records the maximum a student may earn in FWS wages and alerts you if a student approaches that amount?
- ◆ Do you periodically evaluate your rate of expenditures to determine if you are spending funds at the same rate, if you are spending less, or if you are spending more than the amount you budgeted for FWS expenditures?
- ◆ Are your matching funds consistently deposited at the same time you received your federal share?

In the FWS Program, your requests for funds should always be for a payroll for which data has been entered. The only time your need for funds should be greater or less than your draw is when anticipated payments from an off-campus employer are early or late. Excepting those occasions, do you often find yourself requesting additional funds or returning unused funds?

- ◆ Do you have a process in place to ensure that students are actually working the hours reported—that timesheets are accurate?
- ◆ Do you frequently audit payrolls to test whether hours recorded in the payroll system match the hours reported on student timesheets?
- ◆ Do you reconcile the expenditure of funds in the community service part or your work-study program to the reports submitted by employers?




 CHAPTER 6

# Reconciliation in the Direct Loan Program

## OVERVIEW OF DIRECT LOAN RECONCILIATION

A school that participates in the Direct Loan Program is required to reconcile cash (the funds it has received (from the G5 system) to pay its students) with disbursements (the actual disbursement records) it has submitted to the Common Origination and Disbursement (COD) system. Schools are required to reconcile monthly.

All Direct Loan schools are also required to complete a year-end closeout which is a final reconciliation of their Direct Loan accounts. This should be done as soon as possible after the end of the school's latest award period (loan period) end date, but no later than the program year closeout date. The Direct Loan Program year closeout date occurs on the last processing day of July in the year following the award year. For example, the program year closeout date for 2012–2013 will be July 31, 2014.

The starting point for reconciliation is the Ending Cash Balance (ECB) on the School Account Statement (SAS) that COD sends to the school each month. The SAS is the Department's official record of your school's cash and disbursement transactions. The ECB is simply the difference between the net drawdowns/payments your school has received from the G5 payment system, and the actual disbursement information you've reported to COD (and COD has accepted) for individual students and parents (known as Total Net Booked Disbursements).

Ideally, the net drawdown/payments your school has received in the past month will be fully substantiated by the total disbursements your school has reported (including any subsequent adjustments). Therefore, your school's monthly ECB should be as close to zero as possible keeping timing variances in mind.

### Direct Loan monthly reconciliation required

34 CFR 685.102

$$\begin{array}{r}
 \text{Net Drawdowns/Payments (G5)} \\
 - \text{Total Net Booked} \\
 \text{Disbursements (COD)} \\
 \hline
 = \text{Ending Cash Balance}
 \end{array}$$

### Booked vs. Unbooked Disbursements

For a disbursement to be considered booked, it must consist of the following three components.

1. It must be a part of an accepted loan origination record (as submitted to COD by the school);
2. It must have an accepted Master Promissory Note associated with it (linked MPN); and
3. It must be reflected as an actual disbursement in COD (the Disbursement Release Indicator = "True" and the date of disbursement must have occurred) .

Once these three things occur, the loan is booked and sent to a Department Servicer, and the student is liable in accordance with the terms and conditions stated in the Master Promissory Note.

*Unbooked disbursements* include any future dated transactions with disbursement dates falling after the end of the report.

### Types of Disbursement Discrepancies

1. End-of-month timing issues.
2. Disbursement batches not yet sent to COD (or sent to COD but not acknowledged).
3. Rejected disbursements that have not been resolved.
4. Disbursements reported to COD but unbooked because of future disbursement date.
5. Disbursements made by business office but not supported by disbursement records in the financial aid office system and COD (*would show up in internal reconciliation*).

When the ECB for a month is greater or less than zero, you must be able to account for any differences between the net totals for Booked Disbursements and Drawdowns/Payments. The SAS provides you with the information that the Department has recorded for your actual disbursements to students and cash transactions (payments/drawdowns). You can use this information as a starting point in identifying the underlying reasons for the ECB.

Sometimes the difference between Booked Disbursements and Cash Receipts is just a matter of end-of-month timing—funds were delivered to the school's account at the end of one month and the disbursements were reported to COD at the beginning of the next month (or vice versa). If there are legitimate reasons for a positive or negative ECB from month to month, you may not need to correct or update any of the information your school has provided to the COD or G5 systems. Just document the reasons for the differences and you are done reconciling for that month.

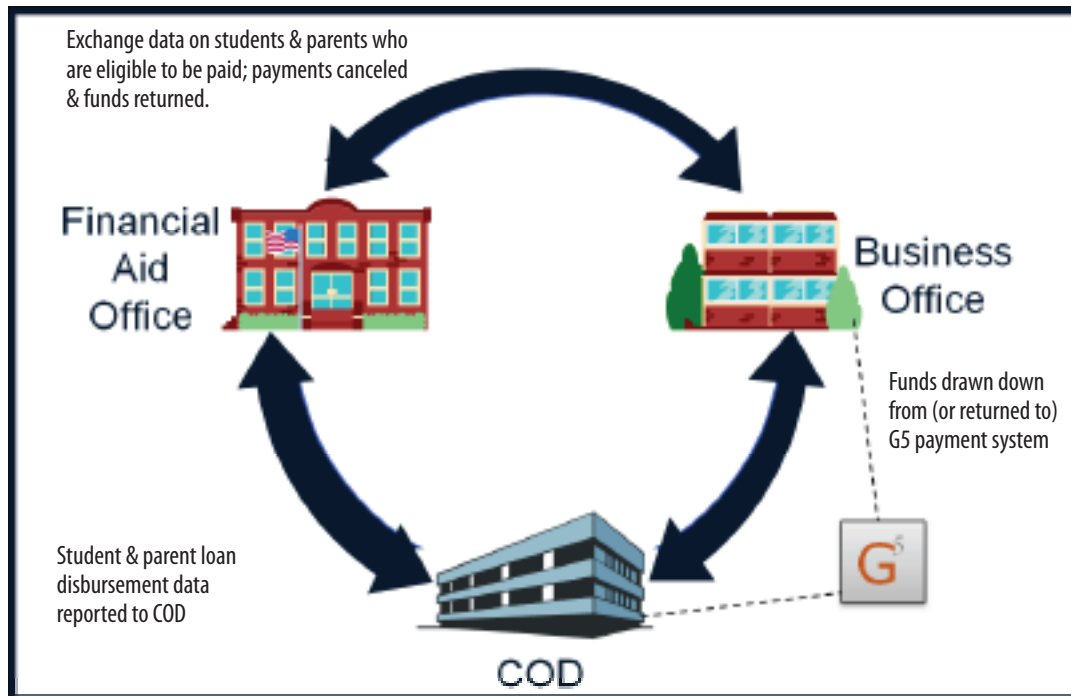
During your review, you may also find omissions or errors in your school's transactions with COD and G5. For instance, you may find that some disbursement data for your students was submitted to, but not accepted by, COD or that G5 transactions were entered for the wrong program year. In these cases, you will need to resubmit corrected disbursement records to COD or correct earlier transactions on the G5 system. Ensuring that your school records match exactly to the data in COD is an example of external reconciliation.

It is also possible that the discrepancy results from inconsistencies between the information in the school's financial aid system and the information kept by its business office—these will need to be resolved by comparing and correcting your school's records. This is an example of internal reconciliation. In order to have a common set of figures to reconcile against COD schools should complete an internal reconciliation before beginning the required external monthly reconciliation.



## Reconciling ED and School Records

The SAS (sent by COD) includes both disbursement data and cash transactions from COD. This data in ED systems must be reconciled with data in your school's financial aid office and business office.



Discrepancies can occur for a variety of reasons, such as:

- Timing issues—funds are drawn down and disbursed in a different month from the month student/parent records are sent to COD.
- Misreporting of drawdowns or returns of aid—for instance, drawdowns or returns attributed to the wrong award year.
- Actual disbursements or adjustments that have not been processed in COD—including records batched but not sent by the financial aid office, and unresolved rejects.
- Actual disbursements reported to COD by the aid office but not reported to the business office for payment.
- Payments made or not made by the business office that are not reported to the financial aid office.

## INTERNAL RECONCILIATION

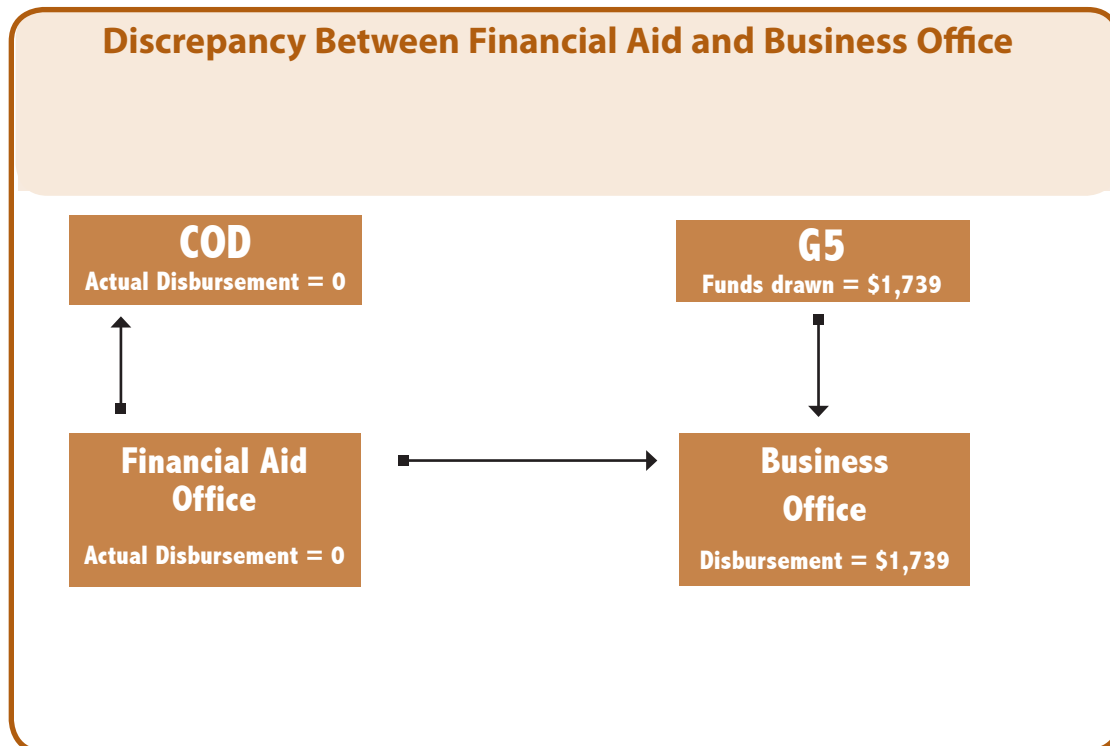
### Possible Sources of Discrepancies Between Financial Aid & Business Office Records

- financial aid office calculates Return of Aid (R2T4) but doesn't notify business office.
- financial aid office schedules disbursement with business office but does not create "actual disbursement" record to send to COD. (Or, "actual disbursement" record sent by the financial aid office is rejected by COD.)
- business office cancels disbursement but does not inform financial aid office.
- business office makes refund of cash to G5 system but does not inform financial aid office.

Internal reconciliation is the process where the business and financial aid offices compare their records to ensure that they match, both in disbursement date and disbursement amount. The frequency and methods used for internal reconciliation are based on school decision and need but should occur at least monthly and before the required monthly reconciliation to the Direct Loan SAS.

The business office should review its Direct Loan account bank statement to ensure that funds drawn and returned are in the appropriate year. In addition the business office will need to regularly monitor the account to comply with cash management regulations, i.e., making sure that funds are drawn for immediate need and any funds that cannot be used within cash management guidelines are returned promptly.

To be in compliance with reporting disbursement and disbursement adjustments within 15 days, the business and financial aid offices will need to communicate frequently, making sure that their systems are in sync. It is very important that the date funds are posted to student accounts is the disbursement date the financial aid office reports to COD. This date is reported to the Direct Loan servicers and is the time when interest begins to accrue on the loan funds.



Discrepancies that occur between the financial aid and business offices are usually caused by a lapse in communication. Note that these discrepancies often do not show up in a comparison of the financial aid office's records to COD, or in the comparison of drawdowns/returns between the business office and G5 payment system. For instance,

- ◆ The financial aid office notifies the business office that the student is eligible for payment on a certain date, but the disbursement record is rejected by COD. If the financial aid office doesn't tell the business office to cancel the disbursement, the business office draws down funds and makes a disbursement to the student that is not supported in COD or in the financial aid office's records.
- ◆ The business office cancels a disbursement and/or makes a refund of cash to the G5 system without informing the aid office. Thus, the original amount will still be included in the net Booked Disbursements on the SAS but will not be reflected in the net Cash Receipts.

Discrepancies can be avoided by setting daily or weekly communication touchpoints between the two offices or by scheduling a data comparison between the two office systems. Resolving differences in internal reconciliation will lead to a smoother external reconciliation with the Department's official data as reflected in the SAS.

## Steps in Monthly Reconciliation

**Monthly Reconciliation Process**

- ▶ Compare financial aid office records with business office disbursements.  
Look for:
  - Refunds of cash made by business office to G5 but not recorded in the financial aid office system.
  - Disbursements made by business office, but not recorded in the financial aid office system or not sent to COD and accepted.
  - Instances when the financial aid office calculated a Return of Aid and reported a downward adjustment to COD, but the information was not recorded in the business office system and the funds were not returned to G5.
- ▶ Reconcile with SAS data from ED  
Upon receiving the monthly SAS, first compare the cash summary information to your internal records. If the sub-totals and ECB match or any discrepancies can be explained and documented, you are done. If not, then proceed to the next step of comparing SAS cash detail with student account records in the business office (or elsewhere). Look for:
  - End-of-month submissions that were processed by COD in the next month.
  - Cash transactions attributed to wrong award year.
  - Funds drawn down from one award year but “recycled” to make disbursements for loans in a different award year.
- ▶ Compare SAS Loan/Disbursement Detail with financial aid office records.  
(The “Loan Compare” function in DL Tools can be used to import school data and compare it to the SAS Loan Disbursement Detail.) Look for:
  - Disbursement batches not yet sent to COD (or sent to COD but not acknowledged).
  - Rejected disbursements that have not been resolved.
  - Disbursements reported to COD but unbooked because of future disbursement date.
  - Remember, you must document reasons for any discrepancies in your ECB.

## COMPLETING EXTERNAL RECONCILIATION

After completing internal reconciliation between the business and financial aid office records, a school can begin its required monthly reconciliation process, comparing school data to the SAS.

### *Completing monthly reconciliation*

A school has completed its monthly reconciliation when all differences between the SAS and the school's internal records (Direct Loan System, financial aid office, and business office system) have been resolved or documented. Schools should clearly outline their method of documentation in both business office and financial aid office procedures. The Department does not mandate or prescribe any particular method of documentation, which allows your school to determine the type and method that best suits your internal processes. Your school must maintain documented results of its monthly reconciliation to provide to auditors and reviewers at their request but does not need to send any proof of this reconciliation to the Department.

Each month you should:

- ◆ Identify any discrepancies due to timing and track them to make sure that the missing transactions appear in the next month's SAS.
- ◆ Identify any discrepancies due to misreporting or internal miscommunication and take necessary corrective actions to ensure they will not recur in the following month.
- ◆ Document all reconciliation efforts for future reference. In addition to resolving cash balance issues in a timely manner, careful monthly reconciliation will help you to complete year-end close-out much more efficiently.

### **Key Components of Monthly Reconciliation**

- All discrepancies have been identified, resolved, and documented.
- Timing issues are tracked for reconciliation in next month's SAS.
- Historical records of issues are kept for later review or to update new or returning staff members.

### Completing Year-End Closeout

We encourage you to complete the following simple steps while reviewing your school's internal records and the SAS:

- Ensure that all drawdowns and refunds of cash are accounted for and applied to the correct program year;
- Ensure that all disbursements and adjustments are accurate and have been reported to and accepted by the COD system;
- Ensure that all batches have been sent to and accepted by the COD system;
- Ensure that all unbooked loans are resolved;
- Resolve all outstanding rejected records; and
- Return all refunds of cash to the G5 payment system.

### Direct Loan year-end closeout

Direct Loan schools must complete a final reconciliation and program year closeout. Program year closeout should occur within a month or two of your final disbursements but no later than the program year closeout deadline, which is the last processing day in July of the year following the end of the award year.

**Note:** Exceptions to the last processing day of the program year may be made on a case-by-case basis if the school's processing period extends beyond the closeout deadline. Schools falling within this category must request extended processing on line, or by contacting the COD School Relations Center.

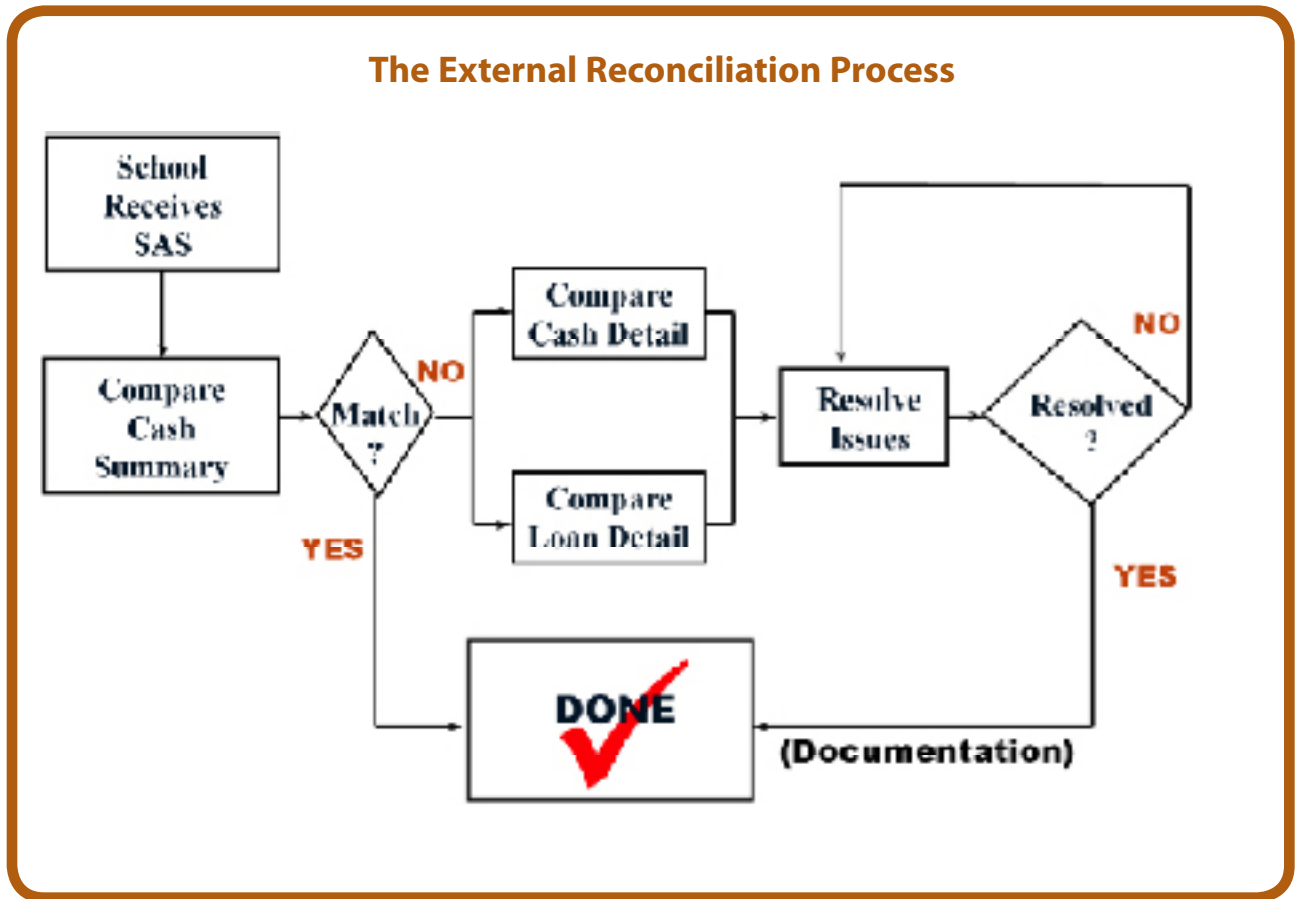
To be considered successfully closed out, a school must:

- ◆ Have an ECB of \$0 and total Net Unbooked Disbursements of \$0 internally and as reflected on the SAS, and
- ◆ Complete the Balance Confirmation form on the COD website.

You will be notified of the closeout requirements through Electronic Announcements and COD system-generated closeout correspondence. As part of the closeout process, COD will send ongoing notices via Zero Balance or Remaining Balance emails. In addition, COD will distribute a Notification/Warning Letter via email to schools in May. This letter will go to the financial aid administrator and president at each school that has not confirmed closeout on the COD website (including any schools with a zero balance). It will serve as a reminder to finish processing and confirm closeout before the final deadline. After the closeout deadline, schools with remaining positive balances will be billed.

A school must be aware of its closeout status even if its Direct Loan processing is handled by the school's third-party servicer. We encourage each school to communicate regularly with its third-party servicer to ensure closeout is completed. It is the school's responsibility to ensure that it finishes processing and confirms closeout on time.





## USING TOOLS AND REPORTS IN DIRECT LOAN RECONCILIATION

### TIP

For more information on COD Reports, refer to the latest COD Technical Reference, Volume VI, Section 8, available at [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov).

For more information on COD web screens, refer to the COD website help text or download the free COD Computer Based Training from [ifap.ed.gov](http://ifap.ed.gov) under “Tools for Schools.”

### NEW

In January of 2014, the Department announced the posting of three report readers. The readers provide a simplified way of importing the COD report files into an Excel spreadsheet for school reconciliation purposes.

A school that does not already have a process in place for using these reports to regularly reconcile its Pell Grant and Direct Loan data should consider downloading the readers for this purpose.

Note that to use the readers, a school must receive the **fixed-length format** of the reports.

There are report readers for the following reports.

- Pell Grant Reconciliation File
- Pell Grant YTD File
- SAS Disbursement Detail on Demand File

The readers, along with instructions on how to use them, are posted on the Common Origination and Disbursement (COD) website at <https://cod.ed.gov/cod/LoginPage>

If you have questions about the readers or need additional assistance with using them, contact the COD School Relations Center at 800/848-0978 for Direct Loans or 800/474-7268 for Pell Grants. You may also email [CODSupport@ed.gov](mailto:CODSupport@ed.gov).

The Department provides several applications to assist your school in completing its Direct Loan reconciliation responsibilities. Among them are COD Reports and Direct Loan Tools.

### COD Reports

COD provides a variety of reports and web screens (available at <http://cod.ed.gov>) to help you in your Direct Loan reconciliation. Detailed information including message classes, record layouts, and delivery methods for all Direct Loan reports can be found in the COD Technical Reference Volume VI Section 8. Highlighted here are a few reports and COD web screens useful to reconciliation:

- ◆ *School Account Statement (SAS)*—detail to follow.
- ◆ *30-Day Warning Report*—this report can help your school identify awards that are missing a piece needed for booking a loan. It is composed of two sections. The first lists origination records missing either a promissory note or an actual disbursement. The second section lists promissory notes missing origination and disbursement records.
- ◆ *Pending Disbursement Listing*—This report provides a list of all pending disbursements reported by your school and can help you to identify future funding needs, identify pending disbursements that should be reported as actuals, and identify awards or disbursements that need to be made deactivated (reduced to zero).
- ◆ *Inactive Loans Report*—This report provides a list of all loans made inactive (reduced to zero) during the reported period and can help you confirm that the correct loans have been inactivated.
- ◆ *Direct Loan Actual Disbursement List*—This weekly report displays actual disbursements from the previous Saturday (seven days before the report generation date) through the following Friday (one day before the report generation date). Actual disbursements appear on the report based on their post date, indicating when each actual disbursement or adjustment is posted on the COD System. The report includes booked, unbooked, and future dated actual disbursements and adjustments, provided they are created within the reporting period.
- ◆ *School Summary Information*—This COD web page provides an overview of your school’s current funding level (CFL) as well as cash greater than accepted and posted disbursements over 30 days. It is a great tool to use every time you log into COD to confirm that your school is reporting disbursements in a timely manner to substantiate the funds drawn.

- **Funding Info**—This COD web page lists your school’s current available balance as well as last CFL changes.
- **School Summary Financial Information**—This COD web page provides close to real time balance information for your school, formatted similarly to the year-to-date Cash Summary section of the SAS.
- **Cash Activity web page** – this COD web page provides up-to-date drawdown and refund of cash detail activity for your school as well as days remaining for on-time reporting.
- **Action Queue Search**—This COD web page allows you to search for current pending disbursement activity for your school. You can use the action queue as an ad hoc pending disbursement list by setting your own begin and end date parameters into the future. You can also use the action queue as a reconciliation tool by setting the begin search date to the beginning of the award year with the end date at the current date to view any pending disbursements that either should have been disbursed or reduced to zero. Note that this search can also be used for, (1) anticipating funding needs and, (2) identifying disbursements/loan periods that should be updated per GEN-13-13/150% requirements.

### Direct Loan Tools

The Direct Loan Tools software application is designed to work with your own mainframe or middle-range application, or hand-in-hand with EDEExpress, to ensure that your Direct Loan records reconcile with the COD system. With a few simple keystrokes you can compare the SAS file you receive monthly from the COD System with your own database to identify discrepancies that need to be addressed.

Direct Loan (DL) Tools for Windows is a supplemental software product for Direct Loan participants. You can download software and related user documentation from the U.S. Department of Education’s Federal Student Aid Download (FSAdownload) website located at [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov).

You can use DL Tools during your reconciliation process to:

- ◆ print the SAS in a readable format;
- ◆ track Cash Receipts (drawdowns) and Refunds of Cash; and
- ◆ compare the SAS to loans and actual disbursements recorded in either EDEExpress or an external file (your school’s system), and/or compare the SAS to the DL Tools Cash database (records of receipts and Refunds of Cash).

### Using DL Tools for Reconciliation

Many schools have found that DL Tools software helps them in the reconciliation process, even if they are not using EDEExpress.

DL Tools can be used to import and format information from the SAS. DL Tools can produce formatted reports for:

- Cash Summary
- SAS Cash Detail
- SAS Loan and Disbursement Detail

In addition, DL Tools can be used to compare the information from the SAS to the school’s data. We’ll talk more about these features under Cash Detail and Loan Disbursement Detail.

DL Tools runs on Windows-based PCs and can be downloaded free at [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov).

NOTE: Comparison reports are designed to be run using the SAS Reports with YTD detail, not monthly detail. You can change your report options (YTD detail, for example) by accessing the COD website at <http://cod.ed.gov/> (see section in this document titled, “School Account Statement Options”). (Note that fixed-length formatting is required in “Compare.” We find that schools that have changed their preference to, for instance, “comma delimited,” don’t realize that formats other than fixed length won’t work for Compare Reports.

For more information on the DL Tools Software, refer to the COD Technical Reference, Volume IV.

There is also training available on DL Tools on IFAP/Tools for Schools/EDEExpress Online Training and in the COD Computer-Based Training (CBT) modules under “Tools for Schools / COD CBT.”

### Using DL Tools to Evaluate Your Average Processing Time

If your school uses EDEXpress, you can use the Disbursement Measurement Tool (in DL Tools) to calculate

- average time from actual disbursement date to sending the actual disbursements in a batch to COD.
- average time from actual disbursement date to booking the loan.

These average times can be compared to the recommended tolerances you have established as your quality control standard.

Reports available to schools using DL include:

- ◆ SAS Cash Summary
- ◆ SAS Cash Detail
- ◆ SAS Loan and Disbursement Detail
- ◆ Internal Ending Cash Balance Report
- ◆ Cash Detail Comparison
- ◆ Loan Detail Comparison
- ◆ Disbursement Detail Comparison
- ◆ Disbursement Measurement Tool

## THE SCHOOL ACCOUNT STATEMENT

Each month, the COD system sends a SAS to your SAIG Mailbox. This report is generated by COD during the first weekend of the month with data through the end of the previous month (for example, the first weekend in September, COD generates a report for August and sends it to your school). The SAS reflects all cash transactions performed in G5 as reported to COD and all loan and disbursement detail reported by your school and accepted in COD.

The SAS is a monthly statement, similar to a bank statement, that summarizes a school's processing activity for each month. (Your school can now request a *School Account Statement (SAS) Disbursement Detail* on an *on demand* basis.)

The SAS should be your school's primary tool for reconciliation and program year closeout, and should be compared to both financial aid and business office records. The SAS provides the Department's official ending cash balance as of the end date of the report, based on data submitted by the school. As such, all schools are required to receive the SAS on a monthly basis until they have officially closed out a program year.

Your school is required to reconcile the information on the SAS to its internal records on a monthly basis.

Note that your school will receive a separate SAS for each award year that it participates in Direct Loans until that award year is closed out as directed by ED. Since a school often has multiple award years open at the same time, it may receive more than one SAS for a given month.

To successfully "close out" your Direct Loan account at the end of an award year, you must have an ECB of zero and Total Net Unbooked Disbursements of zero, as reflected on your school's SAS.

### DL Tools for Cash Management

You can use the "Cash Management" feature in DL Tools to keep a record of Cash Receipts (drawdowns) and Refunds of Cash for Direct Loans.

However, if you use this feature, you must take care to ensure that EVERY transaction is recorded in the Cash Management Tool. Thus, if your business office tracks transactions in other software, you may want to rely on that software to record cash transactions, rather than making duplicate entries.

If you are using the Cash Management feature of DL Tools, you can also run the following reports for all program years:

- Internal Ending Cash Balance Report
- Cash Detail Comparison.



The SAS is broken down into the following four sections:

- ◆ Cash Summary
- ◆ Disbursement Summary (by loan type)
- ◆ Cash Detail Report
- ◆ Loan or Disbursement Detail Report.

### Cash Summary

This section of the SAS provides the Department’s official ECB for the school for the reported period. The ECB is the difference between Net Drawdown of Cash and Net Booked Disbursements. The Cash Summary contains both a monthly and a year-to-date summary of cash and loan data processed at COD for that program year. This section can be compared to summary information on the school’s internal systems. The comparison may then identify areas where further research is needed.

Ultimately, if a school’s Net Drawdowns/Payments are equal to its total Net Booked Disbursements, its ECB will equal zero.

### Disbursement Summary by Loan Type

The Disbursement Summary by Loan Type section of the SAS provides monthly and YTD summary information by loan type for the reported period. It can be used to monitor loan volume at the summary level.

### Cash Detail

The Cash Detail section of the SAS provides detail on cash transactions processed in COD during the reported period. This includes drawdowns, drawdown adjustments, or refunds of cash. If the monthly option is chosen, this section will only include cash transactions processed in COD during that month. If the YTD option is chosen, the section will include cash transactions processed at COD from the start of the program year through the end date of the report. If you choose the monthly option, this section will not include any cash transactions requested or sent during the month, but not processed on COD until after the last day of that month.

#### Using the SAS

Three sections of the School Account Statement (SAS) are particularly useful for purposes of reconciliation:

- Cash Summary →  
compare to summary school data
- Cash Detail →  
compare to business office records
- Loan Disbursement Detail →  
compare to financial aid system

#### Setting Options for the Format And Content of the SAS

Schools can set their SAS format and content options on the COD website by selecting - School/Report Selection/Modify SAS Options.

SAS format choices are Fixed Length (the default), Comma-Delimited **Without** Headers, Comma-Delimited **With** Headers, or Pipe-Delimited. If you plan to use DL Tools to format your report and /or run a comparison to school records, you must select Fixed Length format. If you plan to open your SAS in Excel, you should select Comma-delimited **Without** Headers for data only report, or Comma-delimited **WITH** headers for a more formatted report. Note that the YTD report is what’s needed to run the Compare.

SAS content options include:

- Names of borrowers
- Monthly or YTD or both for cash and loan detail (if you choose both, you will receive two separate reports but both have the same message class)
- Disbursement summary by loan type
- Disbursement detail or loan level detail (YTD) or both.

You will always receive both YTD and monthly data on your Cash Summary regardless of which options you choose. For more information on available SAS Options, including message classes, see the COD Technical Reference Volume VI Chapter 8 at [www.fsadownload.ed.gov](http://www.fsadownload.ed.gov).

### *Loan Detail/Loan Disbursement Activity Level*

The *Loan Detail/Loan Disbursement Activity Level* section of the SAS contains loan detail transactions at either the loan level or the individual disbursement transaction level, depending on school options. If loan detail is requested at the loan level, the SAS will contain one record per loan, with YTD disbursement information. If loan detail is requested at the disbursement activity level, the SAS will contain all actual disbursement and disbursement adjustment activity that occurred during the preceding month or year-to-date (depending on the options selected by the school) as reported by the school and accepted by COD.

This portion of the report is helpful because it allows schools to match individual (student by student) COD accepted disbursements and adjustments against the individual disbursements and adjustments reflected in the school's financial aid system. By identifying discrepancies between disbursements in COD and your financial aid system, you will be able to resolve the differences.

In the following sections, we'll explain how to compare the summary and detail reports to your school data to identify any underlying discrepancies that may be affecting the ECB.

### **WORKING WITH THE SAS**

Once your school receives the SAS, the first step in monthly reconciliation is to compare the Cash Summary data to the corresponding totals in your school's financial aid and business office systems. Ideally, your ECB will be zero, suggesting that there are no discrepancies to be explained. However, there could be rare instances where positive and negative discrepancies are canceling each other out, so you need to look at the rest of the Cash Summary to make sure that it matches your school's data.

In addition to the ECB, the Cash Summary shows:

- ◆ *Net Drawdowns/Payments*, which reflects *Cash Receipts* (funds drawn through G5) minus *Refunds of Cash* (funds returned through G5 or to COD by check), and
- ◆ *Total Net Booked Disbursements*, which reflects *Booked Disbursements* plus or minus *Booked Adjustments*.

Many differences between your drawdowns from G5 and the disbursements reported to COD can be explained by timing issues. For instance, if your school draws down \$25,000 to pay students at the end of September but does not send in actual disbursement records for those

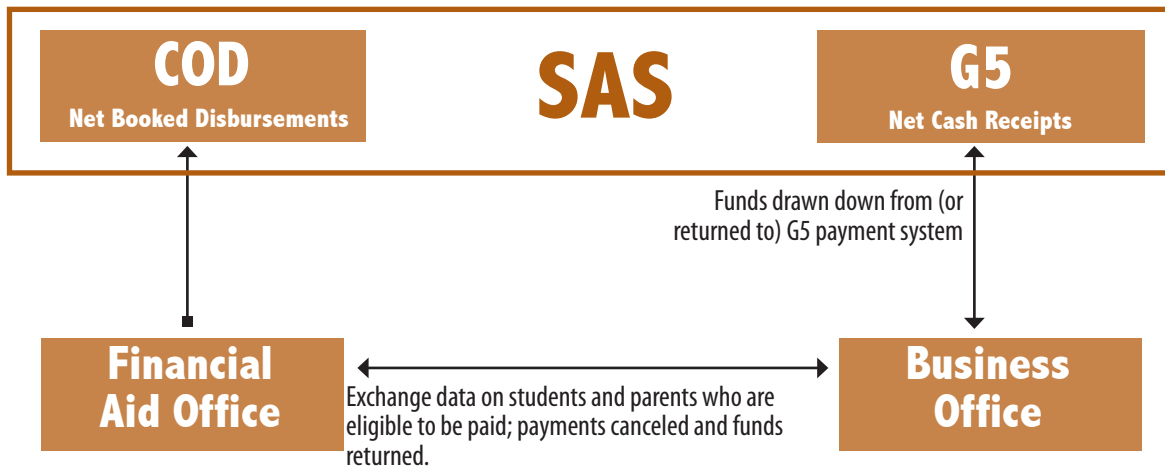


students until the beginning of October (within the 15-day reporting requirement), the SAS for the month of September will include \$25,000 in cash receipts from the G5 system that are not matched by booked disbursements in COD. (Also, keep in mind that loan disbursement records sent to COD near the end of the month may not be processed and acknowledged until the beginning of the next month.)

If you can identify such discrepancies and account for any remaining cash balance (positive or negative) at the Cash Summary level, then you've successfully completed reconciliation for the month. Remember that a school must document its reconciliation process and the results of each monthly reconciliation.

### Reconciling Department and School Records

The SAS (sent by COD) includes both disbursement data and cash transactions at COD (but received from G5). This data in ED systems must be reconciled with data in your school's financial aid office and business office.



Discrepancies can occur for a variety of reasons, such as:

- Timing issues—funds are drawn down and disbursed in a different month from the month student/parent records are sent to COD.
- Misreporting of drawdowns or returns of aid—for instance, drawdowns or returns attributed to the wrong award year.
- Actual disbursements or adjustments that have not been processed in COD—including records batched but not sent by the financial aid office, and unresolved rejects.
- Actual disbursements reported to COD by the aid office but not to the business office for payment.
- Payments made or not made by the business office that are not reported to the financial aid office.



### Example of SAS Cash Summary

The information in the Cash Summary is fairly general—you will usually need to examine the detail information in the SAS and in your school’s records to be able to identify the source of any discrepancies shown in the Summary. The example shown below is a monthly Cash Summary.

End Date: 09/30/2012  
 School Code: G09009

<b>1</b>	Beginning Balance		\$0
	Cash Receipts	\$33,074	
	Refunds of Cash	-\$1,350	
<b>2</b>	Net Drawdowns/Payments		\$31,724
	Booked Disbursements	\$25,721	
	Booked Adjustments	-\$1,250	
<b>3</b>	Total Net Booked Disbursements		\$24,471
<b>ECB</b>	Ending Cash Balance		\$7,253
	<b>4</b> Unbooked Disbursements Actual:	\$1,264	
	Unbooked Adjustments:	-\$0	
	Total Net Unbooked Disbursements		\$1,264
<b>5</b>	Cash > Accepted and Posted Disbursements:		\$5,989

### Analysis of Sample SAS Cash Summary:

- 1** The Beginning Cash Balance is zero at the start of the award year. Otherwise it is equal to the previous month’s ending cash balance.
- 2** The SAS shows that the school drew down \$33,074 from the G5 payment system and returned \$1,350 in cash during September. If these amounts differ from the school’s summary data, the **SAS Cash Detail** should be compared to the business office’s records of cash transactions.
- 3** The SAS shows \$25,721 in Booked Disbursements reported to COD and a net of \$1,250 in adjustments that reduces the total disbursements.
- ECB** Because the school drew down more money from G5 in September than the amount of loan disbursements it reported to COD, the Ending Cash Balance has grown to \$7,253.
- 4** In this sample, one or more Unbooked Disbursements—possibly the result of future-dated disbursement records—are contributing to the positive Ending Cash Balance. If the \$1,264 in disbursements is booked in October, they will reduce the Ending Cash Balance. Comparing the Loan Disbursement Detail on the SAS with the financial aid office’s records may show unbooked disbursements that were not reported to COD (and thus don’t appear on the SAS).
- 5** The remainder (Cash > Accepted and Posted Disbursements) is the difference between Net Drawdowns/Payments and all actual disbursements accepted at COD, both booked and unbooked. It may be explained by timing issues between school actions and the date transactions are recorded in COD, differences between financial aid office and business office records, or rejected disbursement records at COD that have yet to be resolved.



### Example of SAS Cash Detail

The Cash Detail shows each exchange of funds with the G5 (formerly known as GAPS) system as reported to COD. (Either cash received by the school or a Refund of Cash to G5.) The amounts listed in the Cash Detail often represent amounts for multiple loans that have been reported separately to the COD system.

Trans Type	Trans Date	Trans Amount	COD Process Date	G5 Control/Check Number
Receipt	09/06/2012	\$12,800	09/06/2012	2005091212345 <sup>1</sup>
Receipt	09/12/2012	\$12,024	09/12/2012	2005091267890
Refund	09/15/2012	\$1350 <sup>2</sup>	09/22/2012	000000101100...
Receipt	09/26/2012	\$8,250	09/25/2012	2005091234567
<sup>3</sup> Total Cash Receipt Records			3	
Total Refunds of Cash Records			1	
Total SAS Cash Detail Records			4	
<sup>4</sup> Total Cash Receipt Amount			\$33,074	
Total Refunds of Cash Amount			\$725	

#### Analysis of Sample SAS Cash Detail:

- <sup>1</sup> The transactions listed in the Cash Detail include **G5 control numbers** for drawdowns and refunds. It will also show the check number if the school made a refund (return of cash) directly to COD (not recommended).  
From the Cash Detail, we see that the \$725 total **Refund of Cash** was made in a single transaction. Given the amount, it is possible that it represents the cancellation of a single loan disbursement, but one would have to examine the business office records to confirm this. (If the loan had already been reported to COD when it was cancelled, the Loan Disbursement Detail on the SAS should also show a subsequent adjustment to reduce the loan amount.)
- <sup>2</sup> These three lines show the total number of drawdowns (cash receipts) by the school for the month vs. the total number of refunds sent back by the school during the same timeframe.
- <sup>3</sup> These two lines show the total amount drawn down for the month (cash receipts) and the total amount returned.

A comparison with the school's business office records may identify missing transactions. For instance, if the school intended to make a Refund of Cash for this award year but attributed it to the wrong award year, the amount of that transaction would not be reflected on the SAS for this award year, and the Total Refunds amount shown on the statement would be too low. (Conversely, the Total Refunds amount on the SAS for the other award year would be too high.)

However, in many cases, you may need to compare the SAS and school data at a more detailed level, using two other sections of the SAS:

- ◆ the SAS Cash Detail for cash receipts and refunds of cash; and
- ◆ the SAS Loan or Disbursement Detail for actual disbursement and adjustment data accepted in COD.

## LOAN DISBURSEMENT DETAIL

In contrast to the bank transactions shown on the Cash Detail, the Loan Disbursement Detail is meant to be compared with the individual loan records in your financial aid office system. This detailed report includes all actual disbursement information and adjustments that have been accepted by COD during that month based on the date the individual transaction books at COD (Disbursement Booked Date).

The default option for the SAS is the Monthly Disbursement Detail. If you plan to use DL Tools to compare the SAS data with your school records, you should request this information in the form of the Year-to-Date Disbursement Detail (note that this will significantly increase the size of the report as the award year progresses). SAS options can be changed on the COD website.

### *Timing issues and the School Account Statement*

As noted earlier, timing issues could be a recurring source of discrepancies. Disbursement and adjustment transactions appear on the SAS for the month in which the COD system receives or acknowledges the transaction. An actual disbursement that is transmitted to COD in late September may not be acknowledged by the COD system until October and therefore will appear on the October SAS, which will arrive at the school in early November.

The same kind of discrepancy can occur when the business office draws down and disburses loan funds to the student in late September, but the financial aid office doesn't send the actual disbursement records for those loans until the beginning of October. If such discrepancies are common at your school, you may want to look at ways to make sure that actual disbursement records are sent to COD sooner.

### **DL Tools and the Loan Compare Report**

You can use DL Tools to compare the SAS loan and disbursement detail recorded in your financial aid office's system. For more information on DL Tools and the comparison reports available see the *COD Technical Reference Volume IV* or view the DL Tools web-based training available on IFAP/Tools for Schools/EExpress Online Training and in the COD Computer-Based Training (CBT) modules under "Tools for Schools / COD CBT."

### Example of SAS Loan Detail (Disbursement Detail)

Report Date: 09/01/2013 U.S. DEPARTMENT OF EDUCATION  
 Report Time: 12:01:01 DIRECT LOAN TOOLS—2013–2014

PAGE: 1

#### SAS Loan Detail

Sort by: Loan ID

THIS DOCUMENT CONTAINS SENSITIVE INFORMATION PROTECTED BY THE PRIVACY ACT

\*\*\*\*\*

Date Range: 08/01/2013 to 08/31/2013

School Code: G99999

Booked Status: Booked and Unbooked

End Date: 08/31/2013

Loan Type: All

Student's Name

PLUS Borrower's Name  
 Loan ID

Record  
 Type

Gross  
 Amount

Fee  
 Amount

Int. Rebate  
 Amount

Net  
 Amount

Servicer Name

Student's Name	Disb #	Seq #	Type	Disb Date	Gross Amt	Net Amt
BLUE, BILL G						
999990002S13G99999001		1	Booked		\$750	\$743
DEPT OF ED PHEAA						
2 1	1	1	D	08/15/2013	\$750	\$743
ILLINOIS, ILENE						
999990065U13G99999001		3	Booked		\$500	\$495
DIRECT LOAN SERVICING CENTER						
4 1	1	1	D	08/15/2013	\$600	\$595
	1	2	A	08/15/2013	\$500	\$495
OHIO, OLIVIA M						
999990070S13G99999001			Unbooked		\$1,250	\$1,238
DIRECT LOAN SERVICING CENTER						
1	1	1	D	08/15/2013	\$1,250	\$1,238

See the page that follows for an explanation of this SAS Loan Detail.

## Analysis of Sample Loan Disbursement Detail

The SAS Loan Disbursement Detail shows the **actual** disbursements that have been accepted by the COD system. This example shows first disbursements of Direct Subsidized loans to Bill Blue and Olivia Ohio, and the first disbursement (with an adjustment) of a Direct Unsubsidized loan to Ilene Illinois.

- 1 The first line of the loan listing shows if the loan is booked or unbooked, the gross amount, fee, interest rebate, (interest rebates do not appear for loans first disbursed after July 1, 2012), and the net amount of the loan.
- 2 The second line shows the date of the disbursement or adjustment and the gross and net amounts of the disbursement.
- 3 The letter S, U, or P in the ninth position of the Loan ID indicates whether it is a Subsidized, Unsubsidized, or PLUS Loan.
- 4 For Ilene Illinois' Direct Unsubsidized Loan, we see that the disbursed amount has been adjusted (disbursement 1, sequence 2). Note that the adjusted amount is the amount of the disbursement *after* the change has been recorded. The adjustment itself is a reduction of \$100.00.

### Next Steps .....

What's NOT on the SAS Loan Disbursement Detail is as important as the loans that are listed. Note that rejected disbursements will not appear on the SAS.

#### ✓ Compare the loan disbursements on this Detail to the data in your financial aid office system.

If you are using DL Tools software, the Loan Detail Compare report will identify loans that appear in your school's database but not on the SAS, and vice versa. In addition, most software packages can generate reports showing the current status of all award records, MPNs, and actual disbursements in your database.

- Look for actual disbursements that are in your school's database but have not been transmitted to COD (or were rejected by COD).
- Look for any actual disbursements that were entered directly on the COD website, but not in the financial aid office software database.

#### ✓ Check for unbooked loans

If you are not using DL Tools software, you can identify many unbooked loans by reviewing the 30-Day Warning Report sent by COD.

Look for any loans that are missing a necessary component (loan origination record, MPN, or first disbursement) to book the loan.

#### ✓ Check the disbursement information in your school's business office records.

Via internal reconciliation, compare the disbursement records in the business office (credits and payments to students) to the *actual disbursements* listed in the financial aid office system.

- Look for any disbursements made by the business office that are not substantiated by an actual disbursement record submitted to COD (and accepted) in the same month.
- Look for any actual disbursements reported to COD but not made by the business office within the same month.



In either case, the disbursement amount may show up on the September SAS as part of a drawdown from G5 but not on the loan detail for September. You will need to check to make sure that the disbursement was accepted by COD, and document the discrepancy. You should also check to make sure that the disbursement is included when you receive the SAS Loan Detail for October.

**Back up your data!**

Before you begin reconciliation, be sure to back up all Direct Loan and other data files that may be affected by reconciliation.

## BEST PRACTICES FOR RECONCILIATION

### *Best practices—establishing preventive procedures*

Month end reconciliation can be a simple process for schools that maintain good daily processing practices and cash management procedures. During the month, your school's financial aid and business offices should ensure:

- ◆ All funds received have been substantiated with actual accepted disbursements in COD by regularly checking your financial aid database for any unsent or rejected batches and disbursements;
- ◆ Any downward adjustments have been accompanied by either a refund of cash or a disbursement of funds to another eligible student in the same award year (within cash management regulations);
- ◆ Any excess funds have been returned to the Department as a refund of cash;
- ◆ All funds requested are for disbursements to be made within the period of immediate need (three business days) and that funds are disbursed within that period or returned to the Department; and
- ◆ All awards and disbursements are reported within the 15-day reporting period allowed by regulation.

### *Best practices—preparing for monthly reconciliation*

You can minimize discrepancies by making sure that all COD transactions have been completed and your internal records are up-to-date prior to the end of each month.

- ◆ Export all batches that are ready to be processed by COD at least two business days before the end of the month.
- ◆ Import the acknowledgements. Alternatively, you could run a query or report to identify unsent batches and rejects and use that to see what needs to be cleaned up.
- ◆ Run reports within your financial aid software to identify and resolve records (MPN, origination, and disbursement) that are not in an accepted (A) status.
- ◆ Review the batch activity list for any unconfirmed batches, and import any missing acknowledgments.

Reconcile internally with the business office or bursar’s office so that you have the same cash balance to compare to the balance shown on the SAS. For its part, the business office can:

- ◆ Review drawdown and refund activity in your school’s federal bank account and reconcile any discrepancies. Make sure that draws and refunds are posted to the correct award year.
- ◆ Communicate with the financial aid office when it has drawn cash or returned funds within the last three business days of the month. (These transactions may not be recorded on the most recent SAS, creating a timing issue and discrepancy in the Net Drawdown/Payments.)
- ◆ Return any refunds or excess cash using the electronic process through G5.



### Sample Internal Report Comparing Financial Aid and Business Office Data for Loan Disbursements

Loan ID	Trans Code	Description	Disb Num	Trans Date	Bus Office Net Disb Amt	FA Office Net Disb Amt	Difference	Recon Flag	Explanation
444556666P13G09009001	DB	PLUS Loan Disb	1	9/05/2012	\$2,407.00	\$2,407.00	0.00	R	
222334444U13G09009001	DB	Staff UnSub Disb	1	9/12/2012	\$1,739.00		\$1,739.00	R	Still “anticipated” in FA Ofc Sys <b>1</b>
222335555U13G09009001	DB	Staff UnSub Disb	1	9/19/2012	\$1,413.00		\$1,413.00	R	Still “anticipated” in FA Ofc Sys
222334444S13G09009001	DB	Staff Sub Disb	1	9/21/2012	\$950.00		\$950.00	R	Change made on COD; Not on FA Ofc Sys

**1** These two disbursements were made by the business office but were not substantiated in COD because the financial aid office has not submitted an Actual Disbursement record to COD. As shown on the previous page, this discrepancy will not show up in a comparison of school data with the SAS’s Loan Disbursement Detail or Cash Detail. The discrepancy can only be identified by a comparison of loan-level data between the financial aid office’s system and the business office. On the next page, we show how these two transactions would appear as \$3,152 in excess cash on the Reconciliation worksheet.



## Sample Report Comparing SAS and School Totals and Documenting Differences

This spreadsheet is one way to compare the totals from your school's system to the information on the School Account Statement, and document the reasons for any differences. A version of this spreadsheet is available on the Web (go to Direct Loans ([direct.ed.gov](http://direct.ed.gov)) > Professionals > Publications > DL School Guide.

### Reconciliation Worksheet School Systems to COD School Account Statement As of Date: 9/30/10

Note: Enter numeric data into shaded cells

	COLUMN 1 SCHOOL'S FINAID & BUSINESS SYSTEMS	COLUMN 2 SCHOOL ACCOUNT STATEMENT (SAS)	COLUMN 3 DIFFERENCE:	REASONS - DIFFERENCE IN ECB
Beginning Balance	\$0	\$0	\$0	
Cash Receipts	\$33,074	\$33,074	\$0	
Refunds of Cash	\$2,075	\$1,350	\$725	\$725 refund entered on G5 on Sept29; not included on Sept. SAS.
Net Drawdowns/Payments	\$30,999	\$31,724	-\$725	
Booked Disbursements	\$25,721	\$25,721	\$0	
Booked Adjustments	\$0	\$1,250	-\$1,250	\$1,250 (net) in adjustments done via COD Web site; not entered in Fin Aid Cde system at school.
Total Net Booked Disbs	\$25,721	\$24,471	\$1,250	
Ending Cash Balance	\$5,278	\$7,253	-\$1,975	Difference in ECB is explained by discrepancies noted above.
Unbooked Disbursements	\$2,126	\$1,264	\$862	
Unbooked Adjustments	\$0	\$0	\$0	
Total Net Unbooked Disbs	\$2,126	\$1,264	\$862	\$862 disbursement not yet sent to COD (unbooked).
Excess Cash (Cash > Net Accepted & Posted Disbursements)	\$3,152	\$5,989	-\$2,837	

SAS.

(Col. 1) and the SAS (Col. 2).

- According to the school's records, its Net Drawdowns/ Payments are \$5,278 more than it has substantiated in Net Booked Disbursements.
- The school's Ending Cash Balance includes \$2,126 in Total Net Unbooked Disbursements.
- The remainder (school's ECB – Net Unbooked Disbursements) is \$3,152. **Internal reconciliation** may help explain the \$3,152 of excess cash attributable to the month of September. Once you have determined the cause, you must either report actual disbursements, or return undisbursed cash.

- A comparison of the **Cash Detail** on the SAS with the business office's records identifies a refund to G5 that was initiated at the end of September but not recorded by G5 until October.
- A comparison of the **Loan Disbursement Detail** on the SAS with the school's financial aid system shows an online award adjustments not recorded in the financial aid system and an unbooked disbursement that has not yet been reported to COD.

**Conclusions** In this example, the school has been able to document all of the discrepancies that are shown on the worksheet. The ECB on the SAS is explained by:

- 5,989 excess cash (7)
  - 725 refunds processed after 9/30
  - 1250 adjustments made on Web only
  - 862 unreported disbursements
- \$3,152 Cash to be returned or disbursements to be posted and reported



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# Introduction to Volume 5

*An overpayment occurs when the student receives more aid than he or she was eligible to receive. One kind of overpayment, traditionally called an overaward, results from changes in the student's aid package; a second occurs when a student withdraws. This volume covers how a school should respond when a student withdraws.*

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Here, we provide a summary of the changes and clarifications presented in greater detail in the chapters that follow. **Alone, the text herein does not provide schools with the guidance needed to satisfactorily administer the Title IV, HEA programs.** For more complete guidance, you should refer to the text in the chapters cited, the Code of Federal Regulations (CFR) and the Higher Education Assistance Act (HEA) as amended:

Throughout this volume, new information is indicated with the following symbol:



When the text represents a clarification rather than a change, it is indicated with this symbol:



When we believe that historically there might be some misunderstanding of a requirement, we indicate that with:



If we want to point out a bit of helpful information, we indicate it with:



Finally, if we want you to take special note, we indicate it with:



## Major Changes

### Chapter 1—Withdrawals and the Return of Title IV Funds

- ◆ We explain that a school may not include as aid that could have been disbursed Pell Grant funds that if disbursed would, in combination with other Pell funds previously received by the student, cause the student to exceed his or her Pell Grant maximum lifetime eligibility. Likewise, a school may not include as aid that could have been disbursed Direct Subsidized Loan funds that would, in combination with other Direct Subsidized Loan funds previously received by the student, cause the student to exceed his or her 150% maximum eligibility period for Direct Subsidized Loans.
- ◆ We have added a sidebar clarifying that schools should not include in a Return calculation, in Step 5, Block L, tuition charges for courses for which the student may not receive Title IV funds.
- ◆ We remind schools that when a student who failed hours in the payment period withdraws from a non-term credit hour program offered in modules the payment period must be extended when performing the required Return calculation.
- ◆ We explain the actions a school must take when performing a Return calculation when a student who was enrolled in a module within a term and courses that spanned the term withdraws from the module and the school later determines that the student failed to begin the term-long courses.
- ◆ We advise schools that if they temporarily close due to weather, natural disaster, or other event outside the control of the institution they should promptly contact its School Participation Team to discuss its situation.
- ◆ We alert schools to the Department's discontinuing paper check processing for Direct Loan refunds of cash beginning January 1, 2015.



# Withdrawals and the Return of Title IV Funds

## CHAPTER 1

*This chapter will discuss the general requirements for the treatment of federal student aid funds when a student withdraws and will then discuss the principles applicable to the worksheets.*

### WITHDRAWALS

This chapter explains how federal student aid (FSA) (Title IV) funds are handled when a recipient of those funds ceases to be enrolled (100% withdrawal) prior to the end of a payment period or period of enrollment. These requirements do not apply to a student who does not actually cease attendance at the school. For example, when a student reduces his or her course load from 12 credits to 9 credits, the reduction represents a change in enrollment status, not a withdrawal. Therefore, no Return calculation is required.

The Return of Title IV Funds (Return) regulations do not dictate an institutional refund policy. Instead, a school is required to determine the earned and unearned portions of Title IV aid as of the date the student ceased attendance based on the amount of time the student spent in attendance or, in the case of a clock-hour program, was scheduled to be in attendance. Up **through the 60% point** in each payment period or period of enrollment, a pro rata schedule is used to determine the amount of Title IV funds the student has earned at the time of withdrawal. **After the 60% point** in the payment period or period of enrollment, a student has earned 100% of the Title IV funds he or she was scheduled to receive during the period.

For a student who withdraws after the 60% point-in-time, there are no unearned funds. However, a school must still determine whether the student is eligible for a post-withdrawal disbursement (PWD).

The Return regulations do not prohibit a school from developing its own refund policy. However, the school must comply with refund policies required by a state or other outside agencies. Although a school, state or agency refund policy will determine the charges a student will owe after withdrawing, those policies will not affect the amount of Title IV Aid the student has earned under the Return calculation.

#### Return of Funds

HEA, Section 484B  
34 CFR 668.22  
DCL GEN-11-14, July 2011

#### Reporting required



If a school determines that a student has withdrawn, the student is no longer considered to be enrolled and in attendance. Therefore, the student is no longer eligible for an in-school status or in-school deferment, and the school must report the student as withdrawn in NSLDS Enrollment Reporting. Schools are encouraged to access the NSLDS Professional Access Web site at [https://www.nslsdfap.ed.gov/nsls\\_FAP/](https://www.nslsdfap.ed.gov/nsls_FAP/) and update the student's enrollment status to "W" to ensure the timeliest processing of the information.

34 CFR 685.309 (b) and 34 CFR 682.610 (c)

#### The FSA Assessment module

that can assist you in understanding and assessing your compliance with the provisions of this chapter is "Return of Title IV Funds," at:

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

### When a Student Withdraws Before a School's Census Date

A student begins earning Title IV funds on his or her first day of attendance. Therefore, even if a student withdraws before a school's census date, the school must perform a Return calculation using the number of days the student attended or the number of scheduled clock hours the student attended class as the numerator in Step 2, Part H.

## General requirements

Title IV funds are awarded to a student under the assumption that the student will attend school for the entire period for which the assistance is awarded. When a student withdraws, the student may no longer be eligible for the full amount of Title IV funds that the student was originally scheduled to receive.

If a recipient of Title IV grant or loan funds withdraws from a school after beginning attendance, the amount of Title IV grant or loan assistance earned by the student must be determined. If the amount disbursed to the student is greater than the amount the student earned, the unearned funds must be returned. If the amount disbursed to the student is less than the amount the student earned, and for which the student is otherwise eligible, he or she is eligible to receive a post-withdrawal disbursement of the earned aid that was not received.

## When a student is considered to have withdrawn

A student is considered to have withdrawn from a payment period or period of enrollment if:

- ◆ in the case of a program that is measured in credit hours, the student does not complete all the days in the payment period or period of enrollment that the student was scheduled to complete;
- ◆ in the case of a program that is measured in clock hours, the student does not complete all of the clock hours and weeks of instructional time in the payment period or period of enrollment that the student was scheduled to complete; or
- ◆ for a student in a non-term or nonstandard-term program, the student is not scheduled to begin another course within a payment period or period of enrollment for more than 45 calendar days after the end of the module the student ceased attending, unless the student is on an approved leave of absence, as defined later in this chapter.

Please see *Withdrawals from programs offered in modules* later in this chapter for more information about withdrawals from modular programs.

## If a student remains enrolled only in non Title IV eligible courses

A student's schedule sometimes includes courses the student is taking for credit and for which he or she may receive Title IV funds and courses for which the student may not receive FSA funds—courses the student is auditing, completing (courses in which he or she previously received an "Incomplete"), or repeating (see *Volume 1* for a discussion of when a student may and may not receive Title IV funds for retaking a course).

1. If a student ceases attendance (drops or withdraws) from all his or her Title IV eligible courses in a payment period or period of enrollment, the student must be considered a withdrawal for Title IV purposes.

The principle is the same for programs offered in modules. Consider a student who is scheduled to attend one course in each of five modules during a semester. The student receives an incomplete for course number two in the second module. Because the student may not progress to course number three until course number two is completed, the student completes the remaining portion of course number two during the period he or she was scheduled to be in the third module. While the student completes the portion of course number two in the third module, he or she is not considered to be enrolled in the course for Title IV purposes. Therefore, attendance in just that course does not count as attendance for purposes of the Return of Title IV Funds requirements.

For the student not to be considered a withdrawal for Title IV purposes, in accordance with the requirements for the treatment of students in program offered in modules, the school would need to either: (1) obtain written confirmation of future attendance in a Title IV eligible course later in the semester; or (2) put the student on an approved leave of absence. Of course, if the student subsequently returns and begins attending a Title IV eligible course later in the period, the student's Return of Title IV Funds calculation would be undone in accordance with 34 CFR 668.22(a)(2)(iii).

### ***When a student who fails to begin attendance in all the courses he or she was scheduled to attend withdraws***

Anytime a student begins attendance in at least one course but does not begin attendance in all the courses he or she was scheduled to attend, regardless of whether the student is a withdrawal, the school must check to see if it is necessary to recalculate the student's eligibility for Pell Grant and Campus-Based funds based on a revised enrollment status and cost of education. If the student is a withdrawal, this recalculation must be done before performing a Return of Title IV Funds calculation, and the school must use the recalculated amounts of aid in the Return calculation.

If a student who has withdrawn did not begin attendance in enough courses to establish a half-time enrollment status, the school may not make a first disbursement of a Direct Loan to the student after the student withdraws. However, the funds are included as aid that could have been disbursed in the Return calculation. For more information, please see the discussion under *Withdrawals from programs offered in modules* later in this chapter.

#### **Repeated coursework**

A student may receive Title IV aid for any repetition of a course as long as the student has never passed the course. However, once a student has passed a course, the student may receive Title IV aid for only one retaking of that course. A student may not receive Title IV aid for any second or subsequent repetition of a passed course, and a second or subsequent repetition of a passed course may not be counted toward the student's enrollment status for Title IV purposes.

See E-Announcement 2011-09-02, and Volume 3, for more information.



#### **Recalculation for students withdrawing from non-term programs offered in modules**

Any time a student enrolled in a non-term program offered in modules changes his or her enrollment status before beginning all the classes on which the student's eligibility for federal student aid was calculated, the school must recalculate the student's Cost of Attendance (COA) to determine if the student's eligibility for Campus-Based funds has changed. The school may not include in the COA costs associated with any classes the student failed to begin. The school does not have to recalculate the student's eligibility for Pell Grants because Pell eligibility for a student enrolled in a non-term program is always based on the full-time enrollment schedule. A school does not have to recalculate a student's eligibility for Direct Loans as long as the student has begun attendance in at least one class.

#### **TIP**

See the discussion under *Title IV aid that could have been disbursed* later in this chapter for a complete discussion of that topic.

**Technical Questions**

Technical questions on the Return of Title IV funds Web product are handled by the CPS at:

**1-800-330-5947**

or via email at

**cpssaig@ed.gov**

**Access to R2T4 Web Product via CPS Online**

Individual staff members must be enrolled in the SAIG in order to have access to the Return Web product.

Your school's SAIG Destination Point Administrator (DPA) can enroll the selected staff members via the SAIG Enrollment website at:

**<http://fsawebenroll.ed.gov>**

**Worksheets and the Return of Title IV funds Web product**

The Department (ED) has developed worksheets and software to assist schools in implementing the Return regulations (you can find blank worksheets at the end of this chapter). There is one worksheet for students who withdraw from credit-hour programs and one for students who withdraw from clock-hour programs. These worksheets are also in portable document file (PDF) format on the Department's Information for Financial Aid Professionals website at:

**[www.ifap.ed.gov/ifap/wst.jsp](http://www.ifap.ed.gov/ifap/wst.jsp)**

The Department has developed a Return of Title IV Aid Web product. It is accessible via the main menu of the FAA Access at the CPS Online website:

**<https://faaaccess.ed.gov/FOTWWebApp/faa/faa.jsp>**

The Return of Title IV Funds on the Web (R2T4) in FAA Access to CPS Online has not been updated to include Iraq and Afghanistan Service Grants. If schools need to complete an R2T4 calculation for a student who received the Iraq and Afghanistan Service Grant, they should use the worksheets described above.

The use of the Department's worksheets and the Web Product is optional.

**Consumer information****Consumer information**

HEA Sec. 485(a)(1)(F), 34 CFR 668.43

For more information, see chart on "Institutional and Financial Assistance Information for Students" in *Volume 2*.

In the consumer information a school must make available upon request to prospective and enrolled students, the school must include a statement of:

- ◆ any refund policy with which the school must comply;
- ◆ the requirements for the treatment of Title IV funds when a student withdraws, and
- ◆ the requirements and procedures for officially withdrawing from the school.

A school should provide sufficient information for a student or prospective student to be able to determine the procedures for withdrawing and the financial consequences of doing so. In addition, a student should be able to estimate how much federal student aid he or she will retain and how much he or she may have to return upon withdrawing. Because the Return provisions do not affect institutional refund policies, a school must provide a student with information on both the school's refund policy and the federal Return requirements, and

**Changing the Basis of the Calculation**

A school may change the basis for its Return calculations for new students as they begin classes. However, for continuing students, since the institution's Return policy must be included in the published materials the school provides to students as part of the consumer information requirement, the school would have to change its catalog, its written policies and procedures, and its enrollment agreements (if any), and allow sufficient time for those continuing students who would be governed by the new policy to receive and review the materials.

explain the interaction between the two. The information should include a discussion of how a school might adjust a student's charges to take into account any Return of FSA funds the school might be required to make. Finally, a student or prospective student should be informed that if he or she withdraws, school charges that were previously paid by FSA funds might become a debit that the student would be responsible for paying.

As a part of the institution's disclosure of the procedures for officially withdrawing, the school must identify the office or offices that it has designated to accept notification of official withdrawals.

## GENERAL TITLE IV PRINCIPLES WITH SPECIAL APPLICABILITY IN THE RETURN OF TITLE IV AID

### *Definition of a Title IV recipient*

The requirements for the treatment of Title IV funds when a student withdraws apply to any recipient of Title IV grant or loan funds who ceases all attendance. For purposes of these requirements, a recipient of grant or loan assistance is a student who has actually received Title IV funds or has met the conditions that entitled the student to a late disbursement. These conditions are listed in a chart on Late Disbursements in *Volume 4*. The return requirements apply only to the receipt of or qualification for aid that can be included in the calculation. For example, the requirements of 34 CFR 668.22 do not apply to Federal Work-Study (FWS) funds. Therefore, the Return requirements do not apply to a student if the only Title IV program assistance that the student has received or could have received was FWS funds.

Please note that if the student never actually began attendance for the payment period or period of enrollment, 34 CFR 668.22 does not apply. Likewise, if a student began attendance but was not and could not have been disbursed Title IV grant or loan funds prior to withdrawal, the student is not considered to have been a Title IV recipient and the requirements of 34 CFR 668.22 do not apply. In these cases, Title IV funds would be handled in accordance with other Title IV regulations (see sidebar).

### Sample Summary Provided

A sample summary of the requirements of 34 CFR 668.22 is provided at the end of this chapter.

### Title IV Recipient

In determining whether the requirements of 34 CFR 668.22 apply, a school must first determine whether a student was eligible to receive any Title IV funds.

### If a Student Withdraws Before Title IV Funds Are Disbursed

Even if a student paid all institutional charges and ceased enrollment prior to Title IV funds being disbursed, if Title IV funds could have been disbursed, the institution must determine the Title IV funds earned by the student and follow the procedures for making a post-withdrawal disbursement.

### Returning funds for students who do not register or fail to begin attendance

34 CFR 668.21  
34 CFR 668.167  
34 CFR 674.16(f)(1)&(2)  
34 CFR 676.16(d)(1)&(2)  
34 CFR 685.303(b)(3)j



## Verification

### No earlier verification deadline for Pell

For the Pell and Iraq and Afghanistan Service Grant programs, a school may not establish an earlier deadline than that established by the Department in its annual notice. Therefore, if a Pell-eligible student submits the documents required for verification no later than 120 days after the student's last day of attendance or the deadline established each year by the Department, whichever is earlier, a school must make any applicable post-withdrawal disbursement of the student's Pell Grant.

The Return calculations impose no additional liability for interim disbursements made to students selected for verification. However, the Return requirements do place limits on interim disbursements that can be made to students selected for verification who have ceased attendance. **A school may not make an interim disbursement to a student after the student has ceased attendance.**

The Department establishes deadlines for the submission of required verification documents that apply to all Title IV programs.

For Campus-Based Program funds and subsidized Direct Loan Program funds, an institution may establish an institutional verification deadline that may be earlier than the date established by ED. The institution must include its verification deadlines in the consumer materials it provides to students.

The following rules apply when a school is completing a Return calculation for a student subject to verification.

- A school must offer any post-withdrawal disbursement of loan funds within 30 days of the date the school determined the student withdrew. A school must always return any unearned Title IV funds it is responsible for returning within 45 days of the date the school determined the student withdrew.
- A school must disburse any Title IV grant funds a student is due as part of a post-withdrawal disbursement within 45 days of the date the school determined the student withdrew and disburse any loan funds a student accepts within 180 days of the date the school determined the student withdrew.
- Unless a student subject to verification has provided all required verification documents in time for the school to meet the Return deadlines, the school includes as Aid Disbursed or Aid That Could Have Been Disbursed in the Return calculation only those Title IV funds **not** subject to verification.
- ◆ If a student who failed to provide all required verification documents in time for the school to meet the Return deadline later provides those documents prior to the applicable verification deadline, the school must perform a new Return calculation on all of the aid the student qualified for based on the completed verification documents and make the appropriate adjustments.

### When verification is completed before the Return deadlines

A school must offer any post-withdrawal disbursement of loan funds within 30 days of the date of the school's determination that the student withdrew and return any unearned funds and make a post-withdrawal disbursement of grant funds within 45 days of that date. If a student provides all documents required for verification after withdrawing but



before the verification submission deadline, and in time for the institution to meet the 30-day Return deadline, the institution performs the Return calculation including all Title IV aid for which the student has established eligibility as a result of verification and for which the conditions of a late disbursement had been met prior to the student's loss of eligibility due to withdrawal. (See *Volume 4* and 34 CFR 668.164(g)(2).)

### When verification is not completed before the Return deadlines

If a student who has withdrawn does not provide the required documents in time for the school to complete the verification process and meet the Return deadlines noted previously, the institution includes in the Return calculation only the Title IV aid that was not subject to the verification process. For a student who failed to provide all required verification documents, the only aid that may be included in a Return calculation are Direct PLUS Loan funds and Direct Unsubsidized Stafford Loan funds (verification is not required for receipt of these funds) for which the conditions of a late disbursement (as discussed under Title IV aid that could have been disbursed) were met prior to the student's loss of eligibility due to withdrawal.

If a school has made an interim disbursement to a student who has failed to provide all the documents required for verification in time for the school to meet the 45-day Return deadline, the student has failed to establish eligibility for the Title IV funds affected by verification. Therefore, the institution must return any Title IV funds subject to verification that were disbursed to the student on an interim basis and may not include any of those funds as aid that was or could have been disbursed in the Return calculation.

### When verification is completed after the Return deadlines

If, before the verification deadline but after the institution has completed the Return calculation, a student provides all the documentation required for verification, the institution must perform a new Return calculation including as *aid that could have been disbursed* all federal student aid for which the student has established eligibility based upon verification and for which the conditions of a late disbursement have been met prior to the student's loss of eligibility due to withdrawal. If, as a result of verification, the student's eligibility for Federal Pell Grant, Iraq and Afghanistan Service Grant, FSEOG, TEACH Grant and Federal Perkins Loan funds has been reduced, only the reduced amount is included in the new Return calculation.

For additional information on verification, please consult *The Application and Verification Guide*.

#### Verification and the 30-day Deadline

If, because verification is not complete, a school is unable to meet the requirement to offer a post-withdrawal disbursement directly to a student (or parent for a Direct PLUS Loan) within 30 days of the date of the school's determination that the student withdrew, once verification is complete, the school must perform a new Return calculation. The school must offer the funds as soon as possible and should provide the student or parent with the minimum 14-day (or longer as a result of HERA) response period whenever possible.

A school must make any post-withdrawal disbursement that results from the new Return calculation as soon as possible but no later than the applicable 180-day late disbursement deadline.

### Maximum time frame for LOA

When calculating the maximum time-frame for a student's approved LOA, the school must ensure that it accounts for all periods of nonattendance (including weekends and scheduled breaks).

Thus, since an approved LOA may not be more than 180 days, a school might have to reduce the length of a student's LOA if the 180th day is scheduled to fall on a day the school would be closed.

## Reminder

### Full tuition credit

An institution may grant a full tuition credit toward the course the student chooses to reenter as a way to comply with the requirement that the institution not assess the student any additional charges upon return from an approved leave of absence.

### Disbursement rules for students on leave of absence (LOA)

You may NOT make a disbursement of the proceeds of a Direct Loan to a student on an LOA (34 CFR 682.604(c)(4)).

You may disburse Pell Grant, Iraq and Afghanistan Service Grant, FSEOG, and Perkins Loan funds to a student on an LOA.

You must pay any funds that are part of a Title IV credit balance (and therefore are funds that have already been disbursed) to a student on an LOA. (See the discussion under *Treatment of Title IV credit balances when a student withdraws* later in this chapter.)

## Approved leave of absence

A leave of absence (LOA), for Return of Title IV funds purposes is a temporary interruption in a student's program of study. LOA refers to the specific time period during a program when a student is not in attendance. An LOA is not required if a student is not in attendance only for an institutionally scheduled break. However, a scheduled break may occur during an LOA.

An LOA must meet certain conditions to be counted as a temporary interruption in a student's education instead of being counted as a withdrawal requiring a school to perform a Return calculation. If an LOA does not meet the conditions in 34 CFR 668.22(d), the student is considered to have ceased attendance and to have withdrawn from the school, and the school is required to perform a Return calculation.

For an LOA to qualify as an approved LOA:

- ◆ the school must have a formal written policy regarding leaves of absence requiring that all requests for leaves of absence be submitted in writing and include the reason for the student's request;
- ◆ the student must follow the school's policy in requesting the LOA;
- ◆ there must be a reasonable expectation that the student will return from the LOA;
- ◆ the school must approve the student's request for an LOA in accordance with the school's policy;
- ◆ the institution may not assess the student any additional institutional charges, the student's need may not increase, and therefore, the student is not eligible for any additional federal student aid;
- ◆ the LOA, together with any additional leaves of absence, must not exceed a total of 180 days in any 12-month period;
- ◆ except in a clock-hour or non-term credit-hour program, a student returning from an LOA must resume training at the same point in the academic program that he or she began the LOA, and
- ◆ if the student is a Title IV loan recipient, the school must explain to the student, prior to granting the LOA, the effects that the student's failure to return from an LOA may have on the student's loan repayment terms, including the expiration of the student's grace period.

A student granted an LOA that meets the criteria in this section is not considered to have withdrawn, and no Return calculation is required. Upon the student's return from the leave, he or she continues to earn the federal student aid previously awarded for the period.

### Written formal policy required

Among the policies and procedures a school must maintain is one that discusses the procedures a student must follow in applying for a leave of absence and the criteria the school will apply in determining whether to approve the application. A school's LOA policy must specify that all requests for an LOA be submitted in writing, be signed, and be dated.

As mentioned previously, the regulations provide that a school must determine, before it grants an LOA, that there is a reasonable expectation that the student will return from the leave. For the school to make such a determination and ensure that the student meets the criteria in the school's LOA policy, the school must know the student's reason for requesting the leave. **Therefore, a school's LOA policy must specify that the reason for a student's leave request be included on a student's application for an LOA.**



A school's policy must require a student to apply in advance for an LOA unless unforeseen circumstances prevent the student from doing so. For example, if a student were injured in a car accident and needed a few weeks to recover before returning to school, the student would not have been able to request the LOA in advance. A school may grant an LOA to a student who did not provide the request prior to the LOA due to unforeseen circumstances if the school documents the reason for its decision and collects the request from the student at a later date. In this example, the beginning date of the approved LOA would be determined by the school to be the date the student was unable to attend school because of the accident.

A school must publicize its LOA policy. The school may do this by including that policy in the consumer information the school makes available to students (see *Volume 2*).

### Reasonable expectation of return

This condition is specified to make clear that a school may not grant a student an LOA merely to delay the return of unearned Title IV funds.

#### TIP

Do not confuse a Return of Title IV Funds Approved LOA with your school's academic LOA. Many schools have academic policies that allow them to temporarily extend the length of a student's academic term in the event of conditions that prevent the student's on-time completion of an academic period. Typically, these academic LOAs do not meet the requirements of a Return of Title IV Funds Approved LOA.

#### TIP

A school that grants a student an Approved Leave of Absence must, in NSLDS Enrollment Reporting, report the student with a status of "A" (Approved Leave of Absence).

### **Completion of coursework upon return in term-based credit-hour programs**

Approved leaves of absence are viewed as temporary interruptions in a student's attendance. For term-based programs, a student returning from an LOA must complete the term to be eligible to receive a second or subsequent disbursement.



Therefore, for students enrolled in credit-hour term programs, for an LOA to be an official LOA, a school must allow a student returning from an LOA to complete the coursework that he or she began prior to the LOA. In addition, the institution may not impose additional charges and may not award the student additional Title IV assistance.

### **Completion of coursework upon return in clock-hour and credit-hour non-term programs**

For non-term-based programs, the regulations provide that the payment period is the period of time it takes a student to complete both half the number of credits and half the number of weeks of instruction in the academic year, program, or remainder of the program. For clock-hour programs, the payment period is the period of time it takes a student to complete half the number of clock hours and half the weeks of instructional time in the academic year or remainder of the program. Therefore, for clock-hour and non-term programs, it doesn't matter whether the student returns to the same course and point when the LOA began or the student starts in a new course within the program (so long as there are no additional charges). The student simply has to complete the number of clock hours or credit hours and the weeks of instruction in the payment period.

### **A student may return early from a leave of absence**

A school may permit a student to return to class before the expiration of the student's LOA to review material previously covered. However, until the student has resumed the academic program at the point he or she began the LOA, the student is considered to still be on the approved LOA.

**If a student returns early, the days the student spends in class before the course reaches the point at which the student began his or her LOA must be counted in the 180 days maximum for an approved leave of absence.** That is, a student repeating coursework while on an LOA must reach the point at which he or she interrupted training within the 180 days of the start of the student's LOA.



The requirement that an institution not impose additional charges when an approved LOA ends and the student resumes his or her program of study applies when a student returns to repeat prior coursework. Moreover, even if the student enters at the beginning of the module or course from which he or she took the leave of absence, a student is not eligible for any additional Title IV program assistance for this preparatory phase.

Since a student is still considered to be on an LOA while repeating prior coursework, if the student fails to resume attendance at the point in the academic program where he or she interrupted training at the beginning of the LOA, the student must be treated as a withdrawal. In that case, at an institution that is not required to take attendance, the date of the student's withdrawal that must be used in the Return calculation is the date the student began the LOA.

At an institution that is required to take attendance, the Last Date of Attendance (LDA) is used as the withdrawal date for a student that does not return from an LOA.

### **Leaves of absence versus the grade of incomplete**

At term-based schools, students who are unable to complete the requirements of an individual course are often assigned the grade of incomplete (I). Students are usually expected to complete the required work within a reasonable time to receive credit and a passing grade.

If a student is assigned an incomplete status for one or several courses but continues to attend other courses, the student is not considered to have withdrawn. A student who is awarded the grade of incomplete in all of his or her classes is not considered a student on an approved LOA unless the LOA meets the criteria in this section.

Because of the criteria that must be met for an LOA to be an approved LOA, term-based schools can grant LOAs that meet the Department's criteria for an approved LOA in a very limited number of cases. A term-based, credit-hour institution that wishes to explore the possibility of granting an LOA that meets the criteria specified in 34 CFR 668.22(d) should call its School Participation Team for additional information.

### No additional charges for students on an LOA

An LOA is a temporary break in the student’s attendance during which, for purposes of determining whether a Return calculation is required, the student is considered to be enrolled. Since students who are continuously enrolled are not assessed additional charges, any additional charges to a student, even minimal reentry charges, indicate that the institution does not truly consider the student to be on an approved LOA.

### No additional Title IV assistance while a student is on LOA

Since an institution may not assess any additional charges to a student returning from LOA, the institution may not award any additional Title IV aid until the student has completed the coursework in which the student was enrolled when the leave was granted.

### An LOA may not exceed 180 days in any 12-month period

Institutions, at their discretion, may grant a student multiple leaves of absence as long as the total number of days for all leaves does not exceed 180 days within a 12-month period. **This 12-month period begins on the first day of the student’s initial LOA.**

#### TIP

If a student on an Approved Leave of Absence fails to return within 180 days, the school must, in NSLDS Enrollment Reporting, report the student as withdrawn with the date the student began the LOA as the effective date.

### *When a student fails to return from a leave of absence*

At an institution not required to take attendance, if a student does not return to the school at the expiration of an approved LOA (or a student takes an unapproved LOA), the student’s withdrawal date is the date the student began the LOA. At an institution required to take attendance, the withdrawal date for the same student would always be the student’s last day of attendance.

### Explanation of the consequences of withdrawal to loan recipients granted an LOA

A student who is granted an approved LOA remains in an **in-school status** for Title IV loan repayment purposes. If a student on an approved LOA fails to return, the school must report to the loan holder the student’s change in enrollment status as of the withdrawal date.

One possible consequence of not returning from an LOA is that a student’s grace period for a Title IV program loan might be exhausted. Therefore, for an LOA to be an approved LOA, prior to granting a leave of absence, a school must inform a student who is a Title IV loan recipient of the possible consequences a withdrawal may have on the student’s loan repayment terms, including the exhaustion of the student’s grace period.

#### Deferment or Forbearance

A student who has exhausted his or her grace period and is unable to begin repayment of a loan may apply for a deferment or forbearance of payment.



## Unapproved leaves of absence

A school may grant a student an LOA that does not meet the conditions to be an approved LOA for Title IV purposes (for example, for academic reasons). However, **an LOA that does not meet all of the conditions for an approved LOA** is considered a withdrawal for Title IV purposes. The student's withdrawal date at an institution not required to take attendance is the date the student begins the LOA. At an institution required to take attendance, the student's withdrawal date is the student's last day of attendance.

**An unapproved LOA may not be treated as an unofficial withdrawal.** An unofficial withdrawal is one where the school has not received notice from the student that the student has ceased or will cease attending the school. If a school has granted a student an unapproved LOA, the school would know immediately that the student had ceased attendance for Title IV purposes and must use the specified withdrawal date in the Return calculation.

## INSTITUTIONAL CHARGES

Institutional charges are used to determine the portion of unearned Title IV aid that the school is responsible for returning. Schools must ensure that all appropriate fees, as well as applicable charges for books, supplies, materials, and equipment, are included in Step 5, Part G of the Return calculation (see *Example of school charges versus non-school charges* later in this chapter). Institutional charges do not affect the amount of Title IV aid that a student earns when he or she withdraws.

### Use of institutional charges in determining a school's responsibility for Return

The institutional charges used in the calculation usually are the charges that were initially assessed the student for the entire payment period or period of enrollment as applicable. Initial charges may only be adjusted by those changes the institution made prior to the student's withdrawal (for example, for a change in enrollment status unrelated to the withdrawal). If, after a student withdraws, the institution changes the amount of institutional charges it is assessing a student or decides to eliminate all institutional charges, those changes affect neither the charges nor aid earned in the calculation. (Please see Step 3—Amount of Title IV aid earned by the student, for a further discussion of aid earned and institutional charges.)

The return regulations presume that Title IV program funds are used to pay institutional charges ahead of all other sources of aid. **Institutional charges may not be reduced even if other sources of aid are used to pay those charges.** For example, a school may not reduce institutional charges when an outside agency supplying aid requires that aid to be used for tuition.

### Institutional charges

34 CFR 668.22(g)(1)(ii)  
34 CFR 668.22(g)(2)  
DCL-GEN-00-24

### Fees as noninstitutional charges

Application fees are excluded from institutional charges because they are not an educational cost. (Federal Register, Vol. 59, No. 82, April 29, 1994, page 22356).

If an institution enters into a contract with a third party to provide institutional housing, the institution has to include the cost of housing as an institutional charge in a Return calculation.

## Clarification

### Charges for non Title IV eligible courses

A school should not include in Step 5, Block L, tuition charges for courses for which the student may not receive Title IV funds.

### *When to prorate charges*

#### **Prorating charges**

34 CFR 668.22(g)(3)

When a school chooses to calculate the treatment of Title IV, HEA program assistance on a payment period basis for a non-term credit-hour or clock-hour program but the school charges for a period longer than the payment period (most likely the period of enrollment), there may not be a specific amount that reflects the actual institutional charges incurred by the student for the payment period. (Again, institutional charges incurred by the student are charges for which the student was responsible that were initially assessed by the institution for the payment period or period of enrollment.)

When a student is charged for a period longer than a payment period, the institutional charges incurred by the student for the payment period generally are a prorated amount of institutional charges for the longer period. However, if a school has retained federal student aid funds in excess of the prorated amount to cover institutional charges, then the institutional charges for the payment period are the amount retained for the period.

If a school charges by the period of enrollment but performs its Return calculation on a payment period basis, before entering data in Step 5, Part L of the Return calculation, the school must determine whether to enter: (a) the prorated amount of all institutional charges, or (b) the amount the school retained. To do this, first, the school prorates all institutional charges. Then, the school must determine the amount actually retained. The school compares the two results and enters in Step 5, Part L the greater of the two amounts.

For example, institutional charges are \$8,000 for a non-term-based program that spans two payment periods of 450 clock hours each. The school chooses to calculate the treatment of federal student aid funds on a payment period basis. A student withdraws in the first payment period. The prorated amount of institutional charges for each payment period is \$4,000. However, the school has retained \$5,000 of the federal student aid funds for institutional charges (\$4,000 for the prorated portion of the tuition and \$1,000 for books and supplies for the entire period of enrollment) for the payment period. Therefore, the institutional charges the school must use in the Return calculation for the payment period are \$5,000.

#### **Waiver Example**

An institution charges state residents \$900 per semester. Out-of-state students are charged an additional \$2,000 for a total of \$2,900. However, the institution grants waivers of the out-of-state charges to out-of-state athletes. The waiver is considered a payment to those charges (estimated financial assistance), and the full \$2,900 would need to be included in any Return calculation.

### *Effects of waivers on institutional charges*

If your school treats a waiver as a payment of tuition and fees that have actually been charged to a student, then the waiver is considered estimated financial assistance, and the full amount of the tuition and fees must be included in Step 5, Part L of the Return calculation. On the other hand, if the student is never assessed the full charges, the waiver is not considered to be financial aid, and only the actual charges would be included in the Return calculation (see DCL GEN 00-24, January, 2000, for a further discussion of waivers and the Return calculation).

## *Institutional versus noninstitutional charges*

Institutional charges generally are defined as the charges for tuition and fees, room and board, and other educational expenses that are paid to the school directly. If a fee (like a registration or technology fee) is required for all students in a program, then the fee should be considered an institutional charge. A charge does not have to appear on a student's account to be considered an institutional charge.

The following educational expenses must be considered institutional charges:

- ◆ all charges for tuition, fees, and room and board (if contracted with the school); and
- ◆ expenses for required course materials (books, kits, tools, supplies, etc.) if the student does not have a real and reasonable opportunity to purchase the required course materials from any place but the school.

Exceptions: Excludable costs are costs a school may exclude from the total amount of institutional costs, such as the documented cost of unreturnable equipment and documented cost of returnable equipment if not returned in good condition within 20 days of withdrawal.

Noninstitutional charges (not included in a Return calculation) include:

- ◆ charges for any required course materials that a school can document a student had a real and reasonable opportunity to purchase elsewhere (see the discussion that follows);
- ◆ charges to a student's account for group health insurance fees if the insurance is required for all students and the coverage remains in effect for the entire period for which the student was charged, despite the student's withdrawal, and
- ◆ charges to a student's account for discretionary, educationally related expenses (e.g., parking or library fines, the cost of athletic or concert tickets, etc.).

## *Returning equipment*

If a school can substantiate that its return policies are reasonable, consistent, and fair to all students, and students are notified in writing of those policies when they enroll, the school may exclude documented costs for nonreturnable equipment and returnable equipment if not returned in good condition within 20 days of withdrawal. A policy that classifies all used books or equipment as nonreturnable is not reasonable or fair. An acceptable policy must specify the circumstances that would prevent the school from selling the books or equipment to other students.

### **Three principles associated with institutional charges**

Published in a January 7, 1999, policy bulletin, these principles are applicable to determining institutional charges.

#### **Principle 1: Most costs charged by the school are institutional charges.**

The most important principle to keep in mind is that all tuition, fees, room and board, and other educationally related charges a school assesses a student are institutional charges, unless demonstrated otherwise. If you want to exclude specific charges or costs from a calculation, you must document that the charges are not institutional charges.

#### **Principle 2: An institutional charge does not need to be assessed to all students.**

A charge assessed to all students enrolled in a course or program is an institutional charge whether or not it is assessed to all students at the school. Moreover, a charge does not have to be specified in a student's enrollment agreement to be considered an institutional charge.

#### **Principle 3: Charges on a student's account are not always school charges; school charges do not always appear on a student's account.**

With the student's authorization, a school may credit a student's account with Title IV funds to pay for noninstitutional charges. If a student withdraws from the school with debits for noninstitutional charges on his or her account, the school should exclude those charges from the Return calculation.

Conversely, there may be institutional charges that do not appear on a student's account. If a school disburses Title IV funds to a student to buy required books, equipment, supplies, or materials and the student does not have a real and reasonable opportunity to purchase them from another source, those costs must be classified as institutional charges.

### Book vouchers and institutional charges in the return of Title IV funds calculations



If a book voucher issued by a school cannot be used to purchase course materials from a **convenient unaffiliated source**, the student does not have a **real and reasonable opportunity** to purchase his or her course materials elsewhere. In that case, the school must include the cost of books and materials purchased with the voucher as institutional charges in Step 5, Part L of the Return calculation.

DCL GEN-12-21

### *Demonstrating a real and reasonable opportunity*

A school may treat charges for books, supplies, equipment, and materials as noninstitutional charges if the school can substantiate that its students have the option of obtaining the required course materials from an alternative source. **The school must be able to document** that (1) the required course materials were available for purchase at a relatively convenient location unaffiliated with the school, and (2) the school provided financial aid funds in a way and at a time that made it possible for the student to purchase the materials in a timely manner. A signed statement by a student that he or she had the option to purchase the materials from an alternative source is not sufficient documentation.



### Example of school charges versus non-school charges

Aerospace Tech requires its students to purchase a titanium-plated tool set by the first day of class. Aerospace's enrollment agreement does not contain a charge for the tools, and it does not say that the student is required to purchase the tools from Aerospace or a vendor affiliated with Aerospace. As it happens, the required tools are available for purchase from Aerospace and from a retailer across the street. As a routine practice, Aerospace gets written authorization from its students to credit all financial aid to their school accounts, hold any credit balances, and establish a line of credit for students at the campus store so they can purchase the required tools by the first day of class. Most students buy the tools at the campus store and charge the purchase to their school accounts.

Although the cost of the tools is not listed as a charge in the student's enrollment agreement, Aerospace requires that the tools be purchased by everyone in the program of study. Therefore, as a general rule, the tool charges would be considered school charges. However, under the exceptions rule, the tool charges do not have to be considered school charges if Aerospace can demonstrate that (1) the tools were available for purchase elsewhere, (2) Aerospace made financial aid available to students in time to purchase the tools from another vendor before the first day of class, and (3) Aerospace's practices provide students with an equal opportunity to purchase tools from the campus bookstore or the retailer across the street.

In this case, the school meets the first criterion, the tools are available at the store across the street, so an opportunity could exist. However, the school fails to satisfy the second and third criteria because the school's routine practice of crediting students' accounts with all financial aid and extending lines of credit for purchases at the campus bookstore discourages students from purchasing the required tools from another vendor. Unless a student specifically requests that Aerospace not hold his or her credit balance, a student whose education is funded primarily through financial assistance has to purchase the tools at the campus store. As a result, the cost of the tools must be classified as school charges.

## Treatment of Title IV credit balances when a student withdraws

This treatment applies only to the handling of Title IV credit balances when a student withdraws. For a discussion of credit balances in other circumstances, please see *Volume 4*.

When a student withdraws during a period, a Title IV credit balance created during the period is handled as follows:

1. Do not release any portion of a Title IV credit balance to the student, and do not return any portion to the Title IV programs prior to performing the Return calculation. The institution must hold these funds even if, consistent with the 14-day credit balance payment requirement of 34 CFR 668.164(e), it would otherwise be required to release them.
2. Perform the Return calculation, including any existing Title IV credit balance for the period in the calculation as disbursed aid.
3. Apply any applicable refund policy (state, accrediting agency, institutional, etc.) to determine if doing so creates a new or larger Title IV credit balance.
4. Allocate any Title IV credit balance as follows:
  - a) Any Title IV credit balance must be allocated first to repay any grant overpayment owed by the student as a result of the current withdrawal. The institution must return such funds to the Title IV grant account within 14 days of the date that the institution performs the Return calculation.

Although not included in a Return calculation, any Title IV credit balance from a **prior period** that remains on a student's account when the student withdraws is included as Title IV funds when you determine the amount of any final Title IV credit balance when a student withdraws. Remember, the school must use the final credit balance first to satisfy any current student grant overpayment.

- b) Within 14 days of the date that the institution performs the Return calculation, an institution must pay any remaining Title IV credit balance funds in one or more of the following ways:
  - in accordance with the cash management regulations to pay authorized charges at the institution (including previously paid charges that now are unpaid due to a return of Title IV funds by the institution);

### Treatment of credit balance when a student withdraws

DCL GEN 04-03, February 2004

#### New 14-day deadline

In most cases, the cash management regulations require a school to refund a Title IV credit balance to a student within 14 days. However, when a student withdraws, a school is required to perform a Return calculation to determine, among other things, whether adjustments to the credit balance will occur.

For this reason, the existing 14-day payment requirement is placed on hold to determine the final amount of any Title IV credit balance. Your school does not need to obtain a student's or parent's authorization to hold a Title IV credit balance that existed prior to the Return calculation (beyond the original 14-day deadline) while you determine the final amount of the credit balance.

In order to allow an institution time to appropriately apply any credit balance after it has been recalculated, a new 14-day deadline is triggered when a school performs a Return calculation. The new 14-day deadline begins on the date the school performs the Return calculation, not the date the school performs any calculations required by its institutional refund policy.

Of course, in order to determine the correct Title IV credit balance, the school must take into account both the results of the Return calculation and any applicable refund policy.



A school may not use a Title IV credit balance to return funds for which it is responsible as a result of a Return calculation (Step 5, item O).

- **with the student's authorization**, to reduce the student's Title IV loan debt (not limited to loan debt for the period of withdrawal); or
- to the student (or parent for a Direct PLUS Loan).

If the institution cannot locate the student (or parent) to whom a Title IV credit balance must be paid, it must return the credit balance to the Title IV programs. The Department does not specify the order of return to the Title IV programs for a credit balance. We encourage institutions to make determinations that are in the best interest of the individual student.

You must apply your school refund policy before allocating a Title IV credit balance. However, you are not required to actually complete the refund process (for example, by making a refund to a student) before completing the steps for allocating the Title IV credit balance.

In order to accommodate differences in institutional accounting and administrative processes, you are not required to actually apply the Title IV credit balance to the student's grant overpayment before applying the Title IV credit balance to other debts, as long as the grant overpayment is satisfied by the 14-day deadline. You may use school funds instead of the actual Title IV credit balance to satisfy any student grant overpayment.

For the treatment of credit balances when a student dies, see the discussion under *When a student who has died is due a post-withdrawal disbursement* later in this chapter.

### **Time frame for returning an unclaimed Title IV credit balance**

If a school attempts to disburse the credit balance by check and the check is not cashed, the school must return the funds no later than 240 days after the date the school issued the check.

If a check is returned to a school or an EFT is rejected, the school may make additional attempts to disburse the funds, provided that those attempts are made not later than 45 days after the funds were returned or rejected. When a check is returned or EFT is rejected and the school does not make another attempt to disburse the funds, the funds must be returned before the end of the initial 45-day period.

The school must cease all attempts to disburse the funds and return them no later than 240 days after the date it issued the first check.



### Example of a school performing a Return calculation for a student whose account has a Title IV credit balance

Legolas, a first-time student at Northern Mirkwood Community College (NMCC), began classes on September 1. His account was credited with a Pell Grant of \$2,000.00 and debited with institutional charges of \$500.00, creating a Title IV credit balance of \$1,500.00. Because NMCC has several mini- semesters in which Legolas had expressed an interest, the school obtained the student's permission to hold the Title IV credit balance while Legolas considered his options.

On September 30, when he has completed 25% of the semester, Legolas informs the school that he has decided to withdraw in order to pursue his dream of winning a gold medal as an Olympic archer. NMCC places a hold on Legolas's account while it performs the required Return calculation and applies its institutional refund policy.

The school performs the required Return calculation on October 20 and determines that the **Amount of unearned funds due from the school** is \$375.00, and that the initial amount of unearned funds due from the student is \$1,125.00. Since the \$1,125.00 is composed entirely of grant funds, after applying the 50% grant protection (see *Step 9* later in this chapter), the **Amount for the student to return** is a grant overpayment of \$125.00.

Before Legolas withdrew, the Title IV funds on his account totaled \$2,000.00, and \$500.00 of that \$2,000.00 was used to cover the existing charges. There were no charges due the school, and the Title IV credit balance was \$1,500.00. After the school returned the \$375.00 it is required to return, the new total of Title IV funds on the student's account was \$1,625.00 ( $\$2,000.00 - \$375.00$ ), and the new Title IV credit balance was \$1,125.00.

Then, the school applies its institutional refund policy. Under NMCC's refund policy, a first-time student who withdraws before the 50% point in the semester is entitled to an 80% refund of institutional charges. Since Legolas withdrew at the 25% point of the semester, he is entitled to a refund of 80% of the amount he was charged, or \$400.00 ( $\$500.00 \times .80$ ). So, the new institutional charges on the student's account are \$100.00, and the new (final) Title IV credit balance is \$1,525.00 ( $\$1,625.00 - \$100.00$ ). Note that this new credit balance is larger than the credit balance that existed before the student withdrew.

Because Legolas has a Title IV credit balance on his account, NMCC has 14 days from October 20 (the date they performed the Return calculation) to return the student's grant overpayment (it can use its own funds or Title IV funds) from the student. After the school returns the \$125.00 grant overpayment, the Title IV credit balance of the student's account is \$1,400.00 ( $\$1,525.00 - \$125.00$ ). The school must pay those funds to the student within 14 days of October 20.

Note: *With a never before achieved perfect score, Legolas won a gold medal in the Olympic archery competition.*

## PRINCIPLES WITH UNIQUE APPLICATIONS IN THE RETURN OF TITLE IV AID

### *Date of the institution's determination that the student withdrew*

#### **Date of determination that a student has withdrawn**

34 CFR 668.22(l)(3)

#### **Example of making a determination at a school required to take attendance**

Consider a school that makes a determination on September 15 that a student has not been in attendance since September 1. The school contacts the student, who tells the school he's been ill but plans on coming back during the next week (and this falls within the time period for excused absences and absences allowed by state, accrediting agency, and other applicable policies). For the moment, the school may delay taking any action. However, if the student does not return, the school must complete a Return calculation using September 1 as the student's last day of attendance and September 15 as the date of the institution's determination that the student withdrew. The school must return any unearned funds by October 30.

The date of the institution's determination that the student withdrew varies depending on the type of withdrawal. For example, if a student begins the official withdrawal process or provides official notification to the school of his or her intent to withdraw, the date of the institution's determination that the student withdrew would be the date the student began the official withdrawal process or the date of the student's notification, whichever is later. If a student did not begin the official withdrawal process or provide notification of his or her intent to withdraw, the date of the institution's determination that the student withdrew would be the date that the school becomes aware that the student ceased attendance. The types of withdrawal and the corresponding definition of the date of the institution's determination that the student withdrew are listed in the chart on Withdrawal Dates near the end of this chapter.

For a student who withdraws, without providing notification, from a school that is not required to take attendance, the school must determine the withdrawal date **no later than 30 days after the end of the earlier of** (1) the payment period or the period of enrollment (as applicable), (2) the academic year, or (3) the student's educational program.



### *Date of determination at institutions that are required to take attendance*

Institutions that are required to take attendance are expected to have a procedure in place for routinely monitoring attendance records to determine in a timely manner when a student withdraws. Except in unusual instances, the date of the institution's determination that the student withdrew should be no later than 14 days (less if the school has a policy requiring determination in fewer than 14 days) after the student's last date of attendance as determined by the institution from its attendance records.

If a student provides notification to the school of his or her withdrawal prior to the date that the school normally would determine that the student withdrew, the date of determination is the date of the student's notification. The school is NOT required to administratively withdraw a student who has been absent for 14 days (or less if applicable). However, after 14 days, it is expected to have determined whether the student intends to return to classes or to withdraw. If the student is eventually determined to be a withdrawal, the end of the 14-day period begins the time frame for completing a Return of Title IV Funds calculation.

#### **Date of determination at an institution required to take attendance**

34 CFR 668.22(b)(1)

DCL GEN-04-03, February 2004

DCL GEN-04-12, November 2004

DCL GEN-11-14, July 2011

#### **Date by which funds must be returned**

34 CFR 668.22(j)

#### **Excused absences and administrative withdrawal**

34 CFR 668.4(e)

### **When a student enrolled in a series of modules fails to return as scheduled**

When a student is not treated as a withdrawal from a program offered in modules at a school that is required to take attendance because the student has confirmed attendance in a module that begins later in the payment period or period of enrollment, no action is required by the school unless the student does not return as scheduled.

If the student does not return as scheduled, the student is treated as a withdrawal, and the date of the school's determination that the student withdrew should be no later than 14 days after the date that the student was scheduled to resume attendance. For more information on withdrawals from programs offered in modules, see *Withdrawals from programs offered in modules* later in this chapter.

If a school has a policy that states the maximum number of excused absences that can occur after which a student will be administratively withdrawn, it may delay contacting the student until that date. However if the student eventually is determined to be withdrawn, the date of determination of the student's withdrawal remains 14 days from the student's last day of attendance. If the number of days in the school's policy is less than 14 days, then the date of the school's determination that the student withdrew is the date the school's policy indicates that the student will be administratively withdrawn. A school must return the amount of Title IV funds for which it is responsible as soon as possible but no later than 45 days after it determines or should have determined that the student withdrew. In addition, if a student is due a post-withdrawal disbursement, then the date of the school's determination must allow for the school to meet the 30-day post-withdrawal disbursement notification requirement.

This requirement does not affect a student's withdrawal date. At a school that is required to take attendance, a student's withdrawal date is always the last date of attendance as determined by the school from its attendance records.

A student who ceases attendance during a payment period or period of enrollment is a withdrawal for Title IV purposes unless the student is on an approved LOA. Therefore, for a student who has ceased attendance, the institution must either:

- ◆ place the student on an approved LOA (provided that the conditions for an approved LOA are met); or
- ◆ withdraw the student and, if the student returns, treat the student as a reentry if permitted under the regulations.

As noted, the date of the institution's determination that the student withdrew is not necessarily the same as a student's withdrawal date. A student's withdrawal date is used to determine the percentage of the payment period or period of enrollment completed and, therefore, the amount of aid a student has earned. The date of the institution's determination that the student withdrew is used in the following circumstances:

- ◆ A school must offer any amount of a post-withdrawal disbursement that is not credited to the student's account within 30 days of the date of determination.
- ◆ If the student or parent submits a timely response that instructs the school to make all or a portion of the post-withdrawal disbursement, the school must normally disburse the funds within 180 days of the date of determination.
- ◆ A school must document a student's withdrawal date and maintain the documentation as of the date of determination.
- ◆ Within 30 days of the date of determination, a school must notify a student if a grant overpayment is due.
- ◆ A school that is collecting an overpayment must require repayment of the full amount of the overpayment within two years of the date of determination.
- ◆ The school must return the amount of Title IV funds for which it is responsible no later than 45 days after the date of determination.
- ◆ The date of determination is used to determine the amount of Title IV aid that must be included in any Return calculation.

## USE OF PAYMENT PERIOD OR PERIOD OF ENROLLMENT

The worksheets require that a school indicate whether the calculation is being done on the basis of a payment period or on the basis of a period of enrollment. For students who withdraw from semester, trimester, or quarter programs, a school must perform the Return calculation on a payment period basis. For students who withdraw from a nonstandard term-based or non-term-based educational program, the school has the choice of performing the Return calculation on either basis. The institution must use the same basis (payment period or period of enrollment) in its calculations for all students within a program who cease attendance.

An exception is allowed for students who transfer to or reenter a school that offers non-term-based or nonstandard term-based educational programs. For students who transfer to or reenter a non-term-based or nonstandard term-based educational program, a school may make a separate selection of payment period or period of enrollment to use in calculating their Return of Title IV funds for everyone within the group that transfers or reenters.



The periods used for transfer and reentry students do not have to be the same. A school may choose to use payment period for transfer students and period of enrollment for reentry students.

### *Payment period*

The definition of a payment period is the same definition used for other Title IV program purposes. This definition is found in 34 CFR 668.4 (see *Volume 3*). Schools that use payment periods as the basis for their Return calculations should note that making multiple disbursements within a payment period does not create a new or additional payment period.

### *Period of enrollment*

A period of enrollment is the academic period established by the school for which institutional charges are generally assessed (i.e., the length of the student's program or the academic year) but consistent with the period for which loans generally are originated.

For information on determining the length of a payment period or period of enrollment for a student who withdraws from a program offered in modules, see *Withdrawals from programs offered in modules* later in this chapter.

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#### **Period of enrollment**

34 CFR 668.22(l)(2)

## Applicability

The use of a payment period or period of enrollment is important for many aspects of the Return calculation. For example, if a school is determining the treatment of Title IV funds on a payment period basis, the student's Title IV program assistance to be used in the calculation is the aid that is disbursed or that could have been disbursed for the payment period. Also, the institutional charges used in the calculation generally have to reflect the charges for the payment period.

Generally, the higher the institutional charges, the greater the amount of unearned aid that is to be returned by the school (see Step 4). In some cases, this mitigates against a school using the period of enrollment as the basis for the Return to Title IV funds calculation. An institution must prorate the charges for the period of enrollment to correspond to a payment period if the institution has elected to use the payment period rather than period of enrollment basis for the Return calculations.

If, for a non-term or nonstandard term program, a school chooses to calculate Returns on a payment period basis but the school charges for a period longer than a payment period (e.g., period of enrollment), total institutional charges for the period will be the greater of the:

- ◆ prorated institutional charges for the period, or
- ◆ the amount of Title IV assistance retained for institutional charges as of the student's date of withdrawal.

## Rounding

Enter dollars and cents using standard rounding rules to round to the nearest penny. Final repayment amounts that the school and student are each responsible for returning may be rounded to the nearest dollar.

Percentages are calculated to four decimal places, and rounded to three decimal places. The third decimal place is rounded up if the fourth decimal place is five or above. For example, .4486 would be rounded to .449, or 44.9%.

The **one exception** to the rounding rule occurs in determining the percentage of Title IV program assistance earned. Students who withdraw at any point **after the 60% point** in the payment period or period of enrollment have earned 100% of their Title IV funds. If the standard rounding rules were used in this situation, a quotient of .6001 through .6004, which is greater than 60%, would be rounded down to .600 (60%), and the student would not have earned 100% of his or her Federal Student Aid. To recognize that students completing more than 60% of the period (by any amount) earn 100% of their Federal Student Aid, **amounts of .6001 through .6004 are not rounded** for the purpose of determining whether a student has earned 100% of the Title IV funds for the term.



### Funds to include in a Return calculation

The calculation of earned Title IV funds includes the following Title IV grant and loan funds if they were disbursed or could have been disbursed to a student for the period of time for which the calculation is being performed (payment period or period of enrollment).

- ◆ Pell Grant
- ◆ Iraq and Afghanistan Service Grant
- ◆ TEACH Grant
- ◆ FSEOG
- ◆ Direct Loan
- ◆ Perkins Loan

Federal Supplemental Educational Opportunity Grant (FSEOG) Program funds are excluded under certain circumstances. Federal Work-Study (FWS) funds are **not** included in the calculation.

### Funds to include in a Return calculation

34 CFR 668.22(a)(2)



#### Limits on Title IV Funds that May Be Included as Aid That Could Have Been Disbursed

A school may not include as Aid That Could Have Been Disbursed Pell Grant funds that if disbursed would, in combination with other Pell funds previously received by the student, cause the student to exceed his or her Pell Grant maximum lifetime eligibility. Likewise, a school may not include as Aid That Could Have Been Disbursed Direct Subsidized Loan funds that would, in combination with other Direct Subsidized Loan funds previously received by the student, cause the student to exceed his or her 150% maximum eligibility period for Direct Subsidized Loans.

#### FSEOG Program funds

The nonfederal share of FSEOG Program funds is excluded when a school meets its FSEOG matching share by either the individual recipient method or the aggregate method. If a school meets its matching share requirement through the use of a fund-specific match, 100% of the FSEOG award (both the federal and nonfederal shares) must be included in the Return calculation. Otherwise, the nonfederal share of FSEOG awards is excluded from the calculation. For more information on types of FSEOG matching funds, see *Volume 6*.

#### Funds to include when a student enrolled in a crossover period withdraws before the higher Pell is disbursed

If, for a student enrolled in a crossover period, a school had a second SAR/ISIR with an official EFC (reflecting eligibility for more Pell funds) before the student lost eligibility but the school had failed to disburse the additional funds before the student withdrew, the school must include the additional funds in the Return calculation as *aid that could have been disbursed*.

The school must do the following:

1. Enter the Pell funds that were disbursed while the student was in school in Step 1, line 1, column A, as *aid that was disbursed*.
2. Enter the increase (the difference between student's higher Pell eligibility and the Pell that was disbursed) in Step 1, line 1, column C, as *Aid that Could Have Been Disbursed*, together with any Pell funds from the original award that were not disbursed.
3. Enter any other Title IV aid as it stood when the student withdrew, and perform the Return calculation as directed.

### ***A resolved overaward may become an overpayment***

If a school has resolved an overpayment by reducing scheduled future disbursements for a second or subsequent payment period and the student ceases attendance before the end of the current payment period, that portion of the student's award that was an overpayment must be repaid outside of the requirements of 34 CFR 668.22.

If the school is responsible for repaying the overpayment, the school must repay the overpayment before completing any required Return calculation.

If the student is responsible for repaying the overpayment, and the student withdrew during the payment period or period of enrollment, as applicable, the school should try to collect the overpayment from the student and, if it is unable to do so, should refer the student to ED's Debt Resolution Services.

If the student is responsible for repaying the overpayment, and the student withdrew during the payment period or period of enrollment, as applicable, the school should not take any action until it has completed the required Return calculation. When performing the Return calculation, the school should not include the amount of the overpayment for which the student is responsible as aid disbursed or could have been disbursed. Then, when the school has completed the Return calculation, it should document the amount of the overpayment and, as applicable, reduce any post-withdrawal disbursement or increase any amount the student must return by the amount of the overpayment owed by the student.

## SPECIAL TREATMENT OF STUDENTS WHO WITHDRAW AND THEN TRANSFER OR REENTER A CREDIT-HOUR, NON-TERM-BASED PROGRAM OR A PROGRAM THAT MEASURES PROGRESS IN CLOCK HOURS

### *Reentry within 180 days*

A student who reenters within 180 days is treated as if he or she did not cease attendance for purposes of determining the student's aid awards for the period.

For credit-hour non-term-based programs or programs that measure progress in clock hours, a student who withdraws and then reenters the same program at the same school within 180 days is considered to be in the same payment period he or she was in at the time of the withdrawal. The student retains his or her original eligibility for that payment period and is treated as though he or she did not cease attendance.

A student who reenters a credit-hour, non-term-based program or a program that measures progress in clock hours within 180 days of his or her withdrawal is immediately eligible to receive all Title IV funds that were returned when the student ceased attendance. Thus, upon the student's return, the school must restore the types and amount of aid that the student was eligible for before the student ceased attendance, and schedule the appropriate disbursements. Actions to be taken by the school would include:

- ◆ redisbursing aid that had been disbursed and then returned under the Return of Title IV Aid provisions;
- ◆ disbursing aid the student was otherwise eligible for that had not yet been disbursed at the time the student withdrew; and
- ◆ canceling any overpayments assessed the student as a result of the prior withdrawal if those funds were disbursed upon reentry.

Once the student completes the payment period for which he or she has been paid, he or she becomes eligible for subsequent Title IV student aid payments.

There are limitations on redisbursing and making second disbursements of Direct Loan funds when a student reenters. If the date of a student's return is **outside of** the period for which the loan was certified/originated, **the school must agree to extend the loan period.** (The school may originate a new loan as explained later.) Likewise, if the date scheduled for a second disbursement is **outside of** the period for which the loan was originated, **the school must extend the loan period** and the date(s) for the second and any subsequent disbursement. For more information on this topic, please see the chart *Loan Principles Applicable to Transfer and Reentry at Non-term Schools* later in this chapter.

### Re-entry within 180 days

34 CFR 668.4(f)

#### Consistent with leave of absence

This arrangement is similar to an LOA, and the 180-day time frame is consistent with the maximum 180 days allowed for an approved LOA in the Return regulations. The difference, of course, is that with an unauthorized LOA, the institution would not know that the student would be returning and would have treated the student as a withdrawal. Based upon that withdrawal, the institution would have completed the Return calculation, which may have required both the institution and the student to return funds to the Title IV programs.

If the student returns within 180 days to his or her original program, while an official leave was not granted and the provisions of the Return regulations were applied, upon the student's return, the student can be treated as though he or she had been on an approved LOA.

#### Costs upon re-entry

The cost of attendance used in the calculation are the costs associated with the original period before the student withdrew. Once the student has withdrawn and then returned to the same program within a 180-day period, the regulation states that the student remains in the same payment period. The cost of attendance for such a student returning to the same program within 180 days must reflect the original educational costs associated with the payment period from which the student withdrew.

#### Deferment status for loan funds

If a student reenrolls in school on at least a half-time basis before his or her initial grace period expires, the student regains his or her in-school status and is entitled to have his or her grace period made whole again. The student will have a full initial grace period when he or she ceases half-time enrollment.

### New Minimum Loan Period

34 CFR 685.301(a)(9)

**Note:** For a student who completed more than 60% of his or her training before ceasing attendance, the school would not have returned any Title IV aid. If that student were to reenter training within 180 days, because the student had received 100% of his or her aid for the period, the student would not be eligible to receive additional Title IV aid until he or she has completed the weeks of instructional time and hours or credits (as applicable) in the academic year.

### When a student reenters within 180 days

The return regulations require a school to return unearned funds for which it is responsible as soon as possible but no later than 45 days after the date of the school's determination that the student withdrew. If a student returns to the institution before the Title IV funds are returned, the institution is not required to return the funds.

**An institution may not delay its Return of Title IV funds.**

An institution is expected to begin the Return of funds process immediately upon its determination that a student has withdrawn. The institution may not delay returning Title IV funds because it believes a student might return.

### Requesting administrative relief by email

A school can also request administrative relief by sending an email directly to:

**fsa.administrative.relief@ed.gov**

The request must include the

- reason (re-entry within 180 days);
- school's Pell ID number;
- name of the person to contact;
- the contact's phone number; and
- the contact's email address.

### Limits on requesting administrative relief

Generally, a school may request administrative relief for a student who reenters training during the award year following the award year in which the funds were originally awarded.

For a treatment of the re-admission requirements for members of the uniformed services, see *Volume 1*.

### What to do when a student whose overpayment has been referred to Debt Resolution Services reenters within 180 days

If a student whose overpayment has previously been referred to Debt Resolution Services returns to school within 180 days, the school must send Debt Resolution Services a fax identifying the student overpayment, and stating that it should be made void. This will allow the Department to properly update its records in both the Debt Resolution Services system and NSLDS.

This fax number is for **school use only** and only for this purpose.

**Fax Number: 319-665-7646**

**Note:** This process cannot be performed via email.

In the fax, the school must include the:

- ◆ award year of the overpayment;
- ◆ student's Social Security number;
- ◆ student's last name, first name, and middle initial;
- ◆ student's date of birth;
- ◆ type of overpayment—Federal Pell Grant, TEACH Grant, Iraq and Afghanistan Service Grant, or FSEOG;
- ◆ the disbursement date the institution used to create the overpayment record in NSLDS;
- ◆ a letter that includes the following text:

***This student has returned to school. The regulations (34 CFR 668.4(e)) require that the overpayment referenced herein be voided.***

### The maximum loan period

The regulations allow schools to certify loans for students in non-term and nonstandard term programs that are less than an academic year in length, and give schools flexibility in rescheduling disbursements to students who cease attendance and then return to school.

For a student who withdraws and returns within 180 days, a school may extend the original loan period and schedule new disbursement dates for second or subsequent disbursements. Note that this does not mean an increase in the loan amount the student may receive for the period. Cites: 685.301(a)(10)(ii)(A) and 685.301((a)(9)(i).

### Reentry within 180 days, example

Consider a student who began attendance in a clock-hour program that was 1,500 hours in length with a defined academic year of 900 hours. For the first 450-hour payment period, the student was awarded and disbursed \$1,500 in Pell Grant funds, \$500 in FSEOG funds, and \$500 in Title IV loan funds, for a total of \$2,500 in Title IV aid.

Assume that this student withdrew from school after completing 200 of the 225 hours he or she was scheduled to complete by that point in the payment period (50% of the period), and the school uses payment periods to calculate the Return of Title IV Aid. Under the Return regulations, the school used scheduled hours (225) to determine that the student earned 50% of his or her Title IV aid. The school returned \$500 to the loan program. The \$750 the student was initially scheduled to return (Step 9, Part S) was eliminated by the application of grant protection in Step 9, Part U.

If the student returns to the same program at the same school within 180 days of the withdrawal, the student would be considered to be in the same payment period, and the student's eligibility for Title IV aid should be the same as if the student had not left. **If the student is returning within the original loan period, the school redisburses the \$500 the school had returned. If the date of a student's return is outside of the period for which the loan was originated, the funds the school must extend the loan period and set new dates for any second disbursement or additional disbursements.** In addition, the institution would schedule additional Title IV disbursements for the day after the student is expected to complete the remainder of the payment period.

If the student withdraws again before completing the payment period, the institution would apply the provisions of the Return regulations using the total number of hours the student **was scheduled to complete** in the numerator, the full 450 hours in the payment period in the denominator, and then apply that fraction to the total Title IV aid disbursed for the period.

### When a student reenters in a new award year

A student who was originally enrolled in a payment period that began, and was scheduled to end, in one award year could return after the end of that award year (June 30). However, the intent of the regulations is that such a student is to be considered, upon his or her return, to be in the same period. Therefore, any Title IV program funds that will be disbursed to the student should be paid from the original award year regardless of whether the resumption of the payment period is in a new award year.

Consider a student who received Pell Grant funds and withdrew from school in one award year and who reenters training within 180 days in a new award year. If the school returned funds after a Return calculation, the student might now be due additional Pell funds from an award year that is closed. (Deadline submission dates are published annually in a Federal Register Notice. The date will typically be the end of September after the official end of an award year.)



To report the additional disbursement information and request these funds, the school will must request an extension to the established data submission deadline. This can be done through the COD website at

<https://cod.ed.gov/>

#### When a student is due Campus-Based funds from a closed year

For the Campus-Based Programs, if funds are not available from the year in which the awards were originally made, the school may award funds from the current year. Note that doing this does not increase the annual maximum awards that may be made to an individual student.

Authorized school users must log on to the website, select the “School” menu and then select “Request Post Deadline/Extended Processing” on the left side. Users then—

- ◆ select the correct award year and program for the request;
- ◆ choose “Re-entry within 180 days” from the drop down menu as the reason code;
- ◆ provide an explanation for the request; and
- ◆ then “Submit”.

Schools will be notified if/when the request has been approved.



### *Reentry after 180 days, transfer into a new program at the same institution, or transfer to a new institution*

If a student withdraws from a credit-hour, non-term program or a clock-hour program without completing the period and:

- ◆ reenters the same program at the same institution more than 180 days after withdrawal, receiving credit for hours previously earned; or
- ◆ transfers into another credit-hour non-term or clock-hour program at any time (either at the same institution or at a new institution) and the institution accepts all or some of the hours earned in the prior program;

then the student starts a new payment period when he or she reenters or transfers.

In calculating awards for a student who reenters the same program after 180 days, reenters in a new program, or transfers to a new institution, the institution treats the hours remaining in the program as if they are the student's entire program. The number of payment periods and length of each payment period are determined by applying the rules in the appropriate part of the definition of a payment period to the hours remaining in the program upon transfer or reentry.



**A school may consider a student who transfers into another program at the same school to remain in the same payment period if five conditions are met:**

1. The student is continuously enrolled at the school.
2. The coursework in the payment period the student is transferring out of is substantially similar to the coursework the student will be taking when he or she first transfers into the new program.
3. The payment periods are substantially equal in length in weeks of instructional time and credit hours or clock hours, as applicable.
4. There are little or no changes to the institutional charges to the student for the period.
5. The credits from the payment period the student is transferring out of are accepted toward the new program.

This provision addresses situations where a student's transfer to a new program at the same institution results in very little change to the student's academic circumstance, e.g., a change that is really nothing more than a change in majors. The Department believes that when this occurs, it is appropriate to spare the school the burden of withdrawing a student, performing a Return calculation, and returning Title IV grant or loan funds, only to award them again for the new payment period(s).

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#### **Re-entry after 180 days**

34 CFR 668.4(g)

If a school treats the student as one who is not withdrawing from the institution, no Return calculation is performed, and the student continues in the same payment period he started in with his original program.

If a student for whom this approach is taken later withdraws from the institution, the start and end dates used in Step 2 of the Return calculation will be the start of the first program and the end of the second. The charges used in Step 5 will be the total charged the student for the two programs.

### Eligibility of transfer students for additional Title IV funds

#### When a student who withdraws from a term-based, credit-hour program offered in modules returns within a payment period or period of enrollment

If a student enrolled in a term-based, credit-hour program offered in modules who withdrew without confirming an intent to return to a module later in the payment period or period of enrollment reenters the same program prior to the end of the payment period or period of enrollment, the student is treated as if he or she did not cease attendance. Please see the discussion under *Withdrawals from programs offered in modules* later in this chapter.

Generally, at a clock-hour or non-term credit-hour school, a student can be paid again for clock hours or credit hours that he or she has already completed at that school only if he or she has completed a program and reenrolls to take that program again or to take another program. In addition, when a student reenters a clock-hour or credit-hour non-term-based program after 180 days, the student may be paid for repeated courses. **(The recent limitation on students being paid for multiple repeats applies only to students enrolled in term-based programs.)**



For example, a student who withdraws after completing 302 clock hours of a 900 clock-hour program has 148 hours remaining in the 450-hour payment period. The student reenrolls after 180 days in the same program and receives credit for 100 hours. The program length for purposes of determining the new payment periods is 800 clock hours (the remainder of the student's program), so the new payment periods are 400 hours and 400 hours (the 302 hours completed and the 148 hours that remained do not apply). Any reduction in the payment would be based on whether the student's scheduled award or annual loan limits are exceeded. (If the student in this example received no credit for previously completed hours, the student's program length for purposes of determining the payment periods would be 900 clock hours.)

However, a transfer student's eligibility for additional Title IV funds may be subject to a variety of limitations associated with the aid the student received during the student's most recent period of attendance. For example, in the Pell Grant Program, a student may never receive more than his or her Pell scheduled award for an award year. In the Federal Direct Loan Program, the application of the annual loan limits imposes additional limitations on a borrower's eligibility for funds when the borrower transfers (see chart).

## LOAN PRINCIPLES

### APPLICABLE TO TRANSFER AND REENTRY AT NON-TERM SCHOOLS

1. For non-term programs, a Borrower–Based Academic Year (BBAY) must be used to monitor annual loan limits. For a student who transfers or reenters such a program, the loan period must be the lesser of the:
  - academic year,
  - program, or
  - remaining balance of a program of study.
2. A school may originate a loan for a period that exceeds 12 months.
3. When we say balance, we mean the borrower’s annual loan limit, less any amount previously borrowed for the same academic year, plus any amount returned per 34 CFR 668.22.
4. For a transfer student, when an overlap exists between the borrower’s original loan period and the borrower’s new period of attendance or the academic years of the two schools, the new school may originate a loan for the remaining portion of the program or academic year. In this case the new school may originate a loan for an amount that does not exceed the remaining balance of the student’s annual loan limit. **The borrower is not eligible for a new loan until the original loan period and original academic year have ended.**

Note that **if the original academic year is unknown, a school must assume the previous school had an academic year of 30 weeks.**

A receiving school that accepts fewer credits or clock hours than the student successfully completed at his or her prior school may, if it can document that the student successfully completed additional credits or clock hours, count those hours as completed hours in the student’s loan period.

Note that when we say *successfully completes*, we mean that the student earns a passing grade or otherwise receives credit for the course.

If there is no overlap, the borrower is immediately eligible for a new annual loan limit. The receiving school can certify the borrower for a loan period that corresponds to its academic year or the entire balance of the program. If the portion of the program that remained was less than an academic year, the loan would be subject to proration.

5. When originating a loan for reentering student for a new BBAY, the Cost of Attendance may include only those costs associated with the period for which the loan is originated. It may not include any costs used in originating the previous loan unless those costs represent charges for which funds were returned to the Department or refunded to the student, subsequent to the previous withdrawal.
6. When a student reenters the same program within 180 days and before the end of the student’s initial loan period, a school can change the original loan period end date and reschedule the second disbursement. In this case, the student is held to the same disbursement requirements that applied initially (e.g., for one additional disbursement, the student must **successfully complete** one-half the coursework **and** one-half the **weeks of instructional time** in the loan period before he or she can receive the second disbursement).

### Loan Principles, continued

7. When a borrower reenters the same program within 180 days and before the end of the borrower's initial loan period, the school can originate a loan with a new loan period that begins on the date the borrower returns to school and extends to either the balance of the original loan period or balance of the program, **whichever is shorter**. The borrower is eligible to receive only the balance of the loan, and it must be disbursed in multiple disbursements.

The borrower is not eligible for a new loan until the original loan period and original academic year have ended. If some portion of the program remains after the completion of the new loan period, the school can originate a new loan for that portion of the program. If the portion of the program that remained was less than an academic year, the loan would be subject to proration.

8. If a student reenters a program after the end date of the initial loan period or BBAY, a school may originate a new loan for either the balance of the program or academic year, whichever is shorter. If the portion of the program that remained was less than an academic year, the loan would be subject to proration.

### DIRECTIONS FOR ADJUSTING DIRECT LOANS

If a student who ceased attendance for a period in which he or she received a Direct Loan returns to school within the time that regulations require that his or her Title IV aid be redisbursed, a school must submit a change record to the Common Origination and Disbursement (COD) system that:

- ◆ adjusts the amount of the loan to the amount appropriate to the enrollment status at which the student has reenrolled;
- ◆ adjusts the academic year and loan period (award period) to the student's new anticipated completion date; and
- ◆ changes the disbursement dates to reflect when disbursements actually occur.



If a school needs to submit a change record after the closeout date for an award year (the last processing day in July of the year following the award year of which the loan was originated), the school will need to request an extension to the established data submission (closeout) deadline.

This can be done through the COD website at

<https://cod.ed.gov/>

Authorized school users must log on to the website, select the “School” menu and then select “Request Post Deadline/Extended Processing” on the left side. Users then—

- ◆ select the correct award year and program for the request;
- ◆ choose “Re-entry within 180 days” from the drop down menu as the reason code;
- ◆ provide an explanation for the request; and
- ◆ then “Submit.”

Schools will be notified if/when the request has been approved.

### Transfer Students, Example 1

Consider an academic program that consists of 1,500 clock hours that students are expected to complete over 50 weeks of instructional time. The program has a defined academic year of 900 hours and 30 weeks of instructional time. For students who enter at the beginning of the program, initially there would be four payment periods.

1. the first 450 hours of the first academic year and 15 weeks of instructional time;
2. the next 450 hours of the first academic year and 15 additional weeks of instructional time;
3. the first 300 hours of the 600 hours remaining in the program and 10 weeks of instructional time; and
4. the final 300 hours of the 600 hours remaining in the program and 10 weeks of instructional time.

If the school accepts a transfer student and grants the student 300 hours of credit toward the completion of its 1,500-hour program, the school would subtract the 300 hours and 10 weeks of instructional time from the 1,500 hours and 50 weeks of instructional time in the student’s program, and determine that the student needs to complete 1,200 hours and 40 weeks of instructional time at the new institution in order to complete the program.

Then, consistent with the regulations in 34 CFR 668.4(b), the school determines the payment periods in the 1,200 hours that constitute the student’s program. Since the number of remaining hours and weeks in the program is greater than an academic year, the payment periods for the rest of the program areas follows:

1. the first 450 hours after the student transfers and 15 weeks of instructional time;
2. the next 450 hours in the academic year following the student’s transfer and 15 additional weeks of instructional time;
3. the 300 hours remaining in the program and 10 weeks of instructional time (since this balance is less than one-half of an academic year). However, the school must make two disbursements of any Direct Loan awarded for this period—the second when the student has completed 150 hours and 5 weeks of instructional time.

The institution would then award and disburse Title IV aid based upon the length of the payment period(s) consistent with the awarding rules under each of the Title IV programs and the Cash Management rules contained in Subpart K of Part 668 of the regulations.

## Transfer Students, Example 2

On August 1, 2013, David Allen enrolled at Penny's Hair Academy (PHA). After completing 400 of the 900 clock hours in his program, David had to relocate, and he withdrew from school.

On February 1, 2014, having settled into his new home, David enrolled at Marion's Esthetics Institute (MEI) as a transfer student. David was awarded 400 clock hours of transfer credit in MEI's 1,000 clock-hour program (the program definition of an academic year is 900 clock hours and 30 weeks of instructional time). David's program is 600 clock hours and 20 weeks of instructional time.

When the financial aid officer (FAO) at MEI examined David's 2010–2011 ISIR, he found the following entry:

%Sch. Used: 50.0    As Of: 01/28/2010    Pell Verification    EFC: 0

The FAO subtracted the 50% used previously from 100% and found that the percentage of David's scheduled award that remained unused was 50%. Therefore, David was eligible to receive 50% of his scheduled Pell award of \$4,731 during the balance of the award year. In addition, the FAO used the 600 hours and 20 weeks of instructional time remaining in David's program to establish the appropriate two payment periods (per 34 CFR 668.4(b)) each of 300 clock hours and 10 weeks of instructional time.

The aid officer performed the required multiplication and determined that David could receive as much as \$2,365 ( $.50 \times \$4,731 = \$2,365$ ) if he remained enrolled at MEI for the balance of the year.

During the first payment period, David received \$1,577 ( $\$4,731 \times 300 \text{ hours in the period} \div 900 \text{ hours in the academic year}$ ) in Pell funds.

However, in the second payment period, David could only receive funds until his total Pell at MEI reached \$2,365 (his total for the year reached \$4,731). Therefore, for the second payment period at MEI, David could only receive \$788 ( $\$2,365 - \$1,577 = \$788$ ).

On February 5, 2011, David came to the FAO at MEI and inquired about a loan like the one he had at PHA. The FAO examined David's ISIR and his record in NSLDS and determined that David had received \$1,750 in loan funds (from his first-year loan of \$3,500) while attending PHA.

The FAO tells David that because there is an overlap of the two school's academic years, David is only eligible to receive a loan for the balance of his eligibility as a first-year student—\$1,750. In addition, the FAO tells David that the one-half of his loan will be disbursed within a few days, and the balance will be disbursed when David has successfully completed 300 clock hours (half of the hours in the remainder of his program) and half the weeks of instructional time in the loan period.



## BREAKS IN ATTENDANCE FOR STUDENTS ENROLLED IN PROGRAMS MEASURED IN CREDIT HOURS WITHOUT ACADEMIC TERMS

To receive Title IV aid, a student must be enrolled in an eligible program. That program has required courses, some of which must be taken in sequence. If no specific academic plan exists for a particular student, we consider the program requirements to be the student's academic plan.

A student who completes a course is expected to begin attending the next available course in the program until the student completes the credits for which he or she has received Title IV aid. **If, before a student completes the credits for which he or she has received Title IV aid, the student fails to enroll in the next (appropriate in sequence) course in the program, the student must be put on an approved LOA or considered withdrawn.**



A student who has completed the credits for which aid was awarded does not have to be considered a withdrawal or placed on LOA if he or she takes a break before enrolling in additional courses.

## CHANGING OR CORRECTING A RETURN CALCULATION

Changes that aren't corrections are allowed only if the change can be made in time for the institution to meet any applicable Return of Title IV Funds deadline.

**A change is not a correction if a calculation (Return/post-withdrawal disbursement) was correct at the time it was processed.** For example, a school that used the midpoint as the withdrawal date may want to go back and revise an already processed Return of Title IV Funds calculation to use a last date of attendance at an academically related activity past the midpoint. Such a change is not a correction because the use of the midpoint was not a mistake—as would be using the wrong amount of a Pell Grant disbursement. Similarly, the signing of a promissory note after a calculation is processed is not a correction because failing to sign a promissory note is not a mistake.



**An institution is never required to do a recalculation of a change that is not a correction.**



## APPLICABLE DEADLINES

Two main deadlines impact most Return of Title IV Funds calculations—the 45-day time frame for the Return of Funds (also see the discussion under *Time frame for the return of Title IV funds* later in this chapter), and the 30-day required notification of the need for authorization to make a post-withdrawal disbursement of Title IV loan funds (see the discussion under *Post-withdrawal disbursement of Title IV Loan funds* later in this chapter).

Any action taken after a deadline, even a correction, is a violation of that deadline requirement. So, when an institution corrects a Return of Title IV Funds calculation and, as a result, returns funds after the 45-day deadline, it is a late return. Likewise, if a school makes a correction and fails to notify a student or parent that they are eligible for a post-withdrawal disbursement within 30 days of the date of the institution's determination that the student withdrew, the school has violated that deadline.

*In the next section, we will discuss the data elements in the order in which they occur on the worksheets. The discussion that follows is not a set of instructions. It is an explanation of the criteria a school must consider as it enters data in the steps of the calculation.*

## STEP 1: STUDENT'S TITLE IV AID INFORMATION

### *Title IV aid disbursed*

A school must calculate the amount of earned Title IV funds by applying a percentage to the total amount of Title IV program assistance that was disbursed and that could have been disbursed. Under Step 1 of the worksheet, a school fills in the amount of each type of Title IV aid that was disbursed and that could have been disbursed. When entering the amount of loan funds, a school should enter the net amount disbursed and that could have been disbursed.

Generally, a student's Title IV funds are disbursed when a school credits a student's account with the funds or pays a student or parent directly with Title IV funds received from the Department. There are a couple of exceptions to this definition. For a complete discussion of the definition of disbursed Title IV funds, see *Volume 4*.



**A student's aid is included as aid disbursed in the calculation if it is disbursed as of the date of the institution's determination that the student withdrew, and so long as the disbursement was not an inadvertent overpayment (see the discussion previously under Date of the institution's determination that the student withdrew).**

Inadvertent overpayments are an exception. Inadvertent overpayments—disbursements inadvertently made to a student after the student ceased attendance but prior to the date of the institution's determination that the student withdrew—are included in a Return calculation as “aid that could have been disbursed” rather than “aid that was disbursed.” (See the discussion under *Treatment of inadvertent overpayments* later in this chapter.)

A school may not alter the amounts of Title IV grant and loan funds that were disbursed prior to the school's determination that the student withdrew. For example, a school may not replace a withdrawn student's loan funds with grant funds that the student was otherwise eligible to receive before performing the Return calculation.

### *Title IV aid that could have been disbursed*

In addition to aid disbursed, aid that could have been disbursed is also used in the calculation. There are two principles that govern the treatment of disbursements of Title IV funds in Return calculations. The first principle provides that, for purposes of determining earned Title IV aid, generally, so long as the conditions for late disbursements in 34 CFR 668.164(g)(2) were met prior to the date the student became ineligible, any undisbursed Title IV aid for the period for which the return calculation is performed is counted as aid that could have been disbursed (regardless of whether the institution was prohibited from making the disbursement on or before the day the student withdrew because of the limitations in 34 CFR 668.164(g)(4) or elsewhere).

### **Inadvertent overpayments**

DCL GEN 04-03, February 2004

### **Limits on Title IV Funds that May Be Included as Aid That Could Have Been Disbursed**



A school may not include as Aid That Could Have Been Disbursed Pell Grant funds that if disbursed would, in combination with other Pell funds previously received by the student, cause the student to exceed his or her Pell Grant maximum lifetime eligibility. Likewise, a school may not include as Aid That Could Have Been Disbursed Direct Subsidized Loan funds that would, in combination with other Direct Subsidized Loan funds previously received by the student, cause the student to exceed his or her 150% maximum eligibility period for Direct Subsidized Loans.

**Direct PLUS Loan denied**

If a Direct PLUS Loan is included in a Return calculation and later the Direct PLUS Loan is denied, the school should revise its Return calculation. If there has been a change in the amount the student or school must return, the school must make the appropriate adjustments to its records and the COD systems. If the denied Direct PLUS Loan was the only Title IV assistance for which the student was eligible, no Return calculation is required.

**Conditions for late disbursement**

34 CFR 668.164(g)(2)

**Limitations on making a late disbursement**

34 CFR 668.164(g)(4)

**Official EFC**

An “official EFC” is an EFC calculated by the Department and provided on a SAR or ISIR. It may or may not be a valid EFC (defined as an EFC based on information that is correct and complete).

**When a Student Drops Below Half Time Before Withdrawing**

If a student who is otherwise eligible for a late first disbursement drops below half-time enrollment and then withdraws, the institution would include any undisbursed Direct Loan funds in the Return calculation as “aid that could have been disbursed.” However, an institution may never make a post-withdrawal disbursement of Direct Loan funds a student could not have received if he or she had remained in school.

Any undisbursed Title IV aid for the period that the school uses as the basis for the Return calculation is counted as aid that could have been disbursed as long as the following conditions were met before the date the student became ineligible:

- ◆ for all programs, the Department processed a Student Aid Report (SAR) or Institutional Student Information Record (ISIR) with an official Expected Family Contribution (EFC) for the student;
- ◆ for an FSEOG award, the institution made the award to the student;
- ◆ for a Direct Loan, the institution originated the loan; and
- ◆ for a Federal Perkins Loan, the institution made the award to the student.

In all Title IV loan programs, a promissory note must be signed for a loan to be included as “aid that could have been disbursed” in a Return calculation. The signature may be obtained after the student withdraws. However, for the loan to be included as “aid that could have been disbursed,” the promissory note must be signed before the school performs the Return calculation.

Of course, a school can only include aid (e.g., the loan funds) for the period for which the institution does the Return calculation. If the calculation is performed on a payment period basis, the loan funds counted are those for the payment period; if the calculation is performed on the period of enrollment basis (e.g., the academic year basis), the loan funds counted are those for the entire period of enrollment.

The second principle provides that a student can never receive as a post-withdrawal disbursement any funds from a disbursement that the institution was prohibited from making on or before the date the student withdrew. Therefore, although the following potential disbursements can be counted as “aid that could have been disbursed” (if intended for the period for which the Return calculation is being performed), an institution is prohibited from disbursing:

- ◆ for nonstandard term credit-hour programs where the terms are not substantially equal in length, credit-hour non-term programs, and clock-hour programs, a second disbursement of Direct Loan funds where the student has not reached the later of the calendar midpoint of the loan period or the date that the student completes half of the academic coursework or clock hours (as applicable) in the loan period (34 CFR 685.301(b)(5), or (6));
- ◆ a second or subsequent disbursement of Direct Loan funds unless the student has graduated or successfully completed the loan period (34 CFR 668.164(g)(4)(ii));

- ◆ a disbursement of Direct Loan or Perkins Loan funds for which the borrower has not signed a promissory note;
- ◆ for clock-hour or credit-hour non-term programs, a disbursement of a Federal Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant or, for a subsequent payment period when the student has not completed the earlier payment period for which the student has already been paid (34 CFR 690.75(a)(3) and 34 CFR 691.75(a)(3)&(4));
- ◆ a disbursement of a Direct Loan to a first-year, first-time borrower who withdraws before the 30th day of the student's program of study (34 CFR 668.164(g)(4)(iii)) (except when this delay does not apply because of low default rates);
- ◆ a disbursement of a Federal Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant or, to a student for whom the institution did not have a valid SAR/ISIR by the deadline established by ED (34 CFR 668.164(g)(4)(iv)) annually in the public deadline notice, and
- ◆ a first disbursement of a Direct Loan (i.e., the first disbursement of a Direct Loan in a loan period) to a student enrolled in a modular program who has withdrawn before beginning attendance in enough courses to establish a half-time enrollment status.

Some schools can use the 50% point as the withdrawal date for a student who unofficially withdraws in determining earned Title IV aid. However, to determine whether the funds can be disbursed as a post-withdrawal disbursement, the school must make a separate determination of the date the student lost eligibility.

### Exception to including funds as Aid that could have been disbursed when a student has a disqualifying comment code

If a student's SAR/ISIR contains a Comment Code that requires resolution (e.g., 100–Perkins Overpayment, or 132–Default) in order for the funds to be included as *aid that could have been disbursed*, the underlying issue must be resolved before the institution performs the Return of Title IV Funds calculation and in time for the institution to meet any applicable Return of Title IV Funds deadline.



### Making a Separate Determination of Eligibility for a Post-Withdrawal Disbursement

Consider a student enrolled at a school that is not required to take attendance by an outside entity. The student registers for, and on September 1, begins attendance in 12 credits. On September 15, the student drops classes worth seven credits, and his enrollment status changes to less than half time. On December 1, the school receives \$2,000 in Stafford loan funds for the student.

In reviewing its records, the school determines that the student stopped attending all classes and is an unofficial withdrawal. Though the school can use the 50% point as the withdrawal date, it must make a separate determination of the student's eligibility for a post-withdrawal disbursement. In this case, because the student lost eligibility for Stafford funds on September 15 (the day the student ceased to be enrolled at least half time), the student may not receive a post-withdrawal disbursement of Stafford loan funds.

### Example of prohibited disbursement

Consider a credit-hour program where each semester comprises three modules of five weeks each. If a student enrolls in one three-credit course in the first module and one three-credit course in the second module—that is, he or she will not begin attendance in six credit hours, the school's minimum half-time enrollment status—until he or she begins the course in the second module, the school is not required to, nor should it, delay the disbursement of the student's Direct Loan Program funds until he or she begins the course in the second module. However, if the student withdraws during the first module and the school has not made the first disbursement of a Direct Loan to the student prior to the withdrawal, the school may not make that first disbursement of the Direct Loan to the student at this point; however, the amount of the first disbursement would be included as aid that could have been disbursed in the required Return calculation.

## Treatment of inadvertent overpayments

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### Discussion of inadvertent overpayments

Federal Register, Volume 64, Number 151, August 6, 1999, Proposed Rules, page 43026  
Federal Register, Volume 64, Number 210, November 1, 1999, Rules and Regulations, page 59018  
DCL GEN 04-03, February 2004

An inadvertent overpayment occurs when an institution disburses funds to a student who is no longer in attendance (for example, when an institution makes a scheduled disbursement on Monday to a student who dropped out on the previous Friday). Inadvertent overpayments are included in Return calculations as *aid that could have been disbursed* rather than *aid that was disbursed*.

A school is allowed to hold an inadvertent overpayment while determining if the student is owed a post-withdrawal disbursement. However, this is not intended to affect the amount of aid a student would receive under a Return calculation. Rather, it is permitted to avoid a school having to return funds only to have to later request and disburse them if a student is eligible for a post-withdrawal disbursement.

An inadvertent overpayment does not create a separate basis for permitting funds to be paid to a student's account. So, if an inadvertent overpayment does not meet the criteria for a late disbursement, the second principle under *Title IV aid that could have been disbursed* discussed previously applies, and neither the institution nor the student may retain any portion of the overpayment. However, the funds are included as *aid that could have been disbursed* and may result in a student being able to retain more grant funds.

To be consistent with the aforementioned second principle, an institution must now treat inadvertent overpayments as aid that could have been disbursed rather than aid that was disbursed. If the inadvertent overpayment could not have been made as a late disbursement under the regulations, the institution must return the entire amount of the overpayment. If the overpayment could have been made as a late disbursement, the institution must return only the unearned portion of the inadvertent overpayment.

An institution is not required to return the inadvertent overpayment immediately but must return it within 45 days of the date of the institution's determination that the student withdrew (the time frame for an institution's return of Title IV funds under 34 CFR 668.22(j)(1)). An institution must return an inadvertent overpayment in accordance with the applicable regulations for returning overpayments.



For example, if a late disbursement would have been prohibited because the student had withdrawn and the disbursement would have been a late second or subsequent disbursement of a Direct Loan, the inadvertent overpayment must be returned because the student had not successfully completed the period of enrollment for which the loan was intended (34 CFR 668.164(g)(4)(ii)).



**Institutions are expected to have the administrative capability to prevent inadvertent overpayments on a routine basis.** Specifically, an institution is expected to have in place a mechanism for making the necessary eligibility determinations prior to the disbursement of any Title IV, HEA program funds—for example, a process by which withdrawals are reported immediately to those individuals at the institution who are responsible for making Title IV, HEA program disbursements. During a program review, we would question a pattern or practice of making these inadvertent overpayments.

### Late arriving aid

If a school is determining the treatment of Title IV funds on a payment period basis, the student's Title IV program assistance used in the calculation is the aid that is disbursed or that could have been disbursed for the payment period during which the student withdrew. (Also, the institutional charges used in the calculation generally have to reflect the charges for the payment period.)

If aid that could have been disbursed during a previous payment period (completed by the student) is received in a subsequent period during which the student withdrew, the aid is not considered *aid disbursed* or *aid that could have been disbursed* in the period during which the student withdrew. This late-arriving assistance, while it can be disbursed in the current term, is disbursed for attendance in the previous term. Therefore, it is not included in the Return calculation for the period in which the student withdrew.



**For a student who has withdrawn, a school cannot disburse aid received for a previous semester unless the student qualifies for a late disbursement.**

## Examples of Second or Subsequent Direct Loan Disbursements and an Example of a Second Payment Period Pell Grant Disbursement

### Example 1

Consider a student who withdrew after completing 400 clock hours in a 900 clock-hour program and before passing the midpoint in calendar time of the loan period. The loan period is the 900 clock-hour academic year. The payment periods are 450 hours each. The Return calculation is done on a period of enrollment basis. Half of the Direct Loan and half of a Federal Pell Grant were disbursed at the beginning of the first payment period, and the student was scheduled to receive the other half in the second payment period. Because the student had not completed half of the clock hours and, for the loan, half of the time in the loan period, the student was not eligible to receive the second installment of the loan and the Federal Pell Grant. Therefore, the second disbursements were not made before the student withdrew.

Under current guidance, the second disbursements of both the Pell Grant and the loan are included as *aid that could have been disbursed* in the calculation of earned Title IV aid so that the amount of Title IV aid used in the calculation (and earned by the student) will be larger.

*Please note, however, the institution may not make a post-withdrawal disbursement from the second scheduled disbursements of Pell or Direct Loan funds because of the prohibition on making these disbursements.*

### Example 2

Consider a student who completed 500 clock hours in a 900 clock-hour program and passed the midpoint in calendar time of the loan period at an institution that uses the period of enrollment as the basis for its Return calculations. The loan period is the 900 clock-hour academic year. The payment periods are 450 hours each. Half of the Direct Loan was disbursed at the beginning of the first payment period, and the student was scheduled to receive the second half in the second payment period. Although the student completed half of the clock hours and passed the midpoint in calendar time of the loan period and was otherwise eligible to receive the second installment of the loan, the second disbursement of the loan was not disbursed before the student withdrew. Because the Department had processed a SAR/ISIR and the institution previously had originated the loan before the student lost eligibility, the second disbursement of the loan is included as aid that could have been disbursed in the calculation of earned Title IV aid.

However, the late disbursement regulations prohibit an institution from making a second or subsequent disbursement of a Direct Loan unless the student has graduated or successfully completed the period of enrollment for which the loan was intended. The Return requirements, including the post-withdrawal disbursement requirements, do not supersede this provision. **Therefore, although in this case a second or subsequent Direct Loan disbursement is counted as aid that could have been disbursed for purposes of determining earned Title IV aid, the funds may not be disbursed as part of a post-withdrawal disbursement.**

## Examples continued

### Example 3

Consider a student who withdraws after completing 350 clock hours in a 900 clock-hour program at an institution that uses the period of enrollment as the basis for its Return calculations. The loan period is the 900 clock-hour academic year. The payment periods are 450 hours each. The institution chooses to disburse the loan in four disbursements. The first quarter of the Direct Loan for the first quarter (225 hours) of the period of enrollment has been disbursed. The student is scheduled to receive the second quarter of the loan in the second half of the first 450-hour payment period. The student withdraws during the first payment period after receiving only the first disbursement of the loan. The second, third, and fourth scheduled disbursements of the loan are included in the calculation as *aid that could have been disbursed* because the school has chosen to perform the Return calculation on the period of enrollment basis for all students in this program. However, the institution may not make a post-withdrawal disbursement from the second (or subsequent) scheduled disbursement of the loan because of the prohibition on making second or subsequent disbursements of Direct Loans when a student has not completed the period for which the loan was intended.

## STEP 2: PERCENTAGE OF TITLE IV AID EARNED

The percentage of Title IV aid earned is determined differently for credit-hour program withdrawals and clock-hour program withdrawals. The requirements for determining a student's withdrawal date, however, differ based on whether a school is required to take attendance or not. The withdrawal date is used to determine the point in time that the student is considered to have withdrawn so the percentage of the payment period or period of enrollment completed by the student can be determined. The percentage of Title IV aid earned is equal to the percentage of the payment period or period of enrollment completed.

If the day the student withdrew occurs when or before the student completed 60% of the payment period or period of enrollment, the percentage earned is equal to the percentage of the payment period or period of enrollment that was completed. If the day the student withdrew occurs after the student has completed more than 60% of the payment period or period of enrollment, the percentage earned is 100%.

### Part 1—Withdrawal date

The definition of a *withdrawal date* as outlined here is required for Title IV program purposes only—including the withdrawal date that a school must report to the Department if Direct Loan Program funds were received. A school may, but is not required to, use these withdrawal dates for its own institutional refund policies.

The definition of a withdrawal date is used in determining the amount of aid a student has earned. Do not confuse it with the *date of the institution’s determination that the student withdrew*, discussed previously and used for other purposes in the Return of funds process.

#### Withdrawal date for a student who withdraws from a school that is required to take attendance

The goal of the Return provisions is to identify the date that most accurately reflects the point when a student ceases academic attendance, not the date that will maximize federal student aid to the institution or to the student. Generally, the most precise determination of a student’s withdrawal date is one that is made from institutional attendance records.

If a school is **required** to take attendance, a student’s withdrawal date is **always** the last date of academic attendance as determined by the school from its attendance records. This date is used for all students who cease attendance, including those who do not return from an approved LOA, those who take an unapproved LOA, and those who officially withdraw. **For information on what qualifies as academic attendance, see *Academic attendance and attendance at an academically related activity* later in this chapter.**

#### Schools required to take attendance

A school is required to take attendance not only when it is required to take attendance by an outside entity (such as the school’s accrediting agency or a state agency) that has a requirement that the school take attendance, but also when:

- ◆ the school itself has a requirement that its instructors take attendance; or
- ◆ the school or an outside entity has a requirement that can only be met by taking attendance or a comparable process, including but not limited to requiring that students in a program demonstrate attendance in the classes of that program or a portion of that program.

#### Withdrawal date at schools required to take attendance

34 CFR 668.22(b)

#### Example of Taking Attendance

Ten students at Peabody University receive assistance from the state. The state requires the school to take attendance for the recipients of the state’s education benefits. Peabody University is not required by any other outside entity to take attendance for any of its other students. Seven of the 10 students who receive state benefits are also Title IV program recipients. If any of those seven students withdraw from the school, the school must use the state required attendance records to determine the withdrawal date as required for institutions required to take attendance. For all other Title IV program recipients at Peabody University who withdraw, the school must determine the withdrawal date in accordance with the requirements for students who withdraw from a school that is not required to take attendance.

These regulations describe when a school is considered to be required to take attendance for Title IV purposes; they do not require schools to take attendance. Again, a school is considered to be required to take attendance only when a school either requires the taking of attendance or is required by an outside entity to take attendance. A requirement that a student self-certify attendance directly to an outside entity does not make a school one that is required to take attendance. For example, a Veterans' Administration requirement that benefit recipients self-report attendance would not result in a school requirement to take attendance of those students unless the school is required to verify the student's self-certification.

### A school requirement for taking attendance

If a school does not require faculty to take attendance but a faculty member chooses to take attendance, then the school is not considered a school required to take attendance. If, however, a school requires its faculty to take attendance, whether at the program, department, or institutional level, then those attendance records must be used by the school in determining a student's date of withdrawal.

Schools that do not require the taking of attendance and are not required to take attendance by an outside entity are not prohibited from using individual faculty members' attendance records in determining a student's date of withdrawal. The Department encourages schools to use the best information available in making this determination.

A school is responsible for ensuring that it is in compliance with the requirements for schools that are required to take attendance even if some faculty do not comply with the school's attendance-taking policy. For students enrolled in classes taught by faculty who fail to take attendance, a student's withdrawal date will be the last date of academic attendance from the attendance records taken by the faculty that did take attendance. **If, at a school required to take attendance, no records of a student's academic attendance exist, the student is considered not to have begun attendance for Title IV program purposes and never to have established eligibility for the Title IV program funds.** Title IV program funds received by a student who failed to establish eligibility must be handled by the school in accordance with the procedures described previously under *When a student who fails to begin attendance in all the courses he or she was scheduled to attend withdraws*.

#### When a school requires faculty to provide an LDA for students who receive all "F" grades

A requirement that faculty provide a last date of attendance for students who receive all "F" grades to determine whether a student with failing grades has unofficially withdrawn does not make the school one that is required to take attendance.

Only if the school requires its faculty to collect or record information about whether a student was in attendance is the school considered to be one that is required to take attendance.

#### Monitoring Students Who Log in to Online Classes

The monitoring of whether online students log into classes does not by itself result in a school being a school that is required to take attendance for Title IV purposes.

If, however, the monitoring of student activity is tracking academic engagement, then the school would be a school that is required to take attendance for Title IV purposes.



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**Schools required to take attendance**

DCL GEN-11-14, July 20, 2011

**Requirements that can only be met by taking attendance**

The Department is looking at the substance of the information that is available rather than the way that information is described or portrayed by the school or outside entity. If the school is required to collect or record information about whether a student was in attendance during a payment period, or during a limited period of time during a payment period, that information should be used to determine if the student ceased attendance during that period.

For schools that are required to measure the clock hours a student completes in a program, the Department believes that this is, in substance, a requirement for those schools to take attendance for those programs since they satisfy both the requirement of determining that a student is present and that the student is participating in a core academic activity.

**Attendance taking requirements for some students**

If a school is required to take attendance by an outside entity (for example, a state Workforce Development Agency) for only some students, the school is required to use those attendance records to determine a student's withdrawal date (the last date of academic attendance) for those students. The school would not be required to take attendance for any of its other students or to use attendance records to determine the withdrawal dates of any of its other students unless the school is one required to take attendance for those students by its own rules or another outside entity.

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**Census dates in programs offered in modules**

For a program that is offered in modules, a school may require that attendance be taken on a single specified day in each module (i.e., have one census date per module) without the school being considered one that is required to take attendance.

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**Taking attendance for one day as opposed to a limited period**

If a school is taking attendance to determine whether each student attended at least once during a period of time (for example, the first two weeks of a term) but does not continue to monitor attendance for a student after the one day of confirmed attendance, it is not a school that is required to take attendance for Title IV program purposes. However, if a school takes attendance throughout a period to determine when students are and are not present, then the school is taking attendance for a limited period, and the school is one that is required to take attendance for Title IV program purposes for that limited period.

**When a school takes attendance for one day or a limited period**

If a school is required to take attendance or requires that attendance be taken on only one specified day to meet a census reporting requirement, the school is not one required to take attendance. In addition, if a school is required to take attendance or requires that attendance be taken for a limited period, the school must use its attendance records for that limited period to determine a withdrawal date for a student. Students in attendance at the last time attendance is required to be taken during the limited period who subsequently stop attending during the payment period will be treated as students for whom the school was not required to take attendance.



Unless a school demonstrates that a withdrawn student who is not in attendance at the end of the limited period of required attendance taking attended after the limited period, the student's withdrawal date would be determined according to the requirements for a school that is required to take attendance. That is, the student's withdrawal date would be the last date of academic attendance, as determined by the school from its attendance records.

If the school demonstrates that the student attended past the end of the limited period, the student's withdrawal date is determined in accordance with the requirements for a school that is not required to take attendance. So, for a student the school has determined attended past the limited period and has unofficially withdrawn, the student's withdrawal date is the midpoint of the payment period or period of enrollment unless the school uses a last date of attendance at an academically related activity. The school, therefore, has the option to document a student's last date of attendance at an academically related activity, but a school is not required to take attendance past the end of the limited period of attendance taking.

### **When attendance taking is required only for some classes**

A school is required to take attendance if attendance taking is required in all classes in the program for a period of time. For example, if a school requires that attendance be taken in all core classes but not elective classes, when the core classes in the program are taken in isolation, for the period of time that students are taking only core classes, the program is one for which the school is required to take attendance.

If core and elective classes are taken at the same time and attendance taking is not required for the elective classes, then for the period of time that core and non-core classes are taken together, the school is not one that is required to take attendance for that program.

### **When a Student Officially Withdraws After the End of a Limited Period of Required Attendance Taking**

Consider a student who is not in attendance in her classes on the last day of a two-week period of required attendance taking. The student begins the school's official withdrawal process two weeks after the end of the two-week period of required attendance taking. The school must demonstrate that the student was in attendance after the two-week attendance taking period to use the date the student begins the school's official withdrawal process as the withdrawal date. If it cannot, the student's withdrawal date is the last date of academic attendance during the period of attendance taking, as determined by the school from its attendance records.

## Determining a student's withdrawal date at a school that is not required to take attendance

### Official notification

34 CFR 668.22(c)(1)(i) and (ii)

### Official notification defined

A notice of intent to withdraw that a student provides to an office designated by the institution.

34 CFR 668.22(c)(5)(i)

### Notification Example

For example, if on May 5, a student provided notification of his or her intent to cease attending the school beginning on May 10, the withdrawal date is May 5. However, the school may use May 10 as the student's withdrawal date if the institution documents May 10 as the student's last date of attendance at an academically related activity.

If a school is not required to take attendance, the determination of a withdrawal date varies with the type of withdrawal. The chart on *Withdrawal Dates* near the end of this chapter lists the withdrawal date for the various types of withdrawals, as well as the date of the institution's determination that the student withdrew for each type of withdrawal.

### Official notification

A student may provide official notification of his or her intent to withdraw by following the school's withdrawal process. In this case, the withdrawal date is the date the student begins the school's withdrawal process. A student may also provide official notification in other ways. If a student otherwise provides official notification (as explained later), the withdrawal date is the date notification was provided.

These withdrawal dates apply even if a student begins the school's withdrawal process or otherwise notifies the school of his or her intent to withdraw and projects a future last date of attendance. However, a **school that is not required to take attendance may always use a last date of attendance at an academically related activity as a student's withdrawal date** (this is discussed in detail later). Therefore, a school could use a later last documented date of attendance at an academically related activity if this date more accurately reflects the student's withdrawal date than the date the student begins the school's withdrawal process or notifies the school of his or her intent to withdraw.



### School's withdrawal process

The beginning of the school's withdrawal process must be defined. The individual definition is left up to the school. Schools are required to make available to students a statement specifying the requirements for officially withdrawing from the school.

While the institution's officially defined withdrawal process might include a number of required steps, and though the institution might not recognize the student's withdrawal (for purposes of determining an institutional refund) until the student has completed all the required steps, for the purpose of calculating the Return of Title IV funds, the date the student began the institution's withdrawal process is the withdrawal date for Title IV purposes.

### Consumer Information on Withdrawing

A school is expected to identify the beginning of its process as a part of the school's consumer information regarding withdrawal (see *Volume 2*). A school should be able to demonstrate consistent application of its withdrawal process, including its determination of the beginning of that process.

## Otherwise provides official notification

Official notification to the school occurs when a student notifies an office designated by the school of his or her intent to withdraw. In its written description of its withdrawal procedures, a school must designate at least one office for this purpose. For example, a school could designate a dean's, registrar's, or financial aid office. If a student provides notification to an employee of that office while that person is acting in his or her official capacity, the student has provided official notification.

Official notification from the student is any official notification that is provided in writing or orally to a designated campus official acting in his or her official capacity in the withdrawal process. Acceptable official notification includes notification by a student via telephone, through a designated website or orally in person. The responsibility for documenting oral notifications is the school's. However, the school may request, but not require, the student to confirm his or her oral notification in writing. **If a student provides official notification of withdrawal to the institution by sending a letter to the designated office stating his or her intent to withdraw, the withdrawal date is the date that the institution receives the letter.** Notification is not provided to an institution until the institution receives the notification. Note that an institution always has the option of using the date of a student's last participation in an academically related activity as long as that participation is documented by a campus official.

### Otherwise provides official notification

34 CFR 668.22(c)(5)

#### Informal contact with a school employee

If the student provides notification to an employee of a designated office while that person is not acting in his or her official capacity (for example, the student runs into her financial aid officer at the grocery store), we would expect the employee to inform the student of the appropriate means for providing official notification of his or her intent to withdraw.



Intent to withdraw means that the student indicates he or she has either ceased to attend the school and does not plan to resume academic attendance or believes at the time he or she provides notification that he or she will cease to attend the school. A student who contacts a school and only requests information on aspects of the withdrawal process, such as the potential consequences of withdrawal, would not be considered a student who is indicating that he or she plans to withdraw. However, if the student indicates that he or she is requesting the information because he or she plans to cease attendance, the student would be considered to have provided official notification of his or her intent to withdraw.

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**When a student triggers both dates**

34 CFR 668.22(c)(2)(ii)

**When a student triggers both dates**

A student might both begin the school’s withdrawal process and otherwise provide official notification to the school of his or her intent to withdraw. For example, on November 1, a student calls the school’s designated office and states his or her intent to withdraw. Later, on December 1, the student begins the school’s withdrawal process by submitting a withdrawal form. **If both dates are triggered, the earlier date, November 1 in this case, is the student’s withdrawal date.**

Remember that a school that is not required to take attendance is always permitted to use *the last date of an academically related activity that the student participated in* as the student’s withdrawal date. So, if a student continues to attend class past the date the student provides notification, and the school chooses to do so, the school may document and use the student’s last day of attendance at an academically related activity as the student’s withdrawal date in the Return calculation.

**Official notification not provided by the student**

A student who leaves a school does not always notify the school of his or her withdrawal. There are two categories of these unofficial withdrawals for purposes of this calculation. First, if the school determines that a student did not begin the withdrawal process or otherwise notify the school of the intent to withdraw due to illness, accident, grievous personal loss, or other circumstances beyond the student’s control, the withdrawal date is the date the school determines that the student ceased attendance because of the aforementioned applicable event.

The second category of unofficial withdrawals encompasses all other withdrawals where official notification is not provided to the school. This rule applies only to schools that are not required to take attendance. For these withdrawals, commonly known as dropouts, the withdrawal date is the midpoint of the payment period or period of enrollment, as applicable, or the last date of an academically related activity in which the student participated.

**Withdrawal without student notification due to circumstances beyond the student’s control**

There are two circumstances in which a special rule applies that defines a withdrawal date for a student who withdraws due to circumstances beyond the student’s control. They apply when (1) a student who would have provided *official notification* to the school was prevented from doing so due to those circumstances; and (2) a student withdrew due to circumstances beyond the student’s control and a second party provided notification of the student’s withdrawal on the student’s behalf.

A school may determine the withdrawal date that most accurately reflects when the student ceased academic attendance due to the circumstances beyond the student's control. This date would not necessarily have to be the date of the occurrence of the circumstance. For example, if a student is assaulted, he or she may continue to attend school but ultimately not be able to complete the period because of the trauma experienced. Because the student's withdrawal was the result of the assault, the withdrawal date would be the date the student actually left the school, not the date of the assault. A school should document that the student left at the later date because of issues related to the assault.

If a school administratively withdraws a student (e.g., expels, suspends, or cancels the student's registration) who has not notified the school of his or her intent to withdraw, the last possible date of withdrawal for the student is the date the school terminates the student's enrollment. However, **an institution may not artificially create a withdrawal date for such a student that is beyond the midpoint of the period by simply choosing to withdraw the student after the midpoint.** Of course, if the school can document that the student continued his or her attendance past the midpoint, the school may use a later date.

### Withdrawal date when a student dies

If a school that is not required to take attendance is informed that a student has died, it must determine the withdrawal date for the student under 34 CFR 668.22(c)(1)(iv). This section provides that if the institution determines that a student did not begin its withdrawal process or otherwise provide official notification of his or her intent to withdraw because of illness, accident, grievous personal loss, or other such circumstances beyond the student's control, the withdrawal date is the date that the institution determines is related to that circumstance.

The withdrawal date can be no later than the date of the student's death. For an institution that is required to take attendance, the withdrawal date for a student who has died is the last date of attendance as determined from the school's attendance records. **The school must maintain the documentation it received that the student has died** and determine an appropriate withdrawal date.



(For more information on how the death of a student affects the Return process, see the discussion under *When a student receiving Title IV aid dies during the payment period or period of enrollment* later in this chapter. For complete information on how a school should proceed when a student dies see Appendix D to the larger Handbook.)

### All other withdrawals without student notification

For all other withdrawals without notification, the withdrawal date is the midpoint of the payment period or the period of enrollment, as applicable at an institution not required to take attendance by an outside entity.

### Withdrawal due to circumstances beyond the student's control

34 CFR 668.22(c)(1)(iv)

#### Withdrawal Date For Administrative Withdrawals

A school may not artificially create a withdrawal date for a student that is beyond the "trigger point" that causes the school to administratively withdraw the student.

If, for example, a school can document that it has a uniform policy of withdrawing students after a specified (and reasonable) number of absences that applies throughout the payment period/period of enrollment, then the date that a student exceeded that number of absences would be the date that the school would normally use as the withdrawal date.

In a slightly different scenario, if a school administratively withdraws a student because all of the student's instructors report that the student has ceased attendance as of a certain date (e.g., a census date) then the last possible date of the withdrawal for that student is that (census) date.

If a school administratively withdraws a student for some reason other than excessive absences, it similarly will have to determine the date of the event that caused the school to make that decision to withdraw the student.

If a school can show that a student participated in an academically related activity after the date of the event that caused the school to terminate his/her enrollment (but still before the school withdrew the student), the school could use the date of the academically related activity as the last date of attendance.

### Time frame for the determination

34 CFR 668.22(j)(2)

### All other withdrawals

34 CFR 668.22(c)(1)(iii)



### Time frame for the determination of a withdrawal date for an unofficial withdrawal

A school may not know that a student has dropped out (unofficially withdrawn) until the school checks its records at the end of an academic period. However, to ensure that Title IV funds are returned within a reasonable period of time, a school must determine the withdrawal date (for a student who withdrew without providing notification) within 30 calendar days from the earlier of (1) the end of the payment period or period of enrollment, as applicable, (2) the end of the academic year, or (3) the end of the student’s educational program.

A school must develop a mechanism for determining whether a student who began attendance and received or could have received an initial disbursement of Title IV funds unofficially withdrew (ceased attendance without providing official notification or expressed intent to withdraw) during a payment period or period of enrollment, as applicable. Section 34 CFR 668.22(j)(2) requires that a school have a mechanism in place for identifying and resolving instances where a student’s attendance through the end of the period cannot be confirmed. That is, institutions are expected to have procedures for determining when a student’s absence is a withdrawal. The school must make that determination as soon as possible but no later than 30 days after the end of the earlier of:

- the payment period or period of enrollment, as applicable;
- the academic year; or
- the program.

### When students fail to earn a passing grade in any class

#### When a student fails to earn a passing grade

DCL GEN-04-03, February 2004

#### Testing the Use of a Grading Policy

If a school uses its grading policy to determine whether students with failing grades have unofficially withdrawn, during compliance audits and program reviews, student records might be examined to determine whether the grades assigned accurately represent the students’ attendance.

**An institution must have a procedure for determining whether a Title IV recipient who began attendance during a period completed the period or should be treated as a withdrawal.** We do not require that an institution use a specific procedure for making this determination.



If a student earns a passing grade in one or more of his or her classes offered over an entire period, for that class, an institution may presume that the student completed the course and thus completed the period. If a student who began attendance and has not officially withdrawn fails to earn a passing grade in at least one course offered over an entire period, the institution must assume, for Title IV purposes, that the student has unofficially withdrawn, unless the institution can document that the student completed the period.



In some cases, a school may use its policy for awarding or reporting final grades to determine whether a student who failed to earn a passing grade in any of his or her classes completed the period. For example, a school might have an official grading policy that provides instructors with the ability to differentiate between those students who complete the course but failed to achieve the course objectives and those students who did not complete the course. If so, the institution may use its academic policy for awarding final grades to determine that a student who did not receive at least one passing grade nevertheless completed the period. Another school might require instructors to report, for all students awarded a non-passing grade, the student's last day of attendance (LDA). The school may use this information to determine whether a student who received all F grades withdrew. If one instructor reports that the student attended through the end of the period, then the student is not a withdrawal. In the absence of evidence of a last day of attendance at an academically related activity, a school must consider a student who failed to earn a passing grade in all classes to be an unofficial withdrawal.

### **Example, A Grading Policy That Could Be Used to Determine Whether a Student Unofficially Withdrew**

**F (Failing)** Awarded to students who complete the course but fail to achieve the course objectives.

**I-U (Unauthorized Incomplete)** Awarded to students who did not officially withdraw from the course but who failed to participate in course activities through the end of the period. It is used when, in the opinion of the instructor, completed assignments or course activities or both were insufficient to make normal evaluation of academic performance possible.

To serve as documentation that a student who received all F grades had not withdrawn, such a grading policy would have to require instructors to award the F (or equivalent grade) only to students who completed the course (but who failed to achieve the course objectives). In addition, the policy would have to require that instructors award an alternative grade, such as the I-U grade, to students who failed to complete the course. If the system allows an instructor to indicate the date the student last participated in course activities, this date would be helpful if an institution chose to use attendance at an academically related activity as a student's withdrawal date.

At a school using such a grading policy, if a student received at least one grade of F, the student would be considered to have completed the course and, like a student who received at least one passing grade, would not be treated as a withdrawal. A student who did not officially withdraw and did not receive either a passing grade or an F in at least one course must be considered to have unofficially withdrawn. As noted previously, when a student unofficially withdraws from an institution that is not required to take attendance, the institution may use either the student's last date of attendance at an academically related activity or the midpoint of the period as the student's withdrawal date.

### Last date of attendance at an academically related activity

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#### Last date of attendance at an academically related activity

34 CFR 668.22(c)(3)

A school that is not required to take attendance may always use a student's last date of attendance at an academically related activity, as documented by the school, as the student's withdrawal date, in lieu of the withdrawal dates listed previously. So, if a student begins the school's withdrawal process or otherwise provides official notification of his or her intent to withdraw and then attends an academically related activity after that date, the school would have the option of using that last actual attendance date as the student's withdrawal date, provided the school documents the student's attendance at the activity. Similarly, a school could choose to use an earlier date if it believes the last documented date of attendance at an academically related activity more accurately reflects the student's withdrawal date than the date the student began the school's withdrawal process or otherwise provided official notification of his or her intent to withdraw. Please note that a school is not required to take class attendance to demonstrate academic attendance for this purpose. For more information on what qualifies as academically related activity, see the discussion under *Academic attendance and attendance at an academically related activity*.

### Withdrawals after rescission of official notification

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#### Withdrawals after rescission of official notification

34 CFR 668.22(c)(2)(i)

A student may provide official notification to the school of the intent to withdraw and then change his or her mind. To allow a student to rescind his or her intent to withdraw for purposes of this calculation, the school must obtain a written statement from the student stating his or her intent to remain in academic attendance through the end of the payment period or period of enrollment. If the student subsequently withdraws after rescinding an intent to withdraw, the withdrawal date is the date the student first provided notification to the school or began the school's withdrawal process, unless the school chooses to document a last date of attendance at an academically related activity.

For example, Dave notifies his school of his intent to withdraw on January 5. On January 6, Dave notifies the school that he has changed his mind and has decided to continue to attend the school, and provides the required written statement to that effect. On February 15, Dave notifies the school that he is withdrawing and actually does. The school has a record of an exam that Dave took on February 9. The school may use February 9 as Dave's withdrawal date.

If the school could not or did not choose to document a last date of attendance at an academically related activity for Dave (in this case, the record of the exam), his withdrawal date would be January 5, the date of Dave's original notification of his intent to withdraw, not February 15.

## Academic attendance and attendance at an academically related activity



For a school that is required to take attendance, the withdrawal date is always the last date of academic attendance as determined by the school from its attendance records. A school that is not required to take attendance may always use as a withdrawal date a student's last date of attendance at an academically related activity.

Moreover, the school (not the student) must document:

- ◆ that the activity is academic or academically related, and
- ◆ the student's attendance at the activity.

Academically related activities include but are not limited to:

- ◆ physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- ◆ submitting an academic assignment;
- ◆ taking an exam, completing an interactive tutorial, or participating in computer-assisted instruction;
- ◆ attending a study group that is assigned by the school;
- ◆ participating in an online discussion about academic matters; and
- ◆ initiating contact with a faculty member to ask a question about the academic subject studied in the course.

A school that is required to take attendance may use the school's records of attendance at these activities as evidence of attendance, provided there is no conflict with the requirements of an outside entity that requires the school to take attendance or, if applicable, the school's own requirements.

Academically related activities do not include activities where a student may be present but not academically engaged, such as:

- ◆ living in institutional housing;
- ◆ participating in the school's meal plan;
- ◆ logging into an online class without active participation; or
- ◆ participating in academic counseling or advisement.



Participation in academic counseling and advising are no longer considered to be academic attendance or attendance at an academically related activity.

### Counting Excused Absences As Days in Attendance

A school may only count as days in attendance excused absences that are followed by some class attendance. That is, a school may not include as days attended any excused absences that occur after a student's last day of actual attendance.

## Documenting attendance when students are enrolled in distance education courses

**In a distance education context, documenting that a student has logged into an online class is not sufficient, by itself, to demonstrate academic attendance by the student.** A school must demonstrate that a student participated in class or was otherwise engaged in an academically related activity, such as by contributing to an online discussion or initiating contact with a faculty member to ask a course-related question.



Examples of acceptable evidence of academic attendance and attendance at an academically-related activity in a distance education program include:

- ◆ student submission of an academic assignment,
- ◆ student submission of an exam,
- ◆ documented student participation in an interactive tutorial or computer-assisted instruction,
- ◆ a posting by the student showing the student's participation in an online study group that is assigned by the institution,
- ◆ a posting by the student in a discussion forum showing the student's participation in an online discussion about academic matters, and
- ◆ an e-mail from the student or other documentation showing that the student initiated contact with a faculty member to ask a question about the academic subject studied in the course.

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### Documenting a student's withdrawal date

34 CFR 668.22(b)(2)  
34 CFR 668.22(c)(4)

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### Determining a student's withdrawal date at a school that is not required to take attendance

34 CFR 668.22(c)

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### Maintaining Records



A school must determine and maintain the records that most accurately support its determination of a student's withdrawal date and the school's use of one withdrawal date over another if the school has conflicting information.

At a school that is not required to take attendance, but is using a last date of attendance at an academically related activity as a withdrawal date, it is up to the school to ensure that accurate records are kept for purposes of identifying a student's last date of academic attendance or last date of attendance at an academically related activity.

### Documentation of a withdrawal date

A school must document a student's withdrawal date and maintain that documentation as of the date of the school's determination that the student withdrew. A school must determine the attendance records that most accurately support its determination of a student's withdrawal date and the school's use of one date over another if the school has conflicting information. The determination of a student's withdrawal date is the responsibility of the school. A student's certification of attendance that is not supported by institutional documentation is not acceptable. If a school is required to take attendance, it is up to the school to ensure that accurate attendance records are kept for purposes of identifying a student's last date of academic attendance.

As with other Title IV program records, documentation must be retained and available for examination in accordance with the regulatory provisions for recordkeeping (34 CFR 668.24).

## Withdrawals from programs offered in modules

Previously, under guidance provided in Dear Colleague Letter GEN-00-24, if a student attending a standard, term-based program offered in modules ceased attendance after completing one module, the student was not considered to have withdrawn, and the school was not required to perform a Return calculation. This is no longer the case. Under the October 29, 2010, final regulations, for all programs offered in modules, a student is considered to have withdrawn for Title IV purposes if the student ceases attendance at any point prior to completing the payment period or period of enrollment, unless the school obtains written confirmation from the student at the time of the withdrawal that he or she will attend a module that begins later in the same payment period or period of enrollment.

In addition, for a student in a non-term or nonstandard term program offered in modules, a student is considered to have withdrawn from the program if the student is not scheduled to begin another course within the payment period or period of enrollment for more than 45 calendar days after the end of the module the student ceased attending, unless the student is on an approved leave of absence. So, for a student in a non-term or nonstandard term program offered in modules who ceases attendance, the student is considered to have withdrawn for Title IV purposes unless the school obtains written confirmation from the student at the time of the withdrawal that he or she will attend a module that begins later in the same payment period or period of enrollment, provided the later module the student will attend begins no later than 45 calendar days after the end of the module the student ceased attending.

If a school obtains a written confirmation of future attendance but the student does not return as scheduled, the student is considered to have withdrawn from the payment period or period of enrollment. The student's withdrawal date and the total number of calendar days in the payment period or period of enrollment are the withdrawal date and total number of calendar days as of the student's last day of attendance (those that would have applied if the student had not provided written confirmation of future attendance).

As discussed earlier in this chapter under *Reentry within 180 days*, if a student who withdraws from a clock-hour or non-term credit hour program returns to the same program at the school within 180 calendar days, the student is treated as though he or she did not cease attendance. Similarly, under the October 29, 2010, final regulations, if a student enrolled in a term-based credit-hour program offered in modules who withdrew without confirming an intent to return to a module later in the payment period or period of enrollment reenters the same program prior to the end of the payment period or period of enrollment, the student is treated as if he or she did not cease attendance.

### Withdrawal from programs offered in modules DCL-GEN-11-14 July 2011

#### When an administrative withdrawal is mandated by school policy

If a school has a policy to administratively withdraw a student who fails to begin attendance in another course within a period of time that is less than the 45-day period, the student is considered a withdrawal for Title IV purposes, and the school must determine the student's withdrawal date in accordance with the requirements for administrative withdrawals.

For a school that is required to take attendance, a student's withdrawal date is always the last date of academic attendance as determined by the school from its attendance records. At a school that is not required to take attendance, an administrative withdrawal is considered to be a withdrawal without student notification due to circumstances beyond the student's control, and the withdrawal date is the date that the school determines is related to that circumstance (34 CFR 668.22 (c)(1)(iv)).

The last possible date of withdrawal for a student that is administratively withdrawn due to a period of nonattendance for a specified period is the date that started the period of nonattendance (i.e., the beginning of the period of nonattendance that triggered the administrative withdrawal).

### Determining if a program is offered in modules

A specific program might be classified as one that a school offers in standard terms, nonstandard terms, or even as a non-term program. However, determinations about which format a student is attending are made on a student-by-student and semester-by-semester basis.

Consider a student enrolled in a program offered predominantly in standard terms without modules. However, the third semester of the program is composed of clinical coursework offered in modules. If a student withdraws during the third semester, the student would have to be treated as one who withdrew from a modular program.

A program is offered in modules if, for a payment period or period of enrollment, a course or courses in the program do not span the entire length of the payment period or period of enrollment. The determination of whether a program is offered in modules is made on a payment period-by-payment period or period of enrollment-by-period of enrollment basis, as appropriate, and is student specific. So, while some payment periods or periods of enrollment in a student's program may be considered to be offered in modules, others may not. If all the courses in a program for a particular payment period or period of enrollment, as applicable, span the entire length of the period, the program is never considered to be offered in modules for that period for any student who withdraws during the period.

Conversely, if none of the courses in a program for a particular payment period or period of enrollment span the entire length of the period, the program is always considered to be offered in modules for that period for a student who withdraws during the period. If some courses in the program for a particular payment period or period of enrollment span the entire length of the period but some do not, the program is considered to be offered in modules only for a student who is scheduled to attend at least one course that does not span the entire length of the period and who withdraws during the period.

For example, an institution offers a credit-hour program in semesters with two optional summer sessions. All the courses in the fall and spring semesters span the entire length of the semester. The two summer sessions are offered sequentially and are each seven weeks long. The institution chooses to combine the summer sessions into one term. Students have the option to enroll in either session or both sessions. The fall and spring semesters are never considered to be offered in modules for any student who withdraws because all classes span the entire length of the payment period (the term). However, for the summer sessions, where the payment period is the term comprising both sessions, all students who withdraw are considered to be withdrawing from a program offered in modules (with each session being a module) because none of the courses offered span the entire length of the payment period. If, for the summer term, the institution also offered courses that were 14 weeks in length (i.e., spanned the entire length of the payment period) and a student who withdrew was scheduled to attend only these 14-week-long courses, the program would not be considered to be offered in modules for purposes of determining the applicability of the Return of Title IV Funds requirements to that student's withdrawal.



### **How to determine whether a student in a program offered in modules has withdrawn**

Schools can determine whether a student enrolled in a series of modules is a withdrawal by asking the following three questions.

- 1) After beginning attendance in the payment period or period of enrollment, did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend?

If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.

- 2) When the student ceased to attend or failed to begin attendance in a course he or she was scheduled to attend, was the student still attending any other courses?

If the answer is yes, this is not a withdrawal; however, other regulatory provisions concerning recalculation may apply. If the answer is no, go to question 3.

- 3) Did the student confirm attendance in a course in a module beginning later in the period (for non-term and nonstandard term programs, this must be no later than 45 calendar days after the end of the module the student ceased attending)?

If the answer is yes, this is not a withdrawal, unless the student does not return. If the answer is no, this is a withdrawal and the Return of Title IV Funds requirements apply.

**Examples of using the three questions to determine whether a student who is scheduled to complete two courses in each of the first two of three modules within a payment period has withdrawn**

**Scenario 1**

The student begins attendance in both courses in the first module but ceases to attend both courses after just a few days and does not confirm that he will return to any courses in modules two or three. The student is a withdrawal because he or she ceased to attend courses he or she was scheduled to attend (Yes to question 1); was not still attending any other courses (No to question 2); and did not confirm attendance in a course in a module beginning later in the period (No to question 3).

**Scenario 2**

If, however, the student begins attendance in both courses in the first module but drops just one of the courses after just a few days, the student is not a withdrawal. Although the student ceased to attend a course he or she was scheduled to attend (Yes to question 1), the student was still attending another course (Yes to question 2). Of course, the student's eligibility must be recalculated.

**Scenario 3**

If the student completes both courses in the first module but officially drops both courses in second module while still attending the courses in then first module, the student is not a withdrawal. Because the student officially dropped both courses in module two before they began, the student did not cease to attend or fail to begin attendance in a course he or she was scheduled to attend (No to question 1). However, because the student did not begin attendance in all courses, other regulatory provisions concerning recalculation may apply.

### **When a student who has withdrawn returns within a payment period or period of enrollment**

If a withdrawn student returns to the school within the same payment period or period of enrollment for a term-based program offered in modules, or within 180 calendar days for a clock-hour or non-term credit-hour program, the student is treated as though he or she did not cease attendance and the school must “undo” the Return of Title IV Funds calculation.

As with a student who reenters a clock hour or non-term credit-hour program within 180 days, for a student who returns to a term-based credit hour program offered in modules within the same payment period or period of enrollment, the school must restore the student’s original Title IV program funds award to the original amounts, with no adjustments required for partial attendance of a module. However, if a student did not attend an entire module he or she was originally scheduled to attend during the time the student was away from the school, the school must adjust the student’s original Title IV fund amounts to take into account that the student never began the courses in that module.

The regulations require that funds be returned to the Department or delivered or offered to a student due a post-withdrawal disbursement within a specified period of time, and a school is expected to begin the Return of Title IV funds process immediately upon its determination that a student has withdrawn in order to perform any required actions in a timely manner. (See the chart, *Return of Title IV Funds Requirements and Deadlines* near the end of this chapter for a description of all time-limited actions.) Therefore, once it has determined that a student has withdrawn, a school may not delay performing a Return calculation to see if the student will return later in the payment period or period of enrollment.

For further treatment of this topic, please see the discussion under *Special treatment of students who withdraw and then transfer or reenter a credit-hour, non-term-based program or a program that measures progress in clock hours* earlier in this chapter.

### Online Confirmation of Attendance

An online confirmation of future attendance from a student may constitute written confirmation that the student will attend a module that begins later, provided that the confirmation is a timely positive confirmation of future attendance. A school may not assume a student will be returning for a later module in which he or she was registered before the student ceases attendance. Rather, the school must ensure that the online confirmation requires the student to reaffirm attendance in a module that begins later in the period if that attendance is the basis for the future attendance. Of course, if at the time of the withdrawal, the student enrolled in a course in a later module in the same payment period or period of enrollment (that the student was not previously scheduled to attend), the newly added course would count as positive confirmation of future attendance for Title IV, HEA program purposes.

### Written confirmation of future attendance

A student is not considered to have withdrawn if the school obtains a written confirmation from the student at the time of the withdrawal that he or she will attend a module that begins later in the same payment period or period of enrollment. This confirmation must be obtained at the time of withdrawal, even if the student has already registered for subsequent courses.

“At the time of the withdrawal” means close to the date that the student actually ceased attendance and before the time when the school was required to return Title IV funds, offer any post-withdrawal disbursement of loan funds, or take any other action under the Return of Title IV Funds requirements. Without confirmation of future attendance, a school must assume a student who has ceased attendance is a withdrawal and begin the Return of Title IV Funds process. A school is expected to begin the Return of Title IV Funds process immediately upon its determination that a student has withdrawn in order to perform required actions in a timely manner and may not delay the Return of Title IV Funds process in case a student might return. Of course, because the notice must confirm attendance in a module that begins later in the same payment period or period of enrollment, the notice must always be obtained prior to the beginning of the module in which the student is confirming attendance.

A student who has provided written confirmation of his or her intent to return is permitted to change the date of return to a module that begins even later in the same payment period or period of enrollment, provided that the student does so in writing prior to the return date that he or she had previously confirmed, and, for non-term and nonstandard-term programs, the later module that he or she will attend begins no later than 45 calendar days after the end of the module the student ceased attending.

## When a student ceases attendance between modules

Unless a student provides written confirmation of future attendance in the payment period or period of enrollment, a student who drops all the future classes that he or she was scheduled to attend between modules (when the student is not attending classes) is considered to have withdrawn, and a Return of Title IV Funds calculation is required.



**Adjustment to a student's enrollment status made after a student has ceased attendance have no bearing on the Return of Title IV Funds requirements.** Therefore, if a student who is scheduled to attend all three modules in a payment period or period of enrollment drops all future classes (the two remaining modules) during the period between the first and second module (when the student is not attending any classes), the days in modules two and three are included in the total number of calendar days in the payment period or period of enrollment. The days in the remaining modules are included whether the student ceased attendance during or completed the first module.

The days in the remaining modules are included in the number of days in the payment period or period of enrollment whether the student's future enrollment is cancelled by the student or by the school (for example, because the school cancels the class or drops the student from the class because the school determines that the student's grades in prior classes do not allow the student to progress to the next class).

## When a student drops classes on the same day the student withdraws

If a student drops classes (or is administratively dropped by a school) on the same day the student withdraws, the student's enrollment status is not adjusted to reflect the dropped classes for Return of Title IV Funds purposes.

Classes dropped on the same day that the student withdraws have no bearing on the Return of Title IV Funds requirements. A school must perform a Return calculation that includes those classes in the days in all modules the student was scheduled to attend.

### Why a Student Who Ceases Attendance Between Modules is Considered Withdrawn

A student who ceases attendance between modules that he or she was scheduled to attend is considered to have withdrawn because: (1) the student has not completed all the days in the payment period that he or she was scheduled to complete (§668.22(a)(2)(i)(A)); and (2) his or her Title IV aid was based on attendance in all the modules he or she was originally scheduled to attend.

For example, a student enrolls in two three-credit courses in the first module (35 days in the module) and one three-credit course in the second module of a semester (35 days in the second module), comprising three modules of five weeks each. The student completes the two courses in the first module but never begins attendance in the second module and does not provide written confirmation of future attendance in the payment period (the semester). The student is considered to have withdrawn because the student was scheduled to complete, but did not complete, the days in the second module. Under the new regulations, completion of one course in one module in a term-based credit-hour program no longer results in a student not being counted as a withdrawal; therefore, the institution would make a determination that the student earned 50% of his or her Title IV, HEA program funds ( $35 \text{ days} \div 70 \text{ days} = 50\%$ ).

### Withdrawal date from a program offered in modules

For a school that is required to take attendance, a student's withdrawal date is always the last date of academic attendance as determined by the school from its attendance records (34 CFR 668.22 (b) (1)). For a school that is not required to take attendance, the withdrawal date is determined in accordance with the requirements of section 34 CFR 668.22 (c).

The withdrawal date for a student who withdraws from a school that is not required to take attendance when the student does not provide official notification to the school of his or her withdrawal (i.e., unofficially withdraws) is the midpoint (the 50 percent point) of the payment period or period of enrollment.

To determine the midpoint of the payment period or period of enrollment for a student who withdraws from a program offered in modules, a school must first determine the length of the payment period or period of enrollment (i.e., the total number of calendar days in the period) for Return of Title IV Funds purposes as discussed under *Determining the percentage of the payment period or period of enrollment completed for a student who withdraws from a program offered in modules* later in this chapter.

Consider a student who, after completing the first module, withdraws on day 20 of the second module of a period comprising two eight-week modules with a four-day break in between. The total number of calendar days in the payment period or period of enrollment includes all days in the payment period or period of enrollment, excluding days in which the student was on an approved leave of absence and scheduled breaks of at least five consecutive days when the student is not scheduled to attend a module or other course offered during that period of time. Because there are no scheduled breaks of at least five consecutive days during or between the modules, the total number of calendar days in the period would be the total number of days in each module (8 weeks x 7 days = 56 days in each module; 56 days x 2 modules=112 days in the modules) plus the four days between the modules (112 days in the modules + 4 days between modules) for a total of 116 calendar days in the period. Therefore, the midpoint and, thus, the withdrawal date, would be day 58.



## Determining the percentage of the payment period or period of enrollment completed for a student who withdraws from a program offered in modules

In determining the percentage of the payment period or period of enrollment completed for a student who withdraws from a program offered in modules, the school includes in the denominator (the total number of calendar days in the payment period or period of enrollment) all days within the period that the student was scheduled to complete (including those completed by the student) prior to ceasing attendance, excluding days in which the student was on an approved leave of absence and excluding any scheduled breaks of at least five consecutive days when the student was not scheduled to attend a module or other course offered during that period of time.

For non-term credit-hour programs offered in modules, a school must take into consideration any credits that a student has attempted, but not successfully completed before withdrawing, as well as whether the program is self-paced when determining the total number of calendar days in the period. For more information, see *Credit hour programs under Percentage of Title IV aid earned for withdrawal from a credit-hour non-term program* later in this chapter. The numerator includes the number of the total days in the payment period or period of enrollment that the student has completed.

Adjustments to a student's enrollment status made after the student ceases attendance have no bearing on the Return requirements. Thus, if a student enrolled in three modules completes one module and drops the two remaining modules after ceasing attendance, the total number of calendar days in this student's payment period or period of enrollment would include the days in all three modules, except for any scheduled breaks of at least five consecutive days when the student is not scheduled to attend a module or other course offered during that period of time, and days in which the student was on an approved leave of absence. However, if the student drops the classes in the two remaining modules prior to ceasing attendance (necessitating a recalculation of the student's eligibility for Title IV funds), the total number of calendar days in the student's payment period or period of enrollment would include only the days in the first module, except for any scheduled breaks of at least five consecutive days and days in which the student was on an approved leave of absence. Note that scheduled breaks include both those within and between modules. So, breaks of less than five consecutive days, including those that take place between modules, are included in the total number of days in the period, and breaks longer than five days within or between modules are not.

### **When a Student Who Failed Hours in the Payment Period Withdraws From a Non-Term Credit Hour Program Offered in Modules, the Payment Period Must Be Extended**

When a student who failed hours in the payment period withdraws from a non-term credit hour program offered in modules, the total number of calendar days in the period must reflect the actual days the student would have had to attend to successfully complete all the hours the student was originally scheduled to complete in the period.

The regulations {34 CFR 668.22(f)(2)} provide that the total number of calendar days in a payment period or period of enrollment include all days within the period that the student was scheduled to complete, except that scheduled breaks of at least five consecutive days and days on which the student was on an approved leave of absence are excluded from the total number of calendar days in a payment period or period of enrollment and the number of calendar days completed in that period. Dear Colleague Letter GEN-04-03 (February 2004) provides that, for non-term credit hour programs, if the student has not successfully completed any courses in the payment period, the payment period must be extended to reflect the number of days in the failed courses that the student did not successfully complete. The regulations {34 668.4(c)} also define how payment periods are determined for non-term credit hour programs. Completion of a payment period occurs when a student successfully completes the hours and weeks of instructional time in the period. Section 34 CFR 668.4(h) provides that a student successfully completes credit hours if the institution considers the student to have passed the coursework associated with those hours. If a student has not passed all the coursework associated with the hours in the payment period (in addition to completing the weeks of instructional time), the student has not completed the payment period.

When performing a Return of Title IV Funds calculation for a student who did not pass all the coursework associated with the hours in the payment period, a school must add to the total number of calendar days in the payment period the number of additional days beyond the original end date of the payment period that it would have taken for the student to complete the credits associated with the courses the student did not pass and that ended prior to the student's withdrawal.

If more than one course must be added for successful completion of the hours in the payment period and those courses could have been taken concurrently by the student had he or she remained enrolled, then the payment period would be extended by the days necessary to take the courses concurrently. However, if the only way the student could have taken the courses was consecutively, then the added days must reflect the days it would have taken to complete the courses consecutively. If prior to a student's withdrawal, the student has added a course or courses to complete within the original payment period hours previously failed, the payment period would reflect the original end date. (Guidance issued 9/14/2012.)

### **When a Student Who Was Enrolled in a Module Within a Term Withdraws from the Module and the School Later Determines that the Student Failed to Begin the Term-Long Courses**

Consider a student enrolled in a credit-hour, term-based program. The student originally enrolls in courses that span the entire 16-week term AND an eight-week module that starts in week nine and ends in week 16.

The student begins the eight-week module and withdraws.

After the term ends, the registrar receives “never attended” F-grades for the student for the courses that spanned the term.

The school must determine what days to use in the denominator of the Return calculation for withdrawal from module 2.

A school is required to have a system that allows the school to determine (within a reasonable amount of time) whether a student to whom it has disbursed Title IV funds has begun the classes upon which the student’s federal student aid was based. Because the school failed to make the determination that the student did not begin the 16-week semester and change the student’s enrollment status before the student started and withdrew from the modular course, the school must use the number of days in the entire 16-week term in the denominator of the Return calculation.

*(Adjustments to a student’s enrollment status made after a student has ceased attendance have no bearing on the Return of Title IV Funds requirements.)*

Before performing the required Return calculation, the school must recalculate the student’s eligibility for Pell and Campus-Based funds based on a revised cost of education and enrollment status (that do not include any costs associated with the classes the student failed to begin), and return any Title IV funds the school received that were based on the student’s enrollment in the term-long courses.

The school then performs a Return calculation using the student’s revised award.

If the school made a first disbursement of Direct Loan funds, those funds are included in the Return calculation as aid that could have been disbursed.

If the student received a second disbursement of Direct Loan funds and the student never began enrollment at least half time, the disbursement is not permitted under the regulations. The school must return the entire amount of the second Direct Loan disbursement, and should not include those funds in the Return calculation.

## Aid to include in the Return calculation

If a student withdraws before beginning attendance in the number of credit hours for which the Federal Pell Grant and Campus-Based funds were awarded, before performing the required Return calculation, a school must recalculate the student's eligibility for Pell and Campus-Based funds based on a revised cost of education and enrollment status (34 CFR 690.80(b)(2)(ii)). The school then performs a Return calculation using the student's revised award.

For such a student, a change in enrollment status to less than half time as a result of the failure to begin attendance in all subsequent modules would not affect the student's eligibility for any federal education loan funds previously received because at the time the previous disbursements were made, the student was still scheduled to attend on at least a half-time basis. (Of course, a student may not receive as a late disbursement any second or subsequent disbursement of the loan.)

A school may not disburse the proceeds of a Direct Loan to an ineligible borrower. Therefore, if a student who was enrolled in a series of modules withdraws before beginning attendance as a half-time student and the student had not received the first disbursement of Title IV loan before withdrawing, the school may not make the first disbursement because the school knows the student was never enrolled on at least a half-time basis.

Title IV program funds are disbursed to a student on the presumption that he or she will attend the hours for which aid has been awarded. Therefore, a school is not required to delay the disbursement of Title IV program funds until a student has attended enough hours to qualify for the enrollment status for which the funds were awarded. However, if the student has withdrawn and has not begun attendance in enough courses to establish a half-time enrollment status, the presumption is no longer valid. Thus, the school may not make a first disbursement of a Direct Loan to such a student. Section 668.164(g)(3)(iii), which permits a school to make a late disbursement of a Direct Loan for costs incurred to a student who did not withdraw but ceased to be enrolled as at least a half-time student, does not apply because the student never really was a half-time student.

### Recalculation for Students Withdrawing From Non-Term Programs Offered in Modules

Any time a student enrolled in a non-term program offered in modules changes his or her enrollment status Any time a student enrolled in a non-term program offered in modules changes his or her enrollment status before beginning all the classes on which the student's eligibility for federal student aid was calculated, the school must recalculate the student's Cost of Attendance (COA) to determine if the student's eligibility for Campus-Based funds has changed. The school may not include in the COA costs associated with any classes the student failed to begin. The school does not have to recalculate the student's eligibility for Pell Grants because Pell eligibility for a student enrolled in a non-term program is always based on the full-time enrollment schedule. A school does not have to recalculate a student's eligibility for Direct Loans as long as the student has begun at least one class.

When a student enrolled in a non-term program offered in modules withdraws, a school that calculates Returns on a period of enrollment basis may not include in the recalculated COA any costs associated with any future payment period for which the student has not confirmed attendance at the time of withdrawal and that does not start within 45 days.

A school that calculates Returns on a period of enrollment basis may not include in a Return calculation as aid that could have been disbursed aid associated with a subsequent payment period for which the student would not be eligible after the recalculation.

For example, take a credit-hour program where each semester comprises three modules of five weeks each. If a student enrolls in one three-credit course in the first module and one three-credit course in the second module, the student will not begin attendance in six credit hours, the school's minimum half-time enrollment status, until starting the course in the second module. The school is not required to, nor should it, delay the disbursement of the student's Direct Loan Program funds until the student begins the course in the second module. However, if the student withdraws during the first module and the school has not made the first disbursement of a Direct Loan to the student prior to the withdrawal, the school may not make that first disbursement of the Direct Loan to the student at this point (although the loan would be included as *aid that could have been disbursed*).

## Part 2—Percentage of Aid Earned

### Percentage of payment period or period of enrollment completed

#### Percentage of payment period or period of enrollment completed

34 CFR 668.22(f)

Once a student's withdrawal date is determined, a school needs to calculate the percentage of the payment period or period of enrollment completed. The percentage of the payment period or period of enrollment completed represents the percentage of aid earned by the student. This percentage is determined differently for students who withdraw from credit-hour programs and students who withdraw from clock-hour programs.

#### Scheduled breaks

34 CFR 668.22(f)(2)(i) and (ii)(B)

##### Determining the Length of a Scheduled Break

1. Determine the last day that class is held before a scheduled break—the next day is the first day of the scheduled break.
2. The last day of the scheduled break is the day before the next class is held.

Where classes end on a Friday and do not resume until Monday following a one-week break, both weekends (four days) and the five weekdays would be excluded from the Return calculation. (The first Saturday, the day after the last class, is the first day of the break. The following Sunday, the day before classes resume, is the last day of the break.) If classes were taught on either weekend for the programs that were subject to the scheduled break, those days would be included rather than excluded.

##### Weekend Classes and Scheduled Breaks

If a community college offers regular classes on Saturday and Sunday and its academic calendar says that a scheduled break starts on a Monday and resumes with classes the following Monday, that break is seven days long.

#### Scheduled breaks

Institutionally scheduled breaks of five or more consecutive days are excluded from the Return calculation as periods of nonattendance and, therefore, do not affect the calculation of the amount of federal student aid earned. This provides for more equitable treatment of students who officially withdraw near either end of a scheduled break. In those instances, at institutions not required to take attendance, a student who withdrew after the break would not be given credit for earning an additional week of funds during the scheduled break but would instead earn funds only for the day or two of training the student completed after the break. If a scheduled break occurs prior to a student's withdrawal, all days between the last scheduled day of classes before a scheduled break and the first day classes resume are excluded from both the numerator and denominator in calculating the percentage of the term completed. (If the withdrawal occurs prior to a scheduled break, the days in the break are excluded only from the denominator.)

If a student officially withdraws while on a scheduled break of less than five days, the date of the student's notification to the institution is the student's withdrawal date (Withdrawing during a scheduled break of less than five days does not affect the date the school uses as the date of withdrawal in a Return calculation.)

The beginning date of a scheduled break is defined by the school's calendar for the student's program. In a program where classes only meet on Saturday and/or Sunday, if a scheduled break starts on Monday and ends on Friday, the five weekdays between the weekend classes do not count as a scheduled break because the break does not include any days on which classes are scheduled. Therefore, the five days would not be excluded from the numerator or denominator in Step 2 of a Return calculation.



### Example of Withdrawal Date When a Student Withdraws During a Scheduled Break of Five or More Days

If a student officially withdraws while on a scheduled break of five consecutive days or more, the withdrawal date is the last date of scheduled class attendance prior to the start of the scheduled break. For example, the institution's last date of scheduled class attendance prior to spring break is Friday, March 7. Spring break at the institution runs from Saturday, March 8, to Sunday, March 16. If the student contacts the institution's designated office on Wednesday, March 12, to inform the institution that he will not be returning from the institution's spring break, the student's withdrawal date is Friday, March 7, which was the institution's last day of scheduled class attendance.

However, the date of the institution's determination that the student withdrew is March 12, the date the student actually informed the institution that he would not be returning. The date of the institution's determination that the student withdrew is used as the starting date for institutional action, such as the requirement that an institution return Title IV funds for which it is responsible no later than 45 days after this date.

Institutionally scheduled breaks of at least five consecutive days between courses/modules in the same payment period or period of enrollment are excluded from a Return calculation.

If a student takes an "unscheduled break in attendance," thereby deviating from the student's original attendance plan, the school either must treat the student as a withdrawal or place the student on an "approved leave of absence" as described earlier under *Breaks in attendance for students enrolled in programs measured in credit hours without academic terms*.

The length of a payment period can never be less than the originally scheduled length. If a student is progressing more rapidly than originally planned and the required projection calculation results in an end date that creates a shorter payment period, the school must use the original "end date" in the Return calculation.

**TIP**

### Temporary Closures Beyond Control Of The Institution

A school that temporarily closes due to weather, natural disaster, or other event outside the control of the institution should promptly contact its School Participation Team to discuss its situation. The Department will work with the school to review the effects of the temporary interruption and the impact the temporary closure will have on the school's students. You can find contact information for your school's participation team at:

[ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division](http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division)

DCL GEN 10-16



### Credit-hour programs

34 CFR 668.22(f)(1)(i)

### Credit-hour programs

For a credit-hour program, the percentage of the period completed is determined by dividing the number of calendar days completed in the payment period or period of enrollment, as of the day the student withdrew, by the total number of calendar days in the same period.

The number of calendar days in the numerator or denominator includes all days within the period, **except for institutionally scheduled breaks of five or more consecutive days**. Days in which the student was on an approved leave of absence would also be excluded. The day the student withdrew is counted as a completed day.

**number of calendar days completed in the period**

**total number of calendar days in the period**

### Percentage of Title IV aid earned for withdrawal from a credit-hour non-term program

DCL GEN-04-03, February 2004

### Percentage of Title IV aid earned for withdrawal from a credit-hour non-term program

The regulations provide that the percentage of Title IV aid earned by a student is equal to the percentage of the period completed by the student (except if that percentage is more than 60%, the student is considered to have earned 100% of the Title IV aid). For any credit-hour program, term-based or non-term-based, the percentage of the period completed is calculated as follows.

### Exclusion of five day scheduled breaks

34 CFR 668.22(f)(1)(i) and (2)

Scheduled breaks of at least five consecutive days and days in which the student was on an approved LOA are excluded from this calculation.



In a credit-hour non-term program, the ending date for a period and, therefore, the total number of calendar days in the period, may depend on the pace at which an individual student progresses through the program. Therefore, for a student who withdraws from a credit-hour non-term program in which the completion date of the period depends on an individual student's progress, an institution must project the completion date based on the student's progress as of his or her withdrawal date to determine the total number of calendar days in the period. (See the examples that follow.)

If a student withdraws from a self-paced non-term credit-hour program before earning any credits, the institution must have a reasonable procedure for projecting the completion date of the period. To the extent that any measure of progress is available, the institution should base its determination on that progress (see examples 2 and 3 following this section).

For a school that offers credit-hour, non-term programs in which the student does not earn credits or complete lessons as he or she progresses through the program, the institution must have a reasonable procedure for projecting the completion date of the period based on the student's progress before withdrawal. If the total number of calendar days in the period does not depend on the pace at which a student progresses through a program (the completion date is the same for all students) and the student has not failed any courses for which he or she was paid in the payment period, the total number of calendar days in the period will be the same for all students.

Consider a non-term credit-hour program offered in modules where some or all courses are offered sequentially and all students begin and end the modules at the same time. For a student who successfully completed all modules attempted up to the time the student withdrew, the completion date (and the corresponding number of days in the Return calculation) will be the number of days between the start of the first module and the originally scheduled end of the last module.

However, an institution must take into consideration any credits that a student has attempted but not successfully completed before withdrawing. (Those credits must be successfully completed before the student is considered to have completed the period.) To do this, the school must modify the denominator used in the Return calculation. The school must add to the number of days between the start of the first module and the scheduled end of the last module, the number of days the student spent in the failed courses/module(s) the student did not successfully complete.

## **Examples of Calculating a Completion Date for a Student Who Withdraws From a Credit-Hour Non-Term Program**

### **Example 1, lessons completed**

David enrolled in a program offered in a credit-hour non-term format and withdrew before earning any credits, but has completed two lessons. The institution uses David's completed assignments as an interim measure of his progress and compares it to information from its records about other students who have completed the same program to determine an end date.

Looking at the records of students who have completed the same program, the institution identifies other students who complete the two lessons in approximately the same amount of time as David. The school determines the number of days it took those students to complete the period. The institution uses the same number of days in the denominator of the Return calculation for David.

### **Example 2, nothing completed**

Danny enrolls in a program offered in a credit-hour non-term format. Danny withdraws before earning any credits, completing any lessons, or providing any other measure of progress toward the course or program goals at the time he withdrew. The institution uses its records to identify the student who took the longest to complete the period to determine the number of days it took that student to complete the period. The institution uses the same number of days in the denominator of the Return calculation for Danny.

## Examples of Calculating a Completion Date For a Student Who Withdraws from a Credit-Hour Non-Term Program, continued

### Example 3, percentage completed

Barbara is enrolled in a 24 credit-hour non-term program at an institution that calculates Returns on a payment period basis. Students in the program are expected to complete 12 credit hours each payment period in 15 weeks (105 days).

When Barbara began classes, she received a Federal Pell Grant and a Direct Loan. She completed the 12 credit hours in the first payment period (the first half of the program) in 120 days (past the calendar midpoint of the original program length of 210 days). When Barbara completed the first half of her program, she became eligible for the second disbursements of both her Federal Pell Grant and Direct Loan.

Barbara withdrew from school on day 53 of the second payment period. At the time she withdrew, Barbara had completed only one-third of the work (four credits) in the payment period. If Barbara had continued to progress at her current pace of four credits earned every 53 days, Barbara would not complete the additional eight credit hours for another 106 days. She would not complete the 12 credit hours in the second payment period until day 159.

For this student, therefore, the total number of days in the payment period (and the number used in the denominator of the Return calculation) is 159. The percentage of the payment period Barbara completed before withdrawing is 33.3% (53 days completed divided by 159 total days in the payment period).

In general, to calculate the number of days in the period, do the following:

Determine the percentage of credits earned

$$\frac{\text{Number of credits completed (4)}}{\text{Number of credits in payment period (12)}} = \text{Percentage of credits earned (.333)}$$

Determine the number of days in the period

$$\frac{\text{Number of days attended (53)}}{\text{Percentage of credits earned (.333)}} = \text{Number of days in the period (159)}$$

The school enters "159" as the number of "Total Days" in Step 2, Box H, of the Return calculation.

### Example 4, projecting a completion date for a withdrawal from a self-paced, non-term program

Pixie is enrolled in a self-paced, 30 credit-hour, non-term program in pet grooming offered over 30 weeks at an institution that calculates Returns on a payment period basis. Students in the program are expected to complete three modules of five credits hours each over the 15 weeks (105 days) in a payment period. (A student is expected to complete each five-credit module in five weeks' [35 days] time.)

It takes Pixie seven weeks (49 days) to complete 100% of the lessons in the first module, and she did not earn a passing grade (the lack of opposable thumbs was a disadvantage she could not overcome). Pixie decides to withdraw from school in order to accept a position as a cohost of the annual AKC show at Madison Square Garden.

Because Pixie is a withdrawal, the school must perform a Return calculation. In addition, because Pixie was progressing more slowly than the rate expected, the school must project a new end date and a new number of "total days" to be used in the Return calculation.

Important: Because Pixie was progressing at a slower rate (it took her 49 days instead of 35) to complete 100% of the lessons in the first module, the school can not simply add the length of a scheduled (make-up) module (35 days) to arrive at the projected number of days in the payment period. The school must project the number of days in the period as follows.

Determine the time it would have taken Pixie to complete the first module by dividing the number of days attended (49) by the percentage of the lessons completed.

$$\frac{\text{Number of days attended (49)}}{\text{Percentage of payment period completed (1.00)}} = \text{Number of days required to complete one module (49)}$$

Project the number of days in the payment period by multiplying the number of days required for one module (49) by the number of modules in the payment period (3) and adding a module (1) for the student to make up the module failed.

$$\text{Number of days it takes a student to complete a module (49)} \times \{\text{Number of modules in payment period (3) + a makeup module (1)}\} = 4 = \text{Number of projected days in payment period (196)}$$

The school enters "196" as the number of "Total Days" in Step 2, Box H, of the Return calculation.



### Clock-hour programs

Only scheduled hours are used to determine the percentage of the period completed by a student withdrawing from a clock-hour program.

For a clock-hour program, the percentage of the period completed is determined by dividing the number of hours the student was scheduled to complete in the payment period or period of enrollment, as of the day the student withdrew, by the total number of clock hours in the same period as follows:

$$\frac{\text{number of clock hours the student was scheduled to complete in the period}}{\text{total number of clock hours in the period}}$$

A student withdrawing from a clock-hour program earns 100% of his or her aid if the student's withdrawal date occurs after the point that he or she was scheduled to complete more than 60% of the scheduled hours in the payment period or period of enrollment.

The scheduled clock hours used for a student must be those established by the school prior to the student's beginning class date for the payment period or period of enrollment, and the hours must have been established in accordance with any requirements of the state or the institution's accrediting agency. These hours must be consistent with the published materials describing the institution's programs. However, if an institution modified the scheduled hours in a student's program prior to and unrelated to his or her withdrawal in accordance with any state or accrediting agency requirements, the new scheduled hours may be used.

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### Clock-hour programs

34 CFR 668.22(f)(ii)

## When a school disburses Title IV aid to a student using different payment periods

### No Attribution Necessary

If a student who withdraws from a nonstandard term credit-hour program with terms that are not substantially equal in length is disbursed aid or could have been disbursed aid using only one of the two payment period definitions, that is the payment period that is used for the calculation of earned aid, and no attribution of funds is necessary.

Nonstandard term, credit-hour programs with terms that are not substantially equal in length have two defined payment periods: one for Title IV grant and Perkins Loan funds, and one for Direct Loan funds. Because only one payment period may be used in determining earned Title IV grant and loan funds for a student who withdraws and was disbursed or could have been disbursed aid under both payment definitions, the regulations now specify the payment period a school must use in the Return calculation, that is, the payment period that ends later.

Any aid disbursed for payment periods that overlap the payment period used in the calculation must be attributed to the payment **period that ends later**.

### Example, Performing a Return Calculation for a Student Receiving Aid Under Two Payment Period Definitions

The Ted Animal Institute (TAI) offers programs in nonstandard credit-hour terms that are not substantially equal in length.

Pixie Marley enrolls for TAI's varmint retrieval program offered over 30 weeks in three terms of 10 weeks, 6 weeks, and 14 weeks, respectively. After attending classes for 50 days, Pixie decides that she could make a greater contribution if she studied home health care. Subsequently, she withdraws from TAI.

TAI's Academic Year = 24 credits hours over 30 weeks of instructional time comprising the academic year. Term 1 = 8 credits over 10 weeks. Term 2 = 5 credits over 6 weeks. Term 3 = 11 credits over 14 weeks.

Each scheduled payment period for Pixie's Direct Loans was one-half of the program's academic year or 12 credits and 15 weeks.

Pixie was scheduled to receive three disbursements (one in each payment period [PP]) of her Pell Grant as follows:

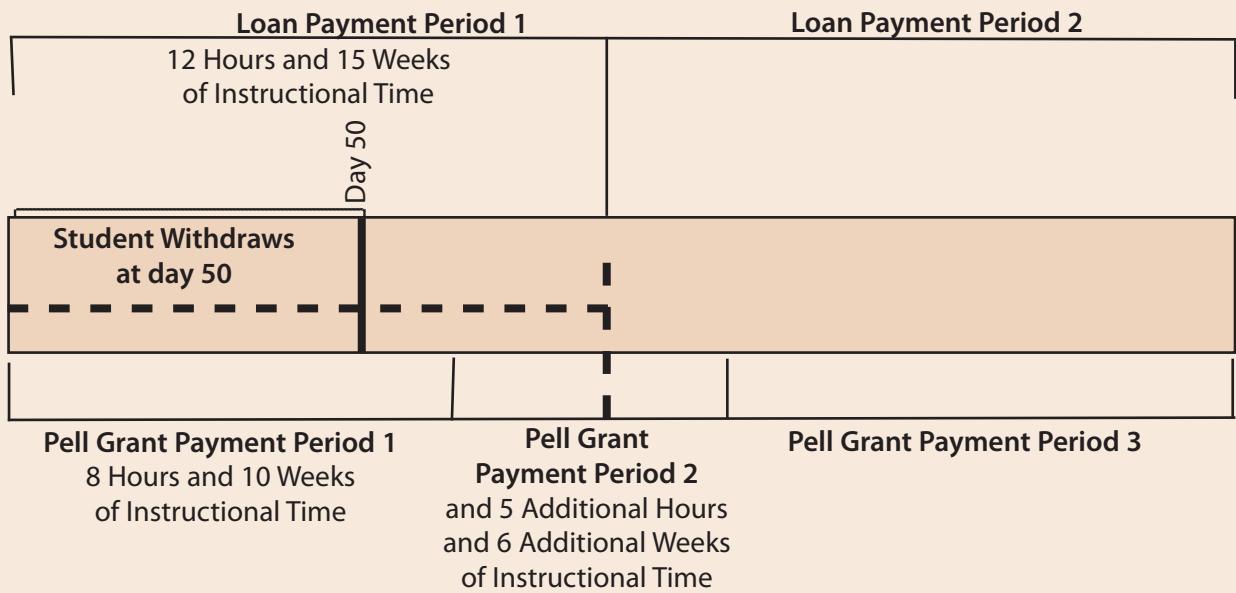
PP1 - at day 1

PP2 - at the completion of 8 hours and 10 weeks of instructional time

PP3 - at the completion of 13 hours and 16 weeks of instructional time

The scheduled disbursements and withdrawal date are shown in the graphic that follows.

**Performing a Return Calculation For a Student Receiving Aid Under Two Payment Period Definitions, continued**



Pixie withdrew on the 50th day after the start of classes. Her Direct Loan funds were disbursed for loan payment period 1 (the first half of the academic year). Her Pell Grant funds were disbursed for Pell Grant payment period 1 (the first term, which is 10 weeks in length).

Loan payment period 1 (the Direct Loan payment period), the payment period during which the student withdrew, ends later, so that is the payment period the school is required to use for the Return of Title IV Funds calculation.

As shown by the horizontal dashed line, the first two Pell Grant payment periods overlap with the Loan payment period 1, so aid that was disbursed or could have been disbursed for the two Pell Grant payment periods are attributed to loan payment period 1.

All of Pell Grant payment period 1 falls within loan payment period 1, so all of the Pell Grant funds that were disbursed for Pell Grant payment period 1 are included in the calculation. Pell Grant payment period 2 of six weeks overlaps with loan payment period 1 for five of those weeks (plus 4 weeks in loan period 2). (The loan period is 15 weeks; Pell Grant payment period 1 is 10 weeks, and five additional weeks from Pell Grant payment period 2 bring the Pell Grant payment period used in the calculation up to 15 weeks.)

To determine the amount of Pell Grant funds that could have been disbursed that are attributable to the five additional weeks, the school would take the full amount of Pell Grant funds that could have been disbursed for Pell Grant payment period 2, and multiply it by five-sixths.

### *When a student receiving Title IV aid dies during the payment period or period of enrollment*

If a school determines that a student has died during a period, it must perform a Return calculation. If the Return calculation indicates that an institution is required to return Title IV funds, the school must return the Title IV funds for which it is responsible.

The student's estate is not required to return any Title IV funds disbursed to the student. Therefore, an institution should neither report a grant overpayment for a deceased student to NSLDS, nor refer a grant overpayment for a deceased student to Debt Resolution Services. If an institution had previously reported a grant overpayment for a student who is deceased to Debt Resolution Services, it should inform Debt Resolution Services that it has received notification that the student is deceased.

The regulations governing the Direct and Federal Perkins Loan programs provide for a discharge of a borrower's obligation to repay a Federal Direct or Federal Perkins Loan if the borrower dies (including a Direct PLUS Loan borrower's obligation to repay a Direct PLUS Loan if the student on whose behalf the parent borrowed dies). If a school is aware that a student who has died has any outstanding Title IV loan debt, the school should contact the student's estate and inform it of the actions it can take to have the student's Title IV loan debt cancelled.

If a Title IV credit balance created from **funds disbursed before the death of the student** exists after the completion of the Return calculation and the institutional refund calculations, the institution must resolve the Title IV credit balance in one of the following three ways.

1. in accordance with the cash management regulations, paying authorized charges at the institution (including previously paid charges that are now unpaid due to the Return of Title IV funds by the institution);
2. returning any Title IV grant overpayments owed by the student for **previous withdrawals** from the present school (the institution may deposit the funds in its federal funds account and make the appropriate entry in G5);

If the institution has previously referred the grant overpayment to Debt Resolution Services, the institution should provide Debt Resolution Services with documentation that the student has died so that Debt Resolution Services can delete the overpayment from its records.

3. returning any remaining credit balance to the Title IV programs.

## STEP 3: AMOUNT OF TITLE IV AID EARNED BY THE STUDENT

The amount of Title IV aid earned by the student is determined by multiplying the percentage of Title IV aid earned (Box H on the worksheet) by the total of Title IV program aid disbursed plus the Title IV aid that could have been disbursed to the student or on the student's behalf (Box G on the worksheet).

### Amount of Title IV aid earned by the student

34 CFR 668.22(e)(1)

## STEP 4: TOTAL TITLE IV AID TO BE DISBURSED OR RETURNED

If the student receives less federal student aid than the amount earned, the school must offer a disbursement of the earned aid that was not received. This is called a post-withdrawal disbursement. If the student receives more Title IV Aid than the amount earned, the school, the student, or both must return the unearned funds in a specified order.

### Title IV aid to be disbursed or returned

34 CFR 668.22(a)(2) or (3)

### Part 1—Post-withdrawal disbursements

If a post-withdrawal disbursement (PWD) is due, a school stops at Step 4, Box J on the worksheet. A school may use the Post-Withdrawal Disbursement Tracking Sheet to track the handling of the post-withdrawal disbursement, or it may use a form developed by someone other than the Department. A school must maintain written records of its post-withdrawal disbursements.

### Post-withdrawal disbursements

34 CFR 668.22(a)(3) & (4)

The requirements for a post-withdrawal disbursement are similar in many areas to the requirements under Subpart K – Cash Management of the Student Assistance General Provisions regulations. However, in some cases, the post-withdrawal disbursement requirements differ from the cash management requirements.

### Return Calculation Required

For a student who withdraws after the 60% point in time, even though a return is not required, a school may have to complete a Return calculation to determine whether the student is eligible for a post-withdrawal disbursement.

Any post-withdrawal disbursement due must meet the current required conditions for late disbursements. For example, ED must have processed a Student Aid Report (SAR) or Institutional Student Information Record (ISIR) with an official expected family contribution (EFC) prior to the student's loss of eligibility. These conditions are listed in a chart on Late Disbursements in *Volume 4*. A school is required to make (or offer as appropriate) post-withdrawal disbursements. A post-withdrawal disbursement must be made within 180 days of the date the institution determines that the student withdrew. The amount of a post-withdrawal disbursement is determined by following the requirements for calculating earned Title IV aid and has no relationship to incurred educational costs.

**TIP**

**A school may not make a post-withdrawal disbursement of Title IV funds to the account or estate of a student who has died.**

## Disburse grant before loan

### Disburse grant before loan

34 CFR 668.22(5)(i)

#### Disburse Grant Before Loan—Example

If a student is due a post-withdrawal disbursement of \$500 and the student has received \$400 of \$1,000 in Federal Pell Grant funds that could have been disbursed and \$1,200 of the \$2,000 in Federal Direct Loan funds that could have been disbursed, the available undisbursed funds are \$600 in Federal Pell Grant funds and \$800 in Direct Loan funds.

Any portion of the \$500 post-withdrawal disbursement that the school makes must be from the \$600 in available Federal Pell Grant funds.

A post-withdrawal disbursement, whether credited to the student's account or disbursed to the student or parent directly, must be made from available grant funds before available loan funds. *Available grant or loan funds* refers to Title IV program assistance that could have been disbursed to the student but was not disbursed as of the date of the institution's determination that the student withdrew.

The regulations do not address how a school should ensure that Title IV funds are disbursed to the proper individual. However, a school may not require a student who has withdrawn from a school (or a parent of such a student, for Direct PLUS Loan funds) to pick up a post-withdrawal disbursement in person. Because the student is no longer attending the school, he or she may have moved out of the area and may be unable to return to the school to pick up a post-withdrawal disbursement.

### Summary of actions a school must take before making a post-withdrawal disbursement

The actions a school must take before it may disburse funds from a post-withdrawal disbursement vary depending on the source of the funds.

A school must obtain confirmation from a student, or parent for a Direct Parent PLUS Loan, before making any disbursement of loan funds from a post-withdrawal disbursement.

Without obtaining a student's permission, Title IV grant funds from a post-withdrawal disbursement are credited to a student's account to pay for tuition, fees, and room and board (if the student contracts with the school) or disbursed directly to a student. A school must obtain a student's authorization to credit a student's account with Title IV grant funds for charges other than current charges.



## Post-withdrawal disbursement of Title IV grant funds

A school is permitted to credit a student's account with the post-withdrawal disbursement of Title IV grant funds without the student's permission for current charges for tuition, fees, and room and board (if the student contracts with the school) up to the amount of outstanding charges. A school must obtain a student's authorization to credit a student's account with Title IV grant funds for charges other than current charges.

A school is permitted to use a student's or parent's authorization for crediting the student's account for educationally related expenses that the school obtained prior to the student's withdrawal date so long as that authorization meets the cash management requirements for student or parent authorizations. If the school did not obtain authorization prior to the student's withdrawal, the school would have to obtain authorization in accordance with the cash management requirements before the school could credit the student's account for other current charges or for educationally related activities. (See *Volume 4* for more information on student and parent authorizations.)

A school must credit the student's account with the post-withdrawal disbursement for current charges within 180 days of the date of determination.

A school must disburse any amount of a post-withdrawal disbursement of grant funds that is not credited to the student's account. Moreover, the school must make the disbursement as soon as possible but no later than 45 days after the date of the school's determination that the student withdrew.

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### Time frame for post-withdrawal disbursement of grant funds

34 CFR 668.22(a)(6)(ii)(B)(1)

## Post-withdrawal disbursement of Title IV loan funds

### Time frame for notification of eligibility for post-withdrawal disbursement of loan funds

34 CFR 668.22(a)(6)(iii)(A)

#### School Activity Between Performing a Return Calculation and Making a PWD

An institution may not delay its disbursement processes while it ascertains whether a student wishes to receive the grant funds the student is entitled to. However, while the institution is processing the disbursement or notifying the student about his or her eligibility for a post-withdrawal disbursement of loan funds, the school may, at its discretion, notify the student that it may be beneficial to turn down all or a portion of the grant funds to preserve his or her grant eligibility for attendance at another institution.

Of course, if a student should independently contact the institution and state that he or she does not wish to receive a grant disbursement, the institution is not required to make the disbursement.

A school must notify a student, or parent for a Direct Parent PLUS Loan, in writing prior to making any post-withdrawal disbursement of loan funds, whether those loan funds are to be credited to the student's account or disbursed directly to the student (or parent). The information provided in this notification must include the information necessary for the student, or parent for a Direct Parent PLUS Loan, to make an informed decision as to whether the student or parent would like to accept any disbursement of loan funds and must be provided within 30 days of the date of a school's determination that a student has withdrawn. In addition, the notice must request confirmation of any post-withdrawal disbursement that the student or parent, as applicable, wishes the school to make.

The notice must identify the type and amount of the loan funds it wishes to credit to the student's account or disburse directly to the student or parent, explain that a student, or parent for a Direct Parent PLUS Loan, may accept or decline all or a portion of the funds. The notice must also explain to the student, or parent for a Direct Parent PLUS Loan, the obligation to repay the loan funds whether they are disbursed to the student's account or directly to the borrower.

The notice must also make clear that a student, or parent for a Direct Parent PLUS Loan, may not receive as a direct disbursement loan funds that the institution wishes to credit to the student's account unless the institution agrees to do so. If the student, or parent for a Direct Parent PLUS Loan, does not wish to accept some or all of the loan funds that the institution wishes to credit to the student's account, the institution must not disburse those funds.

In the information a school provides to a student when the school informs the student that he or she is due a post-withdrawal disbursement of loan funds, the school should include information about the advantages of keeping loan debt to a minimum. If a post-withdrawal disbursement includes loan proceeds, unless the recipient needs the funds to pay educational costs, the school might want to suggest that the student cancel the loan. With a student's permission, Title IV grant funds due a student in a post-withdrawal disbursement can be used to pay down a Title IV loan, thereby reducing any post-withdrawal disbursement made directly to the student.

The school must document the result of the notification process and the final determination made concerning the disbursement and maintain that documentation in the student's file.

### Cash management requirements for student and parent authorizations

34 CFR 668.165(b)

If a school has completed post-withdrawal loan notification (described previously) and confirmed a student’s desire for any Direct Loan funds included in the post-withdrawal disbursement, the school is permitted to credit a student’s account with the post-withdrawal disbursement without additional permission from the student (or parent, in the case of a Direct PLUS Loan) for current charges as described earlier.

A school may combine providing loan counseling, obtaining authorization to credit loan funds to a student’s account for outstanding charges, and obtaining authorization to make a direct disbursement to the student.

Once a school has received confirmation from a student, or parent in case of a Direct PLUS Loan, that he or she wants to receive the post-withdrawal disbursement of loan funds, a school must make the post-withdrawal disbursement of Title IV loan proceeds as soon as possible but no later than 180 days after the date of the school’s determination that the student withdrew.

### **Separate authorization required for educationally related expenses**

A school is permitted to use a student’s or parent’s authorization for crediting the student’s account for educationally related expenses that the school obtained prior to the student’s withdrawal date so long as that authorization meets the cash management requirements for student or parent authorizations. If the school did not obtain authorization prior to the student’s withdrawal, the school would have to obtain authorization in accordance with the cash management requirements before the school could credit the student’s account for other current charges for educationally related activities. (See *Volume 4* for more information on student and parent authorizations.)

### **Crediting a student’s account**

An institution should not request Title IV funds for a post-withdrawal disbursement unless and until it has determined that it can disburse any post-withdrawal disbursement within three business days of receiving the funds.

The requirements for the treatment of Title IV funds when a student withdraws reflect the cash management requirements for disbursing Title IV funds. An institution must obtain a student’s authorization to credit a student’s account with Title IV funds for charges other than current charges for tuition, fees, and room and board (if the student contracts with the school) (see *Volume 4* and the chart on “Institutional and Financial Assistance Information for Students” in *Volume 2*).

#### **Outstanding Charges Example**

Consider a student who is due a post-withdrawal disbursement of \$800. The institutional charges that the student was originally assessed by the school totaled \$2,300. However, under the institution’s refund policy, the institution may only keep \$600 of those institutional charges. No funds had been paid toward the institutional charges at the time the student withdrew. In addition, the student owes \$150 for a bus pass. The outstanding charges on the student’s account that would be entered in Box 2 of the post-withdrawal Disbursement Tracking Sheet are \$750 (the \$600 in institutional charges plus the \$150 owed for the bus pass).

A portion of the \$800 the institution must disburse under the post-withdrawal disbursement provisions may (with authorization if they are loan funds) be used to satisfy the outstanding balance. If the student has provided written authorization to credit Title IV funds to his account and use them for noninstitutional educational charges, the school may credit \$750 to institutional charges and offer \$50 to the student. If the student has not provided (and does not provide) written authorization to use the funds for noninstitutional educational charges, the school may only credit \$600 to institutional charges and must offer \$200 to the student.

Outstanding charges on a student’s account are charges for which the institution will hold the student liable after the application of any applicable refund policy. These are the institutional charges, after any adjustment, that reflect what the student will owe for the current term after his or her withdrawal, any other current charges, plus any permitted minor prior year charges.

A school may credit a student’s account for **minor prior award year charges** in accordance with the cash management requirements (see *Volume 4*). Schools should make every effort to explain to a student that all or a portion of his or her post-withdrawal disbursement has been used to satisfy any charges from prior award years.

### Notice to a student offering a post-withdrawal disbursement —flexibility in notifying students

To avoid having to contact a student multiple times, a school may use one contact to:

- ◆ notify a borrower about his or her loan repayment obligations;
- ◆ obtain permission to credit loan funds to a student’s account to cover unpaid institutional charges;
- ◆ obtain permission to make a post-withdrawal disbursement of grant or loan funds for other than institutional charges; and
- ◆ obtain permission to make a post-withdrawal disbursement of loan funds directly to a student.

A school must send the notification as soon as possible, but **no later than 30 calendar days after the date that the school determines the student withdrew.**

In the notification, the school must advise the student or parent that an institution may set a deadline of 14 days or more. Any deadline must apply to both confirmation of loan disbursements to the student’s account and direct disbursements of a post-withdrawal disbursement. The notification must make it clear that if the student or parent does not respond to the notification within the time frame, the school is not required to make the post-withdrawal disbursement. However, a school may choose to make a post-withdrawal disbursement based on an acceptance received from a student or parent after the school’s deadline.

#### Student’s Response to an Offer of a PWD

A student’s or parent’s response to an offer of a direct disbursement of Title IV loan funds from a post-withdrawal disbursement does not have to be in writing. However, a school must document the response.

#### Deadline for responding to an offer of a post-withdrawal disbursement of loan funds

34 CFR 668.22(a)(6)(iii)(A)(5)

A school that chooses to honor a late response must disburse all the funds accepted by the student or parent as applicable. The school cannot credit the student's account in accordance with the student's request, but decline to disburse post-withdrawal funds accepted as a direct disbursement. If a response is not received from the student or parent within the permitted time frame, or the student declines the funds, the school must return (or, in the case of grant funds, redisburse to another eligible student) any earned funds that the school was holding to the Title IV programs.

If a student or parent submits a timely response accepting all or a portion of a post-withdrawal disbursement, per the student's or parent's instructions, the school must disburse the loan funds within 180 days of the date of the institution's determination that the student withdrew. (For additional information, see the discussion under *Date of the institution's determination that the student withdrew* earlier in this chapter.) Note that the date of the institution's determination that the student withdrew is the same date that triggers the 30-day period that the school has for notifying the student or parent of any post-withdrawal disbursement available for direct disbursement. Consequently, the sooner a school sends the notification to a student or parent, the more time the school has to make any accepted post-withdrawal disbursement.

If authorization from a student (or parent for a Direct PLUS Loan) is received after the deadline and the school chooses not to make a post-withdrawal disbursement of loan funds, the school must notify the student (or parent) that the post-withdrawal disbursement will not be made and why. This notification must be made in writing. If an authorization from the student (or parent for a Direct PLUS Loan) is never received, or if the school chooses to make a post-withdrawal disbursement of loan funds per the recipient's instructions on an authorization received after the deadline, the school does not need to notify the student.

### Example of the Post-Withdrawal Disbursement Requirements

Michael drops out of school on November 5. On November 10, the school becomes aware that Michael has ceased attending. The school determines that because Michael has earned \$900 in Title IV Program assistance that he has not received, he is due a post-withdrawal disbursement of \$900. When Michael withdrew, only \$600 of the \$1,000 in Federal Pell Grant funds that could have been disbursed had been disbursed. Of the \$500 in Direct Loan funds that could have been disbursed, none had been disbursed. The school determines that Michael has \$50 in outstanding tuition charges and \$100 in outstanding library fines for the payment period. The school obtained permission from Michael at the beginning of the term (prior to his withdrawal) to credit his account for educationally related charges other than tuition, fees, and room and board. Because available grant funds must be used before available loan funds to make a post-withdrawal disbursement, the school credits Michael's account with \$150 of his Federal Pell Grant funds. On November 12 (the last date school could have sent the funds was December 24th—45 days after the date of the school's determination that the student withdrew), the school sends the remaining \$250 in Pell Grant funds to Michael. On the same day (the last date the school could have sent the notification was December 9th—30 days after the school's determination that the student withdrew), the school sends a notification to Michael stating that:

1. He is due a post-withdrawal disbursement of \$500 in Direct Loan funds to be disbursed directly to him.
2. Michael may accept all, a portion, or none of the \$500 in Direct Loan funds.
3. Any Direct Loan funds that Michael accepts will have to be repaid.
4. The school is obligated to make a post-withdrawal disbursement of loan funds only if Michael accepts the funds by November 25, which is 14 days after the school sent the notification. Note that a school may allow more than 14 days for a response.

Michael responds on November 19 and informs the school that he is accepting \$250 of the \$500 in Direct Loan funds. The school has until June 9 (180 days after November 10—the date the school determined that the student withdrew) to make the disbursement (34 CFR 668.22(a)(6)(iii)(C)). The school must document the notification and the final determination pursuant to it (whether the student accepts a partial or full disbursement or declines the entire disbursement (34 CFR 668.22(a)(6)(iv))).



## Part 2 —Title IV aid to be returned

If the student receives more federal student aid than the amount earned, the school, the student, or both must return the unearned funds in a specified order. The amount of federal student aid to be returned is determined by subtracting the amount of earned Title IV aid (Box I) from the amount of Title IV aid that was actually disbursed to the student (Box E).

### STEP 5: AMOUNT OF UNEARNED TITLE IV AID DUE FROM THE SCHOOL

When a Return of Title IV funds is due, the school and the student may both have a responsibility for returning funds. Funds that are not the responsibility of the school to return must be returned by the student. Although these requirements talk in terms of returning funds, a school is not required to actually return its share before the student. Rather, it is the Return calculation of the amount of assistance the school is responsible for returning to the Title IV accounts that must be calculated first. Thus, the student's repayment obligation is determined after the school's share is calculated.

The school must return the lesser of:

- ◆ the amount of Title IV funds that the student does not earn; or
- ◆ the amount of institutional charges that the student incurred for the payment period or period of enrollment multiplied by the percentage of funds that was not earned.

The percentage **not** earned (Box M) is determined by subtracting the percentage of Title IV aid earned (Box H) from 100%.

### *Aid disbursed to the student before institutional charges are paid*

Consider a case in which, to assist a student with living expenses, a school elects to disburse an anticipated credit balance to a student rather than pay itself for institutional charges from the first Title IV funds the school receives. Then, the student withdraws before the school receives anticipated aid from all the Title IV programs. The Return calculations indicate the school must return funds, but the school had passed through all funds to the student. **The school still must return the funds it is responsible for returning as a result of the Return calculation.**

#### **Title IV aid to be returned**

34 CFR 668.22(a)(2)

#### **Step 5: Amount of unearned Title IV aid due from the school**

34 CFR 668.22(g)

#### **Disbursement Prohibited**

A school may not disburse the proceeds of a Title IV loan when it knows that the repayment of the loan will devolve or pass to the Department. Therefore, a school may not disburse the proceeds of a Direct PLUS Loan taken out by a parent who has died, even though the student for whose benefit the loan was intended remains alive and otherwise eligible.

If a school receives the proceeds of a Direct PLUS Loan made to a parent who has died, it must return the funds to the lender, together with a letter explaining the reason it is returning the funds.

#### **A school's policy and the Return requirements**

Title IV funds are provided under the assumption that they are used to pay institutional charges ahead of all other aid.

## Institutional charges

### Institutional charges

34 CFR 668.22(g)(1)(ii)  
34 CFR 668.22(g)(2)  
DCL GEN-00-24 December 2000  
DCL GEN-12-21 November 2012

### Determining charges

34 CFR 668.22(a),  
34 CFR 668.22(g)(2)(ii) and  
DCL GEN-00-24 December 2000

### Treatment of Work-Study Funds

Federal Work-Study funds are not included in the calculation of earned Title IV funds when a student withdraws. This remains the case even if a student has granted permission for a percentage of the student's Federal Work-Study earnings to be credited to his or her account to pay educational charges.

### Fees as noninstitutional charges

Application fees are excluded from institutional charges because they are not an educational cost. (Federal Register, Volume 59, No. 82, April 29, 1994, page 22356.)

### Effect of other assistance

Federal Register, Volume 64, No. 210, November 1, 1999, page 59032

### Administrative Fees

The \$100.00 or 5% administrative fee (whichever is less) that was excludable under the former Refund and Repayment regulations is not excluded in Return of Title IV Funds calculations.

### TIP

If a student drops classes or a school drops a student's classes on the same day that the student withdraws, the dropped classes have no effect on school charges included in the Return calculation.

Institutional charges are used to determine the portion of unearned federal student aid that the school is responsible for returning. Schools must ensure the inclusion of all appropriate fees as well as applicable charges for books, supplies, materials, and equipment in Step 5, Part L of the Return calculation. (See *Institutional versus noninstitutional charges* and *Demonstrating a real and reasonable opportunity* earlier in this chapter.) Institutional charges do not affect the amount of federal student aid that a student earns when he or she withdraws.

If an institution enters into a contract with a third party to provide institutional housing, the institution must include the cost of housing as an institutional charge in a Return calculation if a student living in the third-party housing withdraws.

### Use of institutional charges in determining a school's responsibility for return

The institutional charges used in the calculation are always the charges that were assessed the student for the entire payment period or period of enrollment, as applicable, prior to the student's withdrawal. Initial charges may only be adjusted by those changes the institution made prior to the student's withdrawal (e.g., for dropping or adding a class or changing enrollment status). If, after a student withdraws, the institution changes the amount of institutional charges it assessed a student or decides to eliminate all institutional charges, those changes affect neither the charges used in the Return calculation nor aid earned in the Return calculation. (Please see *Step 3—Amount of Title IV Aid Earned by the Student*, for a further discussion of aid earned and institutional charges.)

**Institutional charges may not be reduced even if other sources of aid are used to pay those charges.** For example, a school may not reduce institutional charges when an outside agency supplying aid requires that aid to be used for tuition. The Return regulations presume Title IV program funds are used to pay institutional charges ahead of all other sources of aid.

When an institution that offers courses in a non-term credit-hour format calculates the aid for which the student is eligible, it does so using costs associated with the number of courses it expects the student to complete in the period for which aid is awarded. If the student later withdraws, **the charges entered in Step 5 of the Return calculation must include the charges for all the courses the student was initially expected to complete.**

### Effects of a post-withdrawal reduction in charges

If a student withdraws and, as a result of applying an institutional refund policy, the school reverses, reduces, or cancels a student's charges, the Return requirements still apply. The statute mandates that an otherwise eligible student who begins attendance at a school and is disbursed or could have been disbursed Title IV grant or loan funds prior to a withdrawal earns a portion of those Title IV funds. If, as a result of the withdrawal, an institution adjusts or eliminates a student's institutional charges, or changes a student's enrollment status, the changes made by the institution have no bearing on the applicability of the requirements in 34 CFR 668.22. Moreover, the charges used in the Return calculation are always the charges on the student's account prior to withdrawal. However, if a student's enrollment status changed prior to and unrelated to the withdrawal, the effect of that change on institutional charges appropriately should be reflected in any Return calculation.

### When to prorate charges

As stated previously, for students who withdraw from a non-term-based educational program, the school has the choice of performing the Return calculation on either a payment period basis or a period of enrollment basis. If a school with a non-term program chooses to base the Return calculation on a payment period but the school charges for a period longer than the payment period (most likely the period of enrollment), there may not be a specific amount that reflects the actual institutional charges incurred by the student for the payment period. In this situation, the student's institutional charges for the payment period are the prorated amount of institutional charges for the longer period. However, if a school has retained Title IV funds in excess of the institutional charges prorated amount, including allocating costs for equipment and supplies to the beginning of the program, the funds retained by the school are attributed to that payment period because they are a better measure of the student's institutional charges for that period.

### Effects of waivers on institutional charges

If your school treats a waiver as a payment of tuition and fees that have actually been charged to a student, then the waiver is considered a financial aid resource, and the full amount of the tuition and fees must be included in Step 5, Part L of the Return calculation. On the other hand, if the student is never assessed the full charges, the waiver is not considered to be financial aid, and only the actual charges would be included in the Return calculation. (See DCL GEN 00-24, December 2000, for a further discussion of waivers and the Return calculation.)

#### Prorated Charges Example

Institutional charges are \$8,000 for a non-term-based program that spans two payment periods of 450 clock hours each. The school chooses to calculate the treatment of Title IV funds on a payment period basis. A student withdraws in the first payment period. The prorated amount of institutional charges for each payment period is \$4,000. However, because of the \$1,000 in fees charged at the beginning of the period, the school has retained \$5,000 of the Title IV funds for institutional charges for the payment period. Therefore, the institutional charges for the payment period are \$5,000—the greater of the two elements from the proration calculation.

#### Waiver Example

An institution charges state residents \$900 per semester. Out-of-state students are charged an additional \$2,000 for a total of \$2,900. However, the institution grants waivers of the out-of-state charges to out-of-state athletes. The waiver is considered a payment to those charges, and the full \$2,900 would need to be included in any Return calculation.

**Order of return of Title IV funds**

34 CFR 668.22(i)

**Time frame for return of Title IV funds**

34 CFR 668.22(j)(1)

**If a School Has Not Drawn Federal Funds**

If a school has not drawn down federal funds or has made disbursements that exceed the amount the school has drawn, the school does not need to deposit funds in its federal account. Of course, the school's accounting records must show that institutional funds were used to credit the student's account.

**Return of Title IV Funds When a School Does Not Maintain a Separate Federal Bank Account**

The Department considers a school that maintains Title IV funds and general operating funds in the same bank account (commingles) to satisfy the requirement that it return unearned funds on a timely basis if:

- the school maintains subsidiary ledgers for each type of funds commingled in that account that clearly show how and when those funds were used and reconciled to its general ledger,
- the subsidiary ledger for each Title IV program provides a detailed audit trail on a student-by-student basis that reconciles to the amount of Title IV program funds received and disbursed by the school, and
- the school updates the relevant subsidiary ledger accounts in its general ledger no later than 30 days after it determines that the student withdrew.

More specifically, the return of an unearned funds transaction should be recorded as a debit to a Title IV program fund subsidiary ledger account and a credit to the school's operating fund subsidiary ledger account. The date of the return is the date this transaction is posted to the school's general ledger.

**STEP 6: RETURN OF TITLE IV FUNDS BY THE SCHOOL****Order of return of Title IV funds**

A school must return Title IV funds to the programs from which the student received aid during the payment period or period of enrollment as applicable, in the following order, up to the net amount disbursed from each source:

- ◆ Unsubsidized Direct Loans (other than Direct PLUS Loans)
- ◆ Subsidized Direct Loans
- ◆ Federal Perkins Loans
- ◆ Direct PLUS Loans
- ◆ Federal Pell Grants for which a Return is required
- ◆ Federal Supplemental Educational Opportunity Grants (FSEOG) for which a return of funds is required
- ◆ TEACH Grants for which a Return is required
- ◆ Iraq and Afghanistan Service Grant, for which a Return is required.

**Time frame for the return of Title IV funds**

A school **must** return unearned funds for which it is responsible **as soon as possible but** no later than 45 days from the determination of a student's withdrawal.

A school will be considered to have returned funds timely if the school does one of the following **as soon as possible** but no later than 45 days after the date it determines that the student withdrew:

- ◆ deposits or transfers the funds into the school's federal funds bank account, and then awards and disburses the funds to another eligible student;
- ◆ returns the funds to the Department electronically using the "Refund" function in G5; or
- ◆ issues a check to the Department.

A school is considered to have issued a check timely if the school's records show that the check was issued within 45 days of the date the school determined that the student withdrew and the date on the cancelled check shows that the bank endorsed that check no more than 60 days after the date the school determined that the student withdrew.

### **Downward adjustment of FSA grant disbursement records and Direct Loan disbursement records required**

Returns of FSA Grant funds (except FSEOG and Iraq and Afghanistan Service Grants ), other than funds that are being returned to stay in compliance with the excess cash requirements, must be offset by downward reductions in students records in COD. Likewise, all returns of Direct Loan funds must be offset by downward reductions in students records in COD.

In addition, when all or a portion of a Direct Loan is cancelled (either because the borrower requested the cancellation within the regulatory time frames or to comply with statutory or regulatory requirements), the school must make the appropriate adjustment to the student records in COD.

All returns of FSA Grants and Direct Loan funds previously disbursed (unclaimed credit balances) should be made through the G5 system.

### **Returning Direct Loan funds**

If a school is required to return Direct Loan funds to comply with a regulatory or statutory requirement, even if more than 120 days have elapsed since the disbursement date, the school must return Direct Loan funds through G5. The school returns Direct Loan funds to the Department following the same procedures the school follows when making other G5 refunds/returns.

### **Returning funds from FFEL loans purchased by the Department**

From August 2008 through September 2010, The Department purchased Federal Family Education Loan (FFEL) Program loans from FFEL loan holders. The Department has contracted with several organizations to provide loan services on these purchased FFEL loans.

If a school is required to return any portion of a FFEL Program loan that has been purchased by the Department, the money would be returned to the appropriate federal servicer for that loan.

To identify the current servicer of an FSA loan, access the NSLDS Professional Access Web site at <https://www.nslsdfap.ed.gov/nslsdfap/> and select “Aid.” Enter the student identifiers and select “Retrieve.” Under Loan History, the current loan will be listed at the top. Scroll through the loans to identify the loan for which the return is to be made, and click on the Servicer list for the loan. Contact information will display. Additional contact information for the loan servicers is available on IFAP under the Help menu (Contact Information / Service Centers for Schools, / Loan Service Centers for Schools).

#### **No de minimis provision for schools**

**TIP**

The *de minimis* provision that waives returns of grant funds from students when the original amount to be returned is less than \$50.00 does not apply to schools. A school must return the full amount owed to any Title IV program that the school is responsible for returning. However, a school does not have to return amounts of less than \$1.00.

#### **Information Required When Returning FFEL Funds to a Loan Servicer by Check**

If you cannot use the electronic process preferred by a loan’s servicer and must return the funds with a paper check, together with your check for the funds you are returning, you must include, on school letterhead, all of the following information:

1. The borrower’s name,
2. The borrower’s Social Security number,
3. The loan’s unique CommonLine ID,
4. The type of loan (subsidized, unsubsidized, Direct PLUS, etc.),
5. The period for which the loan was certified,
6. The scheduled and actual date of the disbursement,
7. The amount of the disbursement,
8. The amount being returned,
9. The reason the funds are being returned (cancellation, overpayment, withdrawal, or failed to begin class),
10. The school OPEID,
11. The name and phone number of the school official returning the funds.



### Returning funds after 240 days

*In all cases, a school will have to request permission to make a change to its Fiscal Operations Report (FISAP) after December 15 following the close of the award year.*

If FSA Grant funds (other than FSEOG and Iraq and Afghanistan Service Grants) must be returned after 240 days, a school must:

- ◆ enter the student’s revised Pell Grant award in COD;
- ◆ return the funds to the Department through G5, if applicable; and
- ◆ make the appropriate change to the FISAP (see sidebar).

Note that for Pell funds from a prior award year, a school may not use the funds for an eligible student in the current year.

If FSEOG funds must be returned after 240 days, a school must:

- ◆ enter the student’s revised FSEOG award both in the individual student’s account and the school’s FSEOG ledger;
- ◆ either return the funds to the Department through G5 OR carry them forward to the next award year; and
- ◆ make the appropriate change to the FISAP (see sidebar).

If Perkins Loan funds from a prior award year must be returned after 240 days, a school must:

- ◆ reimburse its Perkins Loan fund;
- ◆ report those funds as income in Part III, Section A of the FISAP; and
- ◆ reduce the student’s Perkins Loan balance and make an accounting entry to tie that reduction to the journal entry for the aforementioned reimbursement of its Perkins Loan fund.

The school should not make any changes to the student’s Perkins promissory note.

If a school cannot locate a student to whom it owes FWS funds the student has earned, the federal portion must be returned to the school’s FWS account. If the student comes back or the school later locates the student, the school can recover the FWS funds as long as the account for that year is still open. If the account is closed, the school must pay the student (under the wage and hour laws) using its own funds.

#### Amending a FISAP After the Close of an Award Year or After a School Has Submitted a Final FISAP for an Award Year

To amend its FISAP, a school logs in to eCB for the appropriate FISAP year and selects the appropriate Campus-Based Program from the menu on the left. After the school has made the appropriate changes, updated the totals, and saved the data, the school selects the **Submit** link on the left. The phrase **Change Request** then appears below **Submit**. The school must select **Change Request**, to move to the next prompt. After the school selects **Change Request** the system will prompt the school to explain what changes the school is making and why. The school then must provide:

- the FISAP part, section number, and line number(s) on which the changes were made;
- the amount of the change; and
- a description of the conditions that require the revision (e.g., to comply with the requirements of 34 CFR 668.22).

After providing all of the required information, the school clicks the **Submit** button and then affirms that it wants to **Continue to Submit**.

The Campus-Based staff will evaluate the school’s submission. If a school’s request is denied, the Campus-Based staff will inform the school why its request was denied. If the school’s request is approved, the Campus-Based staff will notify the school by sending an email to the individual on record as the school’s financial aid director (in Field 19) that the school’s FISAP has been unlocked and that school has five days to submit the revised working copy as the final copy.

For assistance with amending a previous year’s FISAP, schools should call the Campus-Based Call Center at:

**1-877-801-7168.**



## STEP 7: INITIAL AMOUNT OF UNEARNED TITLE IV AID DUE FROM THE STUDENT

The statute specifies that a student is responsible for all unearned Title IV program assistance that the school is not required to return. The initial amount of unearned federal student aid due from the student (or parent, for Direct PLUS Loan funds) (Box Q) is determined by subtracting the amount returned by the school (Box O) from the total amount of unearned Title IV funds to be returned (Box K). This is called the initial amount due from the student because a student does not have to return the full amount of any grant repayment due. Therefore, the student may not have to return the full initial amount due.

## STEP 8: REPAYMENT OF STUDENT LOANS

The student loans that remain outstanding (Box R) consist of the loans disbursed to the student (Box B) minus any loans the school repaid in Step 6, Block P. These outstanding loans are repaid by the student according to the terms of the student's promissory notes.

## STEP 9: TITLE IV GRANT FUNDS TO BE RETURNED BY A STUDENT

The regulations limit the amount a student must repay to the amount by which the original overpayment amount exceeds 50% of the total grant funds **disbursed or could have been disbursed** by the student for the payment period or period of enrollment.

The initial amount of unearned Title IV grant aid due from the student (Box S) is found by subtracting the loans to be repaid by the student (Box R) from the initial amount of unearned aid due from the student (Box Q).

The amount of grant overpayment due from a student is limited to the amount by which the original grant overpayment (Box S) exceeds half of the total Title IV grant funds disbursed and could have been disbursed to the student (Box F).

## STEP 10: RETURN OF TITLE GRANT FUNDS BY THE STUDENT

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### Initial amount due from student

34 CFR 668.22(h)

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### Return of funds by the student

34 CFR 668.22(h)(3)(i) and (ii)

The student is obligated to return any Title IV overpayment in the same order that is required for schools.

Grant overpayments may be resolved through:

- ◆ full and immediate repayment to the institution;
- ◆ repayment arrangements satisfactory to the school; or
- ◆ overpayment collection procedures negotiated with Debt Resolution Services.

## A SCHOOL'S RESPONSIBILITIES IN THE RETURN OF FUNDS BY THE STUDENT

*A school has responsibilities that continue beyond completing the Return calculation and returning the funds for which it is responsible. Here we discuss the institution's participation in the return of funds by the student.*

### Grant overpayments

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### Grant overpayments

34 CFR 668.22(h)(4)

The applicable regulations limit the amount of grant funds a student must repay to one-half of the grant funds the student received or could have received during the applicable period. Moreover, repayment terms for students who owe Title IV grant overpayments were established to ensure that students who could not immediately repay their debt in full had the opportunity to continue their eligibility for Title IV funds. Students who owe overpayments as a result of withdrawals initially will retain their eligibility for Title IV funds for a maximum of 45 days from the earlier of:

- ◆ the date the school sends the student notice of the overpayment, or
- ◆ the date the school was required to notify the student of the overpayment.

Within 30 days of determining that a student who withdrew must repay all or part of a Title IV grant, a school must notify the student that he or she must repay the overpayment or make satisfactory arrangements to repay it. In its notification, a school must inform the student of the following five items:

1. The student owes an overpayment of Title IV funds.
2. The student's eligibility for additional Title IV funds will end if the student fails to take positive action by the 45th day following the date the school sent or was required to send notification to the student.

3. There are three positive actions a student can take to extend his or her eligibility for Title IV funds beyond 45 days:
  - a) The student may repay the overpayment in full to the school.
  - b) The student may sign a repayment agreement with the school.

**Note: Two years is the maximum time a school may allow for repayment.**

- c) The student may sign a repayment agreement with the Department.

If the student takes no positive action during the 45-day period, the school should report the overpayment immediately to NSLDS on the NSLDS Professional Access Web site under the AID tab, “Overpayment List” menu option after the 45-day period has elapsed. (Because making this change in the NSLDS system is a simple process, we expect an institution will complete making the change within a few days of the end of the 45-day period.)

4. If the student fails to take one of the positive actions during the 45-day period, the student’s overpayment immediately must be reported to the NSLDS and referred to the Debt Resolution Services for collection.
5. The student should contact the school to discuss his or her options.

### ***When a student receives additional funds during the 45-day period of extended eligibility***

Students who owe overpayments as a result of withdrawals generally will retain their eligibility for Title IV funds for a maximum of 45 days from the earlier of (a) the date the school sends the student notice of the overpayment, or (b) the date the school was required to notify the student of the overpayment.

A student who receives Title IV funds within that period of extended eligibility and then fails to return the overpayment or make repayment arrangements becomes ineligible for additional Title IV program funds on the day following the 45-day period. However, any Title IV program funds received by the student during the 45-day period were received while the student was eligible. Therefore, those Title IV funds do not have to be returned (unless the student withdraws a second time). A student who loses his or her eligibility for Title IV funds at the expiration of the 45-day period will remain ineligible for additional Title IV funds until the student enters into a repayment agreement with the Department.

#### **45-day Period Example**

On October 30, during the fall semester, a student withdraws and owes a grant overpayment. On November 29, the school notifies the student of the overpayment. The student has 45 days (until January 13) to repay the overpayment in full or to make arrangements with the institution or the Department to repay the overpayment.

The spring semester begins on January 7, before the 45-day period ends, and the student receives Title IV aid for the spring semester on January 10. The student then fails to repay the overpayment in full or sign a repayment agreement by the end of the 45-day period—January 13. The student is not required to return the Title IV funds received on January 10. However, the student becomes ineligible for additional Title IV funds on January 14 and remains ineligible until he or she enters into a repayment agreement with the Department.



**If, at any time, a student who previously negotiated a repayment arrangement fails to comply with the terms of his or her agreement to repay, that student immediately becomes ineligible for additional Title IV funds.** Any Title IV program funds received by the student between the time the student negotiated the repayment arrangement and the time the student violated the agreement were received while the student was eligible. Therefore, those Title IV funds do not have to be returned (unless the student withdraws a second time). A student who violates the terms of a repayment agreement and loses eligibility remains ineligible for Title IV funds until the student has made satisfactory repayment arrangements with the Department.

If, in either of the two aforementioned cases, the student withdraws a second time, any unearned funds from the disbursements that were made while the student was still eligible would have to be returned in accordance with the Return requirements.

### *Student overpayments of \$50.00 or less*

A student does not have to repay a grant overpayment of \$50.00 or less for grant overpayments resulting from the student's withdrawal. As a result, a grant overpayment of \$50.00 or less will not make the student ineligible to receive Title IV, HEA program assistance should the student return to school. A school is not required to attempt recovery of that overpayment, report it to the Department's National Student Loan Data System (NSLDS), or refer it to Debt Resolution Services

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#### **Student overpayments less than \$50.00**

34 CFR 668.22(h)(3)(ii)



**These de minimis amounts are program specific.** That is, if a Return calculation resulted in a student having to return \$150.00 in Pell funds and \$40.00 in FSEOG funds, the student would have to return the Pell funds, but the FSEOG funds would be considered *de minimis* and treated as described above.

If a school is currently holding an overpayment resulting from a withdrawal for which the original amount (after the grant protection was applied) was less than \$50.00, the school should delete the overpayment in NSLDS by following these steps:

1. On the NSLDS Professional Access website go to the Aid Tab.
2. From the Overpayment List Page, select the overpayment to be deleted by clicking on the blue number icon.
3. On the Overpayment Display page, verify that this is the overpayment you want to delete, and then click the Delete button.
4. On the Overpayments Delete Confirmation page, click the Confirm Button.

This standard does not apply to remaining grant overpayment balances. That is, a student must repay a grant overpayment that has been reduced to \$50.00 or less because of payments made. An overpayment for which the original amount was more than \$50.00 that has a current balance of less than \$50.00 may not be written off.

Note: Debt Resolution Services will not accept referrals for which the original amount was less than \$25.



**This provision does not apply to funds that a school is required to return.** A school must return the full amount owed to any Title IV program that the school is responsible for returning. However, a school does not have to return amounts of less than \$1.00.

### **Examples of the Relationship Between The Date of Notification and the Expiration of the 45-Day Period**

#### **Example 1—A school sends notification to a student within the 30 days allowed.**

If a school sends notification to a student within the 30 days allowed, the 45-day period begins on the day after the school sends the notification to the student. If a school determines on August 20 that a student withdrew and owes a repayment and the school sends notification to the student on September 1 (within the 30 days allowed), then the first day of the 45-day period is September 2. Unless the student takes positive action to resolve the overpayment before the end of the 45-day period, the student loses his or her eligibility on the 45th day. Thus, in this case, the last day of the student's eligibility for Title IV funds is October 16.

#### **Example 2—A school fails to notify the student or notifies the student after the 30 days allowed.**

If the school fails to notify the student or notifies the student after the 30 days allowed, the 45-day period begins on the day after the end of the 30-day period (the date by which the school should have sent the notification to the student). Consider a school that determines on August 1 that a student withdrew on June 15. The school should have sent the student a letter by July 15. Because it failed to do so, the first day of the 45-day period is the day after the end of the 30-day period (July 16). Unless the student takes action to resolve the overpayment, the last day of the student's eligibility for Title IV funds is August 29, the end of the 45-day period that began on July 16.

**If a student agrees to a repayment arrangement and then fails to meet the terms of that arrangement, the student's eligibility ends as of the date the student fails to comply with the terms of the repayment arrangement.**



### *Payments on a student's behalf*

The grant protection always applies to the repayment of grant funds for which the student is responsible, regardless of who actually returns the funds. If an institution chooses to return all or a portion of a grant overpayment that otherwise would be the responsibility of the student to return, the grant protection still applies. If an institution returns a grant overpayment for a student, the student would no longer be considered to have a Title IV grant overpayment and, as such, no reporting to NSLDS is required and no referral to Debt Resolution Services for collection is allowed. This would be true whether the institution simply returned the overpayment for the student or returned the overpayment and created a debit on the student's school account.

### *Recording student payments and reductions in the Title IV grant programs*

For reductions and payments to awards, schools should record reductions and payments by entering a replacement value.

If, through its Return calculation, a school determines that a student has received an overpayment of Pell Grant, Iraq and Afghanistan Service Grant, or TEACH Grant funds, the school should reduce the student's award/disbursements and return the funds.

First, reduce the student's award/disbursements by entering a replacement value in the COD system. The replacement value will be the original values less only the amount the school has returned (the sum of: (a) that amount the school is responsible for returning + (b) any portion of the grant overpayment that otherwise would be the responsibility of the student but which the school has chosen to return for the student + (c) any portion of the grant overpayment the school has collected from the student). Do not reduce the award/disbursement by the amount the student must return (unless the student has made a payment).

If a school receives a payment for a current-year overpayment that has not been referred to Debt Resolution Services, the school should NOT send the payment to Debt Resolution Services. Instead, after you have reduced the student's disbursement in COD, return the unearned funds as follows:

- ◆ If your school has made repayment arrangements with a student and received a payment on a current-year overpayment, the school should deposit the funds in its Pell Grant, Iraq and Afghanistan Service Grant, or TEACH Grant account and make the appropriate entry in the COD system.



#### **Returning Funds to the Department**

Using the electronic refund function in G5 is the preferred method whenever a school must return Pell Grant, Iraq and Afghanistan Service Grant, or FSEOG funds.

Only in exceptional circumstances (and never for a current Pell Grant, Iraq and Afghanistan Service Grant, or FSEOG award) should a school return funds from a Return calculation by sending a check instead of using the electronic refund function in G5.

Contact the G5 Hotline at:  
1-888-336-8930  
(M–F 8 a.m. to 6 p.m. ET) for assistance

If, because of extraordinary circumstances, you must send a check, the G5 lockbox address for Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant and Campus-Based funds is:

**U.S. Department of Education  
P.O. Box 979053  
St. Louis, Missouri 63197-9000**

The school must note the student's name, SSN, the school's DUNS number, and the complete 11-digit Document/Program Award Number and award year on the check. A school must use a separate check for each award year.



- ◆ If a student makes a payment on any previous year's Pell Grant, Iraq and Afghanistan Service Grant, or TEACH Grant overpayment, a school makes the aforementioned COD system entry using the same software the school used to create the award. The school then returns the funds to the Department using the Electronic Refund function in G5 following the same procedures the school follows when making other G5 refunds/returns.

**TIP**

If, through its Return calculation, a school determines that a student has received an overpayment of FSEOG funds, the school must adjust its institutional ledgers, financial aid records, and the student's account by subtracting the amount the school must return (the FISAP filed for the year will reflect the net award to the student). If a student makes a payment on an FSEOG overpayment made in the current award year, the school should deposit the payment in its *federal funds account* and award the funds to other needy students. If the school collects an overpayment of an FSEOG for an award made in a **prior award year**, the funds recovered should be returned to the Department using the Electronic Refund function in G5. Payments should be applied to the award year in which the recovered funds were awarded.

For information on handling student payments after you have referred an overpayment to Debt Resolution Services, see the discussion under *Accepting payments on referred overpayments* later in this chapter.

**Reporting Reductions**

Schools can report current year adjustments for awards/disbursements either through their loan processing software or by using the COD website at

<https://cod.ed.gov>

## Recording student payments and reductions in the Direct Loan Program

If, through its Return calculation, a school determines that a student has received an overpayment of Direct Loan funds, the school should reduce the student's award/disbursements by making a downward adjustment in COD.

The school then returns the funds to the Department using the Electronic Refund function in G5 following the same procedures the school follows when making other G5 refunds/returns.

**Only in exceptional circumstances** should a school return Direct Loan funds to the Department by sending a check instead of using the electronic refund function in G5.

If a school has to return funds by check, the school must:

- use a separate check for each award year;
- make the check payable to the U.S. Department of Education;
- note the school's DUNS number, Direct Loan school code (or OPEID), and award year on each check; and
- include a completed Direct Loans Return of Cash form (available at the end of this chapter).

Note: A separate check and transmittal sheet must be used for each award year.

The address for returning Direct Loan funds by check is:

**U.S. Department of Education  
COD School Relations Center  
Attention Refunds of Cash  
P.O. Box 9001  
Niagara Falls, New York 14302**



### Discontinuing Paper Check Processing for Direct Loan Refunds of Cash Beginning January 1, 2015

In an effort to increase efficiency and improve funds control, Federal Student Aid encourages schools to refund cash electronically via the G5 website. This method is faster and more secure than manual/paper processing, and is less likely to result in errors.

Beginning January 1, 2015, FSA will no longer accept Direct Loan refunds of cash sent manually via paper check. As a result, schools should begin to update their processes to refund cash electronically via the G5 website at <https://www.g5.gov/> as soon as possible, but no later than December 31, 2014.

For additional information on refunding cash via G5, refer to the G5 website at <https://www.g5.gov/> or call the G5 Hotline at 888/336-8930 or 202/401-6238 for assistance.

For questions about refunding cash, contact the COD School Relations Center at 800/848-0978 or 571/392-3737. You may also email [CODSupport@ed.gov](mailto:CODSupport@ed.gov).



## Notifying the Department

A school is never required to enter into a repayment agreement with a student; rather, a school may refer an overpayment to the Department at any time **after** the student has had the opportunity to pay off the overpayment in full to the school or indicate his or her intent to negotiate repayment arrangements with Debt Resolution Services. However, if a school reports a student overpayment (for which a student has not negotiated repayment arrangements) to NSLDS before the 45-day period has elapsed, the student will appear to be ineligible for Title IV aid. Since students retain their eligibility for 45 days, schools should provide students with every opportunity to repay their debt or negotiate repayment arrangements before reporting it to NSLDS and referring it to Debt Resolution Services.

**Important:** Debt Resolution Services is unable to respond to a student-initiated request to negotiate a repayment arrangement until a school has referred the student's account for collection. In addition, Debt Resolution Services uses the information about the student in the NSLDS while conversing with a student.

To ensure a student overpayment has been reported and referred to the Department, when the school is communicating with a student about making repayment arrangements with ED, the school should make it clear that **the student should contact the school before contacting the Department**. Repayment agreements with the Department will include terms that permit students to repay overpayments while maintaining their eligibility for Title IV funds. Schools are encouraged to negotiate similar repayment agreements with students. However, schools' repayment arrangements with students must provide for complete repayment of the overpayments **within two years of the date** of the institutions' determination that the students withdrew.

### NSLDS

DCL GEN-98-14, July 1998

You must use the NSLDS **Professional Access** website to report overpayments. To do so, your school must have Internet access, and your Primary Destination Point Administrator (DPA) must have signed up at least one user for Overpayment updates for NSLDS online services at <https://fsawebenroll.ed.gov>.

DCL GEN-04-08 gives the most recent technical specifications.

### Reporting required



If a student is determined to have withdrawn from a school, the student is no longer considered to be enrolled and in attendance. Therefore, the student is no longer eligible for an in-school status or in-school deferment, and the school must report the student as withdrawn in NSLDS Enrollment Reporting.

34 CFR 685.309 (b) and 34 CFR 682.610 (c)

### Reporting Overpayments to NSLDS

DCL GEN-98-14, July 1998

All new Perkins Loan, Pell Grant, Iraq and Afghanistan Service Grant, TEACH Grant, and FSEOG overpayments and previously reported FSEOG overpayments for which a data element has changed must be reported.

Perkins and other data providers must meet all NSLDS reporting requirements as detailed in the appropriate operating manuals.

NSLDS reference materials are available at:

[www.ifap.ed.gov/ifap/byYear.jsp?type=nsldsmaterials&set=archive](http://www.ifap.ed.gov/ifap/byYear.jsp?type=nsldsmaterials&set=archive)

The email address for NSLDS Customer Support is:

**NSLDS@ed.gov**

The phone number for  
SCHOOL USE ONLY  
is  
**1-800-999-8219**

There are exceptions to the recommendation that a school wait the full 45 days before reporting a student overpayment through NSLDS. If, during the 45-day period, a student indicates that he or she cannot repay his or her debt in full and wishes to negotiate a repayment agreement with the Department, the school should immediately report the overpayment to NSLDS and refer the overpayment to Debt Resolution Services. Likewise, if a student contacts a school that will not be offering institutional repayment agreements and indicates that he or she cannot pay the overpayment within the 45 days, the school should immediately report the overpayment to NSLDS and refer the overpayment to Debt Resolution Services. Debt Resolution Services will need time to receive and record an overpayment before it can respond to a student inquiry. Schools should advise students to wait at least 10 days before contacting Debt Resolution Services.

After a school has reported and referred a student's overpayment, the school should provide the student with the phone number and postal address for Debt Resolution Services. A student can contact Debt Resolution Services by calling 1-800-621-3115 or by writing **Debt Resolution Services** at the following address:

**U.S. Department of Education  
Debt Resolution Services  
P.O. Box 5609  
Greenville, Texas 75403**

### ***Reporting and referring overpayments***

Referring overpayments for collection is a separate process from reporting overpayments to NSLDS. Reporting is the process of creating within NSLDS a record of a student's overpayment. Referring is the process of turning over a student's debt to Debt Resolution Services. Students who pay their debts in full during the 45-day period should neither be reported to NSLDS nor referred for collection.

A school reports overpayments to the NSLDS via the NSLDS Professional Access website. A school sends referrals to Debt Resolution Services through the U.S. Mail to the following address:

**Student Loan Processing Center – Overpayments  
P.O. Box 4157  
Greenville, Texas 75403**

If a student who owes a repayment of a Title IV grant calls Debt Resolution Services before Debt Resolution Services has received and recorded the student's overpayment, Debt Resolution Services will examine the student's record in the NSLDS. If a school has reported the overpayment to NSLDS correctly, Debt Resolution Services will inform the student that the overpayment is being processed and that the student should call back in 10 days for further information. If a student calls Debt Resolution Services before a school has reported the student's overpayment to the NSLDS, Debt Resolution Services will find no record of the overpayment and will tell the student to contact the school to resolve the discrepancy.



**A student who does not take positive action during the 45-day period becomes ineligible for Title IV funds** on the 46th day from the earlier of (1) the date the school sends a notification to the student of the overpayment; or (2) the date the school was required to notify the student of the overpayment. The student will remain ineligible until the student enters into a satisfactory repayment agreement with the Department. An overpayment resulting from a student's withdrawal remains an overpayment until it is repaid in full. Though a student may regain Title IV eligibility by negotiating and satisfying the requirements of a satisfactory repayment arrangement, the information on the student's NSLDS account will continue to reflect the status of the overpayment until the debt is repaid in full.

If a school enters into a repayment arrangement with a student who owes an overpayment, the school should immediately report the repayment arrangement using the online NSLDS Professional Access website. The school should report the status (Indicator field) of an overpayment for which it has entered a repayment agreement as "SATISFACTORY ARRANGEMENT MADE." After the information is reported to the NSLDS, any future output from the CPS (SARs and ISIRs) will show that the student owes a repayment of a Title IV grant and that the student has negotiated a satisfactory repayment arrangement with the school.

As long as the student fulfills his or her commitment under the repayment arrangement, the NSLDS overpayment status of "Satisfactory Arrangements Made" will indicate that, though the student owes an overpayment, the student remains eligible for Title IV funds. **If, at any time, a student fails to comply with the terms of the student's agreement to repay, or if the student fails to complete repayment in the two years allowed, the school must immediately update the student's overpayment status (Indicator field) to "OVERPAYMENT."** From that point on, the NSLDS will inform schools that the student is not eligible for Title IV funds.



**TIP**

All referrals to Debt Resolution Services must be made on institutional letterhead.

**TIP**

Remember to include your school's Reporting Pell Identification Number on the referral.

**Required referrals**

A school must refer to the Department/Debt Resolution Services a student who:

- ◆ does not satisfy the requirements of a repayment agreement with the school;
- ◆ fails to contact the school during the 45-day period;
- ◆ fails, during the 45-day period, to pay his or her overpayment in full or enter into a repayment arrangement; or
- ◆ fails to complete repayment in the two years allowed.

If a school is referring to Debt Resolution Services a student overpayment previously reported to NSLDS, the school must also update the information previously reported to NSLDS by changing the Source field from "School" to "Transfer." If a school is referring a student who has failed to satisfy the terms of his or her repayment agreement, the school should also change the status code (Indicator field) from "Satisfactory Arrangement Made" to "Overpayment." If a school is referring for collection a student not previously reported to NSLDS, the school must report the account to NSLDS as a referred overpayment, enter "TRF-Transfer" as the initial source in the Source field and "Overpayment" as the overpayment status (Indicator field).

To refer student overpayments for collection, schools should use a format similar to the one found near the end of this chapter (*Information Required when Referring Student Overpayments to Debt Resolution Services*) and send the document to the address at the bottom of that page. Each referral must be typed or printed and must be submitted on school letterhead.

To avoid creating a double record for a single overpayment, **the school must enter for the *Dates of Disbursements* the exact same dates the school used when it created the NSLDS record. In addition, for *award year*, a school must ensure that it enters the year the disbursement was made.**

Once Debt Resolution Services has accepted a referred student overpayment, Debt Resolution Services will transmit the information to NSLDS and "EDR Region" will replace "Transfer" as the appropriate contact source for information about the overpayment. On its Overpayment Referral, schools must provide their school's Pell Identification Number. Schools should **not** enter their Routing Identifier.

**If your school does not have a Pell ID**

If you are referring a TEACH Grant to Debt Resolution Services for collection and your school does not have a Pell ID, on the "Overpayment Referral Form," under "School Information," you must provide your OPEID.





If the student whose overpayment case has been accepted by the Department wishes to establish a repayment schedule, the student should contact Debt Resolution Services by calling:

1-800-621-3115

A student can contact us by going to: [www.myeddebt.com](http://www.myeddebt.com); selecting the *Borrower* tab, *Contact Us*, and *Secure email*.

### Summary

- ◆ If, during the 45-day period, a student repays his or her debt in full to the institution, the institution should neither report the overpayment in NSLDS nor refer the student to Debt Resolution Services.
- ◆ If, during the 45-day period, a student signs a repayment agreement with the institution, the institution should immediately (within a few days) make the appropriate entries in NSLDS using the online NSLDS Professional Access screens.
- ◆ If, during the 45-day period, a student indicates that he or she will not or cannot repay the overpayment and wishes to negotiate a repayment agreement with the Department, the institution should immediately (within a few days) report the overpayment on the NSLDS Professional Access website, and refer the overpayment to Debt Resolution Services.
- ◆ If the institution will not be offering institutional repayment arrangements to students and, during the 45-day period a student indicates that he or she cannot repay the debt in full, the institution should immediately (within a few days) report the overpayment on the NSLDS Professional Access website and refer the overpayment to Debt Resolution Services.
- ◆ If a student fails to take any positive action during the 45-day period, upon the expiration of that period, the institution should immediately (within a few days) report the overpayment on the NSLDS Professional Access website and refer the overpayment to Debt Resolution Services.
- ◆ If a student signs a repayment agreement with an institution and, at any time, then fails to fulfill the terms of that agreement, the institution should immediately (within a few days) report the overpayment on the NSLDS Professional Access website and refer the overpayment to Debt Resolution Services.

**TIP****Payment In Full**

Any time a school receives a payment (including the application of a Title IV credit balance) that will repay an overpayment in full, the school must also update its original submission to NSLDS by changing the entry on the “Overpayment Update Screen” for the Indicator Field to “Repaid.”

**Accepting payments on referred overpayments**

A school may continue to accept payment on a Title IV grant overpayment after the overpayment has been referred to the Department. (Before accepting the funds, the school should verify the Department has accepted the debt by examining the by examining the “Source” field on the NSLDS Professional Access Overpayment List screen). A school that accepts a check made out to the Department on an overpayment that has been referred to Debt Resolution Services must:

1. note the student’s name and Social Security Number (SSN) on the check;
2. indicate that the payment is for an overpayment of a Title IV grant; and
3. forward the payment to Debt Resolution Services’ National Payment Center at:

**National Payment Center  
P.O. Box 105028  
Atlanta, Georgia 30348-5028**

If a school accepts a cash payment from one or more students who owe overpayments and who have been referred to Debt Resolution Services, the school should write its own check to the Department and attach a letter indicating that the check is for a Title IV grant overpayment. The school must include in its letter a roster that includes, for each student who made a payment, the student’s name, Social Security number, and amount paid.

If a school receives a payment for an overpayment previously referred to Debt Resolution Services, and if the overpayment was made in the current award year and the payment will retire the student’s debt in full, the institution must take the following three steps:

1. deposit the payment in its appropriate institutionally maintained federal funds account;
2. make the appropriate entry in the COD system (the replacement value) and
3. send a letter or fax to Debt Resolution Services identifying the student and indicating that the student’s overpayment has been completely repaid. This will allow the Department to properly update its records in both the Debt Resolution Services system and NSLDS.

**The fax number (*this process cannot be performed via email*) for this purpose and school use only is:**

**903-454-5398**

In the fax or letter, a school must include the following six items:

1. award year of the overpayment (current award year only);
2. student's Social Security number;
3. student's last name, first name, and middle initial;
4. student's date of birth;
5. type of overpayment—Federal Pell Grant, Iraq and Afghanistan Service Grant, FSEOG, or TEACH Grant; and
6. the disbursement date the institution used to create the overpayment record in NSLDS.

### ***Corrections or recalls of referred overpayments***

If you determine that a student you referred to Debt Resolution Services does not owe an overpayment or that the amount you referred was incorrect, you should fax a letter explaining the situation to Debt Resolution Services at:

**903-454-5398**

**Important:** You should not send a revised referral form when making changes or corrections.

The letter must include the following:

- ◆ student's last name, first name and middle initial;
- ◆ student's Social Security number;
- ◆ award year of the overpayment;
- ◆ disbursement date the institution used to create the overpayment record in NSLDS;
- ◆ amount originally referred; and
- ◆ description of the issue and the requested action.

Debt Resolution Services will cease collection efforts and change the record in NSLDS so that the overpayment will be shown as “Repaid.”

**The phone number for  
Debt Resolution Services is:  
1-800-621-3115**

### *When a student loses eligibility at a former school while receiving aid at a second school*

If a student who owes a Title IV overpayment due to a withdrawal from one school receives additional Title IV aid at another school (based upon the student's having entered into an agreement with either Debt Resolution Services or the first school) and then fails to meet the requirements of the agreement, Debt Resolution Services or the school, as appropriate, will update NSLDS to show that the student is no longer eligible due to his or her violation of the agreement. The NSLDS postscreening process will then cause a new ISIR record to be created and sent to all schools listed in the CPS record.

As noted previously under *When a student receives additional funds during the 45-day period of extended eligibility*, the student loses eligibility as soon as he or she fails to meet the terms of the repayment agreement. The second school is not liable for any aid it disbursed after the student became ineligible but prior to being notified of the ineligibility via the NSLDS postscreening process.

As provided for in previous guidance (GEN-96-13, Q&A 13 and 15), once the school receives a record from NSLDS showing that a student is not eligible, it may no longer disburse Title IV aid to the student and must assist the Department in requiring the student to repay any funds he or she was not eligible to receive.

If a student who is receiving Title IV aid at an institution with which he or she has entered into a repayment agreement for a previous overpayment resulting from a withdrawal violates the terms of that agreement, the institution must immediately cease disbursing Title IV aid to the student. The school must immediately update the NSLDS record and refer the overpayment to Debt Resolution Services.

<b>Withdrawal Dates for a School that is Not Required to Take Attendance</b>			
<b>Withdrawal Type</b>	<b>Circumstance</b>	<b>Student's Withdrawal Date <sup>1</sup></b>	<b>Date of the Institution's Determination that the Student has Withdrawn</b>
<b>Official Notification</b>	The student begins the school's withdrawal process, or  The student otherwise provides official notification to the school of intent to withdraw.	The date the student begins the school's withdrawal process, or  The date that the student otherwise provides the notification.  (If both circumstances occur, use the <b>earlier</b> withdrawal date.)	The student's withdrawal date or the date of notification, whichever is <b>later</b> .
<b>Official Notification Not Provided</b>	Official notification not provided by the student because of circumstances beyond the student's control.  All other instances where student withdraws without providing official notification.	The date that the school determines is related to the circumstance beyond the student's control.  The midpoint of the payment period or period of enrollment, as applicable.	The date that the school becomes aware that the student has ceased attendance. <sup>2</sup>
<b>Leave of Absence Related</b>	The student does not return from an approved leave of absence, or  The student takes an unapproved leave of absence.	The date that the student began the leave of absence.	The earlier of the dates of the end of the leave of absence or the date the student notifies the school he or she will not be returning to that school.  (In the case of an unapproved absence, the date that the student began the leave of absence.)
<b>Withdrawal After Rescission of Official Notification</b>	The student withdraws after rescinding a previous official notification of withdrawal.	The student's original withdrawal date from the previous official notification.	The date the school becomes aware that the student did not, or will not, complete the payment period or period of enrollment.

1. In place of the dates listed, a school may always use, as a student's withdrawal date, the student's last date of attendance at an academically related activity if the school documents that the activity is academically related and that the student attended the activity.
2. For a student who withdraws without providing notification to the school, the school must determine the withdrawal date no later than 30 days after the end of the earliest of the (1) payment period or period of enrollment (as appropriate), (2) academic year, or (3) educational program.

## Sample Summary of The Requirements of 34 CFR 668.22 (To Provide Students as Part of Consumer Information)

### Treatment of Title IV Aid When a Student Withdraws

The law specifies how your school must determine the amount of Title IV program assistance that you earn if you withdraw from school. The Title IV programs that are covered by this law are: Federal Pell Grants, Iraq and Afghanistan Service Grants, TEACH Grants, Direct Loans, Direct PLUS Loans, Federal Supplemental Educational Opportunity Grants (FSEOGs), and Federal Perkins Loans.

Though your aid is posted to your account at the start of each period, you earn the funds as you complete the period. If you withdraw during your payment period or period of enrollment (your school can define these for you and tell you which one applies), the amount of Title IV program assistance that you have earned up to that point is determined by a specific formula. If you received (or your school or parent received on your behalf) less assistance than the amount that you earned, you may be able to receive those additional funds. If you received more assistance than you earned, the excess funds must be returned by the school and/or you.

The amount of assistance that you have earned is determined on a pro rata basis. For example, if you completed 30% of your payment period or period of enrollment, you earn 30% of the assistance you were originally scheduled to receive. Once you have completed more than 60% of the payment period or period of enrollment, you earn all the assistance that you were scheduled to receive for that period.

If you did not receive all of the funds that you earned, you may be due a post-withdrawal disbursement. If your post-withdrawal disbursement includes loan funds, your school must get your permission before it can disburse them. You may choose to decline some or all of the loan funds so that you don't incur additional debt. Your school may automatically use all or a portion of your post-withdrawal disbursement of grant funds for tuition, fees, and room and board charges (as contracted with the school). The school needs your permission to use the post-withdrawal grant disbursement for all other school charges. If you do not give your permission (some schools ask for this when you enroll), you will be offered the funds. However, it may be in your best interest to allow the school to keep the funds to reduce your debt at the school.

There are some Title IV funds that you were scheduled to receive that cannot be disbursed to you once you withdraw because of other eligibility requirements. For example, if you are a first-time, first-year undergraduate student and you have not completed the first 30 days of your program before you withdraw, you will not receive any Direct Loan funds that you would have received had you remained enrolled past the 30th day.

If you receive (or your school or parent receive on your behalf) excess Title IV program funds that must be returned, your school must return a portion of the excess equal to the lesser of:

1. your institutional charges multiplied by the unearned percentage of your funds, or
2. the entire amount of excess funds.

The school must return this amount even if it didn't keep this amount of your Title IV program funds.

If your school is not required to return all of the excess funds, you must return the remaining amount.



Any loan funds that you must return, you (or your parent for a Direct PLUS Loan) repay in accordance with the terms of the promissory note. That is, you make scheduled payments to the holder of the loan over a period of time.

Any amount of unearned grant funds that you must return is called an overpayment. The maximum amount of a grant overpayment that you must repay is half of the grant funds you received or were scheduled to receive. You do not have to repay a grant overpayment if the original amount of the overpayment is \$50 or less. You must make arrangements with your school or the Department of Education to return the unearned grant funds.

The requirements for Title IV program funds when you withdraw are separate from any refund policy that your school may have. Therefore, you may still owe funds to the school to cover unpaid institutional charges. Your school may also charge you for any Title IV program funds that the school was required to return. If you don't already know your school's refund policy, you should ask your school for a copy. Your school can also provide you with the requirements and procedures for officially withdrawing from school.

If you have questions about your Title IV program funds, you can call the Federal Student Aid Information Center at 1-800-4-FEDAID (1-800-433-3243). TTY users may call 1-800-730-8913. Information is also available on Student Aid on the Web at [www.studentaid.ed.gov](http://www.studentaid.ed.gov).

<b>Return of Title IV Funds Requirements and Deadlines</b>		
<b>Party Responsible</b>	<b>Requirement</b>	<b>Deadline</b>
School	<b>Determining withdrawal date</b> for student who withdraws without providing notification.	30 days after the end of the earlier of: <ul style="list-style-type: none"> <li>• Payment or enrollment period.</li> <li>• Academic year in which student withdrew.</li> <li>• Educational program from which student withdrew.</li> </ul>
School	<b>Return of unearned Title IV funds.</b>	As soon as possible but no later than 45 days after date school determined student withdrew.
School	<b>Post-withdrawal disbursement to student's account for:</b> Outstanding current (allowable) charges (tuition and fees, room and board, etc.). Minor (e.g., under \$200) prior year charges that the school has authorization to retain.	As soon as possible but no later than 180 days after the date school determined student withdrew, in accordance with requirements for disbursing Title IV funds 34 CFR 668.164.
School	<b>Written notification providing the student (or parent) the opportunity to accept all or part of a post-withdrawal disbursement of Title IV loan funds,</b> (Perkins Loan, Direct Loan, or Direct PLUS Loan) to the student's account.	Within 30 days of the school's determination that the student withdrew, 34 CFR 668.22(a)(5)(iii)(A).
School	<b>Written notification of student's eligibility for a direct post-withdrawal disbursement of Title IV loan funds in excess of outstanding current (educationally related) charges.</b>	Within 30 days of the school's determination that the student withdrew, 34 CFR 668.22(a)(5)(iii)(A).
School	<b>Post-withdrawal disbursement to student</b> for earned Title IV funds in excess of outstanding current (educationally related) charges.	From the date school determined student withdrew (1) loans as soon as possible but no later than 180 days (2) grants as soon as possible but no later than 45 days.
School	<b>Notification to student (or parent) of outcome of late request for a post-withdrawal disbursement to student</b> (request received by school after the specified period and school chooses not to make disbursement).	Not specified but as soon as possible.
School	<b>Notification to student of grant overpayment.</b>	Within 30 days of date school determined student withdrew.
School	<b>Referral of student to Debt Resolution Services</b> if student does not pay overpayment in full, does not enter into repayment agreement, or fails to meet terms of repayment agreement.	Not specified but as soon as possible.
Student (or parent)	<b>Submit response instructing school to make post-withdrawal disbursement.</b>	Within specified number of days school allows for response.
Student	<b>Return of unearned Title IV funds.</b>	Loans—according to terms of the loan. Grants—within 45 days of earlier of date school sent or was required to send notice.

<b>Return of Title IV Funds Requirements for Notification</b>		
<b>Party Responsible</b>	<b>Notification</b>	<b>Requirements</b>
School	Report of student to NSLDS if student does not pay overpayment in full, does not enter into repayment agreement, or fails to meet terms of repayment agreement.	No later than 45 days from the date student is notified of overpayment.
School	Consumer Information.	<ul style="list-style-type: none"> <li>• School's withdrawal policy.</li> <li>• School's refund policy.</li> <li>• Office(s) designated to receive official notifications of intent to withdraw.</li> <li>• Requirements regarding return of Title IV funds.</li> </ul>
School	Written notification of student's eligibility for a direct post-withdrawal disbursement of Title IV loan funds in excess of outstanding current (educationally related) charges.	<ul style="list-style-type: none"> <li>• Identify type and amount of the Title IV loan funds that will make up the post-withdrawal disbursement not credited to student's account.</li> <li>• Explain that student or parent may accept all or part of the disbursement.</li> <li>• Advise student or parent that no post-withdrawal disbursement of Title IV loan funds will be made unless school receives response within the time frame established by the school.</li> </ul>
School	Response (written or electronic) to late request for post-withdrawal disbursement (that school chooses not to make).	Outcome of request.
School	Repayment Agreement.	<ul style="list-style-type: none"> <li>• Terms permitting student to repay overpayment while maintaining eligibility for Title IV funds.</li> <li>• <b>Repayment in full within two years</b> of date school determined student withdrew.</li> </ul>
Student enrolled in a series of modules	Of intent to return to a module that begins later in the same payment period or period of enrollment	<p>Close to the date that the student ceases attendance at any point prior to completing the payment period or period of enrollment and before the school is required to return Title IV funds, offer any post-withdrawal disbursement of loan funds, or take any other action under the Return of Title IV Funds requirements.</p> <ul style="list-style-type: none"> <li>• For students enrolled in non-term and nonstandard-term programs, the later module must begin no later than 45 calendar days after the end of the module the student ceased attending.</li> <li>• For students enrolled in modules within a term, the later module must begin and end within the term.</li> </ul>

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

Student's Name <input style="width: 90%;" type="text"/>	Social Security Number <input style="width: 90%;" type="text"/>
Date form completed <input style="width: 25%; text-align: center;" type="text"/> / <input style="width: 25%; text-align: center;" type="text"/> / <input style="width: 25%; text-align: center;" type="text"/>	Date of school's determination that student withdrew <input style="width: 25%; text-align: center;" type="text"/> / <input style="width: 25%; text-align: center;" type="text"/> / <input style="width: 25%; text-align: center;" type="text"/>
Period used for calculation (check one) <input type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	
1. Pell Grant	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<b>E. Total Title IV aid disbursed for the period.</b> <input style="width: 90%;" type="text"/> <b>A.</b> + <input style="width: 90%;" type="text"/> <b>B.</b> <hr/> <input style="width: 90%; text-align: right;" type="text"/> <b>E. \$</b> .
2. Academic Competitiveness Grant			
3. National SMART Grant			
4. FSEOG			
5. TEACH Grant			
6. Iraq and Afghanistan Service Grant			
<b>A.</b> <input style="width: 90%;" type="text"/>		<b>C.</b> <input style="width: 90%;" type="text"/>	
Subtotal		Subtotal	
+ <input style="width: 90%; text-align: right;" type="text"/> <b>F. \$</b> .			
<b>F. Total Title IV grant aid disbursed and that could have been disbursed for the period.</b>			
+ <input style="width: 90%;" type="text"/> <b>A.</b>			
+ <input style="width: 90%;" type="text"/> <b>C.</b>			
= <input style="width: 90%; text-align: right;" type="text"/> <b>F. \$</b> .			
<b>G. Total Title IV aid disbursed and that could have been disbursed for the period.</b>			
+ <input style="width: 90%;" type="text"/> <b>A.</b>			
+ <input style="width: 90%;" type="text"/> <b>B.</b>			
+ <input style="width: 90%;" type="text"/> <b>C.</b>			
+ <input style="width: 90%;" type="text"/> <b>D.</b>			
= <input style="width: 90%; text-align: right;" type="text"/> <b>G. \$</b> .			

Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	
7. Unsubsidized Direct Loan	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	+ <input style="width: 90%; text-align: right;" type="text"/> <b>D.</b> = <input style="width: 90%; text-align: right;" type="text"/> <b>G. \$</b> .
8. Subsidized Direct Loan			
9. Perkins Loan			
10. Direct Grad PLUS Loan			
11. Direct Parent PLUS Loan			
<b>B.</b> <input style="width: 90%;" type="text"/>			
Subtotal		Subtotal	

## STEP 2: Percentage of Title IV Aid Earned

<input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/>	<input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/>	<input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/> / <input style="width: 30%; text-align: center;" type="text"/>
Start date	Scheduled end date	Date of withdrawal

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
 Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

<input style="width: 90%;" type="text"/>	$\div$	<input style="width: 90%;" type="text"/>	$=$	<input style="width: 90%; text-align: right;" type="text"/> . %
Completed days		Total days		

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.**  . %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

<input style="width: 90%;" type="text"/> %	$\times$	<input style="width: 90%;" type="text"/>	$=$	<input style="width: 90%; text-align: right;" type="text"/> <b>I. \$</b> .
Box H		Box G		

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
 From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

<input style="width: 90%;" type="text"/>	$-$	<input style="width: 90%;" type="text"/>	$=$	<input style="width: 90%; text-align: right;" type="text"/> <b>J. \$</b> .
Box I		Box E		

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal disbursement tracking sheet).

*Step 4 continued ▶*

Student's Name

Social Security Number

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

-  = **K.\$** .

Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

<b>L. Institutional charges for the period</b>	Tuition	<input type="text"/>
	Room	<input type="text"/>
	Board	<input type="text"/>
	Other	<input type="text"/>
	Other	<input type="text"/>
	Other	<input type="text"/>

**Total Institutional Charges** = **L.\$**

*(Add all the charges together)*

**M. Percentage of unearned Title IV aid**

100% -  % = **M.** . %

Box H

**N. Amount of unearned charges**

Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).

X  % = **N.\$** .

Box L                      Box M

**O. Amount for school to return**

Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N), and enter the lesser amount.

**O.\$** .

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

**Title IV Programs**

	<small>Amount for School to Return</small>
1. Unsubsidized Direct Loan	<input type="text"/>
2. Subsidized Direct Staff Loan	<input type="text"/>
3. Perkins Loan	<input type="text"/>
4. Direct Grad PLUS Loan	<input type="text"/>
5. Direct Parent PLUS Loan	<input type="text"/>

**Total loans the school must return** = **P.\$** .

6. Pell Grant	<input type="text"/>
7. Academic Competitiveness Grant	<input type="text"/>
8. National SMART Grant	<input type="text"/>
9. FSEOG	<input type="text"/>
10. TEACH Grant	<input type="text"/>
11. Iraq & Afghanistan Service Grant	<input type="text"/>

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

-  = **Q.\$** .

Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

-  = **R.\$** .

Box B                      Box P

▶ If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**

From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

-  = **S.\$** .

Box Q                      Box R

**T. Amount of Title IV grant protection**

Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

X **50%** = **T.\$** .

Box F

**U. Title IV grant funds for student to return**

From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

-  = **U.\$** .

Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

**Title IV Grant Programs**

	<small>Amount To Return</small>
1. Pell Grant	<input type="text"/>
2. Academic Competitiveness Grant	<input type="text"/>
3. National SMART Grant	<input type="text"/>
4. FSEOG	<input type="text"/>
5. TEACH Grant	<input type="text"/>
6. Iraq and Afghanistan Service Grant	<input type="text"/>

**POST-WITHDRAWAL DISBURSEMENT TRACKING SHEET**Student's Name Social Security Number 

Date of school's determination that student withdrew

 /  / **I. Amount of post-withdrawal Disbursement (PWD)**Amount from "Box J" of the Treatment of Title IV Funds When a Student Withdraws worksheet **Box 1**\$  . **II. Outstanding Charges For Educationally Related Expenses Remaining On Student's Account**

Total Outstanding Charges Scheduled to be Paid from PWD

**Box 2**\$  . *(Note: Prior-year charges cannot exceed \$200.)***III. Post-withdrawal Disbursement Offered Directly to Student and/or Parent**

From the total post-withdrawal Disbursement due (Box 1), subtract the post-withdrawal Disbursement to be credited to the student's account (Box 2) . This is the amount you must make to the student (grant) or offer to the student or parent (Loan) as a Direct Disbursement.

\$  . 

-

\$  . 

=

**Box 3**\$  . 

Box 1

Box 2

**IV. Allocation of post-withdrawal Disbursement**

Type of Aid	Loan Amount School Seeks to Credit to Account	Loan Amount Authorized to Credit to Account	Title IV Aid Credited to Account	Loan Amount Offered as Direct Disbursement	Loan Amount Accepted as Direct Disbursement	Title IV Aid Disbursed Directly to Student
Pell Grant	N/A	N/A		N/A	N/A	
ACG	N/A	N/A		N/A	N/A	
National SMART Grant	N/A	N/A		N/A	N/A	
FSEOG	N/A	N/A		N/A	N/A	
TEACH Grant	N/A	N/A		N/A	N/A	
Iraq and Afghanistan Service Grant	N/A	N/A		N/A	N/A	
Perkins						
Subsidized Direct Loan						
Unsubsidized Direct Loan						
Direct Grad PLUS Loan						
Direct Parent PLUS Loan						
<b>Totals</b>						

**V. Authorizations and Notifications**

Post-withdrawal disbursement loan notification sent to student and/or parent on

 /  / 

Deadline for student and/or parent to respond

 /  /  Response received from student and/or parent on /  /  Response not received School does not accept late response**VI. Date Funds Sent**

Date Direct Disbursement mailed or transferred

Grant

 /  / 

Loan

 /  /



# Treatment Of Title IV Funds When A Student Withdraws From A Clock-Hour Program

Student's Name <input style="width: 90%;" type="text"/>	Social Security Number <input style="width: 90%;" type="text"/>
Date form completed <input style="width: 80%;" type="text"/>	Date of school's determination that student withdrew <input style="width: 80%;" type="text"/>
Period used for calculation (check one) <input type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	
1. Pell Grant	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<b>E. Total Title IV aid disbursed for the period.</b> <input style="width: 100%;" type="text"/> <b>+</b> <input style="width: 100%;" type="text"/> <b>= E. \$</b> <input style="width: 100%;" type="text"/>
2. Academic Competitiveness Grant			
3. National SMART Grant			
4. FSEOG			
5. TEACH Grant			
6. Iraq and Afghanistan Service Grant			
<b>A.</b> <input style="width: 100%;" type="text"/>	Subtotal	<b>C.</b> <input style="width: 100%;" type="text"/>	Subtotal
<b>= F. \$</b> <input style="width: 100%;" type="text"/>			
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	
7. Unsubsidized Direct Loan	<input style="width: 100%; height: 100%;" type="text"/>	<input style="width: 100%; height: 100%;" type="text"/>	<b>G. Total Title IV aid disbursed and that could have been disbursed for the period.</b> <input style="width: 100%;" type="text"/> <b>+</b> <input style="width: 100%;" type="text"/> <b>= G. \$</b> <input style="width: 100%;" type="text"/>
8. Subsidized Direct Loan			
9. Perkins Loan			
10. Direct Grad PLUS Loan			
11. Direct Parent PLUS Loan			
<b>B.</b> <input style="width: 100%;" type="text"/>			
<b>= G. \$</b> <input style="width: 100%;" type="text"/>			

## STEP 2: Percentage of Title IV Aid Earned

**Withdrawal date**

**H. Determine the percentage of the period completed:**  
Divide the clock hours scheduled to have been completed as of the withdrawal date in the period by the total clock hours in the period.

÷  =  %  
Hours scheduled to complete                      Total hours in period

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.**

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

% X  = **I. \$**

Box H                      Box G

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

### J. Post-withdrawal disbursement

From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

-  = **J. \$**

Box I                      Box E

If there's an entry for "J," **Stop here**, and enter the amount in Box 1 on Page 3 (Post-withdrawal disbursement tracking sheet).

### K. Title IV aid to be returned

From the Total Title IV aid disbursed for the period (Box E) subtract the Amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

-  = **K. \$**

Box E                      Box I

Student's Name

Social Security Number

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**L. Institutional charges for the period**

Tuition	<input type="text"/>
Room	<input type="text"/>
Board	<input type="text"/>
Other	<input type="text"/>
Other	<input type="text"/>
Other	<input type="text"/>

Total Institutional Charges (Add all the charges together) = **L.\$**

**M. Percentage of unearned Title IV aid**

100% -  % = **M.**  %

Box H

**N. Amount of unearned charges**

Multiply institutional charges for the period (Box L) by the Percentage of unearned Title IV aid (Box M).

**x**  % = **N.\$**

Box L                      Box M

**O. Amount for school to return**

Compare the amount of Title IV aid to be returned (Box K) to Amount of unearned charges (Box N), and enter the lesser amount.

**O.\$**

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized Direct Loan	<input type="text"/>
2. Subsidized Direct Loan	<input type="text"/>
3. Perkins Loan	<input type="text"/>
4. Direct Graduate PLUS Loan	<input type="text"/>
5. Direct Parent PLUS Loan	<input type="text"/>

Total loans the school must return = **P.\$**

6. Pell Grant	<input type="text"/>
7. Academic Competitiveness Grant	<input type="text"/>
8. National SMART Grant	<input type="text"/>
9. FSEOG	<input type="text"/>
10. TEACH Grant	<input type="text"/>
11. Iraq and Afghanistan Service Grant	<input type="text"/>

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

-  = **Q.\$**

Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8.

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

-  = **R.\$**

Box B                      Box P

- ▶ If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.
- ▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**

From the Initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

-  = **S.**

Box Q                      Box R

**T. Amount of Title IV grant protection**

Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

**x**  50% = **T.**

Box F

**U. Title IV grant funds for student to return**

From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

-  = **U.**

Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	<input type="text"/>
2. Academic Competitiveness Grant	<input type="text"/>
3. National SMART Grant	<input type="text"/>
4. FSEOG	<input type="text"/>
5. TEACH Grant	<input type="text"/>
6. Iraq and Afghanistan Service Grant	<input type="text"/>

**POST-WITHDRAWAL DISBURSEMENT TRACKING SHEET**

Student's Name	Social Security Number
Date of school's determination that student withdrew	/ /

**I. Amount of post-withdrawal Disbursement (PWD)**

Amount from "Box J" of the Treatment of Title IV Funds When a Student Withdraws worksheet **Box 1** \$ .

**II. Outstanding Charges For Educationally Related Expenses Remaining On Student's Account**

Total Outstanding Charges Scheduled to be Paid from PWD **Box 2** \$ .  
*(Note: Prior-year charges cannot exceed \$200.)*

**III. Post-withdrawal Disbursement Offered Directly to Student and/or Parent**

From the total post-withdrawal Disbursement due (Box 1), subtract the post-withdrawal Disbursement to be credited to the student's account (Box 2) . This is the amount you must make to the student (grant) or offer to the student or parent (Loan) as a Direct Disbursement.

\$ .      -      \$ .      =      **Box 3**      \$ .  
 Box 1                                      Box 2

**IV. Allocation of post-withdrawal Disbursement**

Type of Aid	Loan Amount School Seeks to Credit to Account	Loan Amount Authorized to Credit to Account	Title IV Aid Credited to Account	Loan Amount Offered as Direct Disbursement	Loan Amount Accepted as Direct Disbursement	Title IV Aid Disbursed Directly to Student
Pell Grant	N/A	N/A		N/A	N/A	
ACG	N/A	N/A		N/A	N/A	
National SMART Grant	N/A	N/A		N/A	N/A	
FSEOG	N/A	N/A		N/A	N/A	
TEACH Grant	N/A	N/A		N/A	N/A	
Iraq & Afghanistan Svc. Grant	N/A	N/A		N/A	N/A	
Perkins						
Subsidized Direct Loan						
Unsubsidized Direct Loan						
Direct Grad PLUS Loan						
Direct Parent PLUS Loan						
<b>Totals</b>						

**V. Authorizations and Notifications**

Post-withdrawal disbursement loan notification sent to student and/or parent on / /

Deadline for student and/or parent to respond / /

Response received from student and/or parent on / /     
  Response not received  
 School does not accept late response

**VI. Date Funds Sent**

Date Direct Disbursement mailed or transferred      Grant / /      Loan / /

# Information Required when Referring Student Overpayments to Debt Resolution Services

## Student Information

Name (Last, First, MI): \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Social Security Number: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

If the overpayment includes an Academic Competitiveness, National SMART, or TEACH Grant, enter the Award Identifier (**ID**) used when the award was created in COD.

ACG Award ID: \_\_\_\_\_ National SMART Grant Award ID: \_\_\_\_\_

TEACH Award ID: \_\_\_\_\_

## Parent/Spouse Information

Name (Last, First, MI): \_\_\_\_\_ Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

## School Information

If your Pell Reporting ID is different than your Pell Attended ID, please provide both. Otherwise, just report the Pell Attended ID.

Reporting School's Pell ID Number: \_\_\_\_\_ Attending School's Pell ID Number: \_\_\_\_\_

**If your school does not have a Pell ID, enter your OPE ID:** \_\_\_\_\_

Name of Contact: \_\_\_\_\_ Telephone Number: \_\_\_\_\_

## Disbursements and Repayments

	Pell Grant	ACG or National SMART Grant <span style="color: red;">(Specify)</span>	Iraq and Afghanistan Service Grant	FSEOG <sup>1</sup>	TEACH Grant
Award year in which overpayment was disbursed:	_____	_____	_____	_____	_____
Total grant disbursed:	_____	_____	_____	_____	_____
Dates of disbursement: <span style="color: red;">(Must match NSLDS overpayment record)</span>	_____	_____	_____	_____	_____
Overpayment amount owed by student *	_____	_____	_____	_____	_____
Total grant repaid by student to school, if any:	_____	_____	_____	_____	_____
Date of last payment to school, if any:	_____	_____	_____	_____	_____
<b>Total being referred for collection:</b>	_____	_____	_____	_____	_____

<sup>1</sup> If using individual or aggregate matching, report federal share only. Otherwise report total FSEOG.

\* If the overpayment is the result of a withdrawal, provide the date of the withdrawal / /

If the overpayment is **not** the result of a withdrawal, please provide a brief explanation of the reason for the overpayment.

\_\_\_\_\_

SEND INFORMATION TO ➡ Student Loan Processing Center-Overpayments  
P.O. Box 4157  
Greenville, Texas 75403

903-454-5398    ⬅ FAX

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# Case Studies in Withdrawal and Return of Title IV Aid

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## CHAPTER 2

### **Case Study 1: Penny Jones**

Calculating the return of Title IV funds for a student attending a two-year community college (semester) who is receiving Title IV grants and loans (partially disbursed), and is due a post-withdrawal disbursement.

### **Case Study 2: Bob Ellison**

Calculating the return of Title IV funds when a student receiving Title IV grants and loans at a low-cost public community college that measures progress in credit hours withdraws and both the school and the student must return grant funds.

### **Case Study 3: Richard Sherman**

When a student receiving Title IV grants and loans at a school that uses the aggregate method for matching the school's FSEOG federal allocation withdraws unofficially.

### **Case Study 4: Harry Springer**

When a student receiving Title IV grants and loans at a school that measures academic progress in clock hours and performs its Return calculations on a period of enrollment basis withdraws unofficially.

### **Case Study 5: Jordan Aire**

When a student receiving Title IV grants and loans at a school that measures academic progress in clock hours and performs its Return calculations on a payment period basis withdraws unofficially.

### **Case Studies 6 and 7: Thompson S. Hunter**

When a student receiving Title IV grants at a school that utilizes a term-based modular course structure, measures academic progress in credit hours, and performs its Return calculations on a payment period basis officially withdraws, returns, and withdraws again.

### **Case Study 8: Eli Kraut**

When a student receiving Title IV grants at a school that utilizes a non-term modular course structure, measures academic progress in credit hours, and performs its Return calculations on a payment period basis officially withdraws.

### **Case Study 9 Steve Henderson**

When a student receiving Title IV grants at a school that utilizes a non-term modular course structure, measures academic progress in credit hours and performs its Return calculations on a payment period basis officially withdraws.

## CASE STUDY 1: PENNY JONES

*Calculating the return of Title IV funds for a student attending a two-year community college (semester) who is receiving Title IV grants and loans (partially disbursed), and is due a post-withdrawal disbursement.*

### Learning Objectives

Learn to complete STEPs 1 – 4 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet and be able to:

- identify the basic information needed to complete the worksheet, including the withdrawal date and date of the institution's determination that the student withdrew;
- calculate the percentage of the payment period or period of enrollment the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned;
- determine the amount to be offered to the student or returned; and
- identify the information a school must maintain in its files when a student is eligible for a post-withdrawal disbursement, and complete a Post-withdrawal Tracking Sheet.

#### School Profile

Everyone Should Have an Education Community College (ESECC) is a two-year, public, semester-based institution that measures academic progress in credit hours.

Academic Year (AY)/Program	2 semesters 32 weeks
Period	16 weeks 110 calendar days
Period Start Date	August 23
Institutionally Scheduled Break	None
Required to Take Attendance	No

\*The school's AY is 32 weeks and 24 semester hours.



### Student Profile

Penny Jones is a first-year student in Virginia. Charges to her account for the first semester are as follows:

Tuition and Fees	\$	1,000.00/16-week semester
Technology Fee	\$	100.00/16-week semester
Books and Supplies	\$	400.00/16-week semester
Health Insurance	\$	200.00/academic year

Charges remaining on Penny's account after the withdrawal:

Tuition	\$	100.00
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School Authorized to Credit  
Account for Other Charges: Yes (all charges)

Penny's financial aid package included the following annual awards:

Pell Grant	\$	2,000.00
Direct Subsidized Loan	\$	3,500.00
State Grant	\$	500.00
College Grant	\$	200.00

### Discussion

On the first day of the fall semester, August 23, Penny received the following disbursements to her student account:

Pell Grant	\$	1,000.00
Direct Subsidized Loan	\$	0.00
State Grant	\$	500.00
College Grant	\$	100.00

Although Penny is grateful for the assistance, she is concerned about meeting her living costs for the year.

On October 8, Penny came to the Financial Aid Office to advise that she doesn't think she is doing very well and is considering dropping out prior to November 1, the last day to withdraw from classes without academic penalty. To help her make a decision, she requests information on the withdrawal process. You are fairly certain that Penny is having a hard time adjusting to college life and want to encourage her to hang in until the end of the semester, December 10. After you provide her preliminary information, you ask her if it is her intent to withdraw. Penny says that she needs some time to think it over and makes a follow-up appointment for October 13.

When Penny comes to see you on October 13, she indicates that the last class she attended was on September 30. Because she doesn't see how she can get caught up on the work she's missed, she is adamant about withdrawing, so you give her instructions on completing the college's official withdrawal process and advise her where she can get the appropriate forms. Penny picks up the forms from the registrar on October 14. She turns the completed forms in on October 15.

Let's review some basic information about Penny as well as our learning objectives for this case. Penny attended a two-year community college, which was on the semester system. Students earned academic credits based on credit hours taken. Before withdrawing, Penny received her Pell Grant disbursement but not her Direct Loan.

The first thing we'll need to do is to decide on the date of the school's determination that Penny withdrew. Then, we'll complete Step 1: Student's Title IV Aid Information, which includes:

- Title IV aid disbursed, and
- Title IV aid that could have been disbursed.

### Solution

The date of the institution's determination is the date you were advised by Penny that she had decided to withdraw (October 13). On the earlier date, October 8, she was only thinking about withdrawing.

Date of the institution's determination that the student withdrew = October 13.

Note that for a student who provides notification to the institution of his or her withdrawal, the *date of determination* is the student's withdrawal date, or the date of notification of withdrawal, whichever is later (34 CFR 668.22(l)(3)(i)). In this case, the dates are identical, October 13.

The withdrawal date for Title IV purposes, October 13, is described in *Step 2*.

### STEP 1: Student's Title IV Aid Information

<b>Box A.</b>	Title IV grants aid disbursed –	
	Pell Grant	\$ 1,000.00

<b>A.</b>	=	\$ 1,000.00
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**Box B.** Net Title IV loans disbursed = \$ 0.00

**Box C.** Title IV grants that could have been disbursed = \$ 0.00

**Box D.** Penny's Direct Loan had not been disbursed yet. But, she was eligible for the disbursement. Net Title IV loans that could have been disbursed = \$1,750.00

$$D = \$ 1,750.00$$

**Box E.** Although Penny also received disbursements of state and institutional aid, only Title IV aid is considered in the return of funds calculation. Title IV aid disbursed = \$1,000.00.

$$E = \$ 1,000.00$$

**Box F.** Box F is equal to the \$1,000.00 from Box A plus \$0.00 from Box C. Box F = \$1,000.

$$F = \$ 1,000.00$$

**Box G.** Both the disbursed Pell (Box A) and undisbursed Direct Loan (Box D) are included in Box G. Total Title IV aid disbursed plus Title IV aid that could have been disbursed = \$2,750.

Pell Grant (Box A)	\$ 1,000.00
Direct Subsidized Loan (Box D)	\$ 1,750.00

	\$ 1,750.00
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Total Title IV aid disbursed plus could have been disbursed (Box G)	\$ 2,750.00
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$$G = \$ 2,750.00$$

## STEP 2: Percentage of Title IV Aid Earned

1. Payment period start date = August 23
2. Payment period end date = December 10
3. Withdrawal date = October 13

**Note:** Since ESECC does not take attendance and is not required by an outside entity to take attendance, the withdrawal date is the date Penny began the official school withdrawal process. **Since the school includes the financial aid office as one of those places where the student can begin the withdrawal process, Penny's withdrawal date is October 13.**

Although the school's refund policy is that the withdrawal date is the date a student turns in the signed withdrawal forms—which she did on October 15—that date is superseded for a student receiving Title IV aid by the federal requirement to use the date the student begins the withdrawal process or otherwise provides official notification (October 13).

Although Penny stopped attending classes on September 30, she didn't notify the school (begin the official withdrawal process) until October 13. When she came to see you on October 8, she was only thinking about withdrawing.

Of course, the school could have documented a last date of attendance at an academically-related activity and used that as her withdrawal date if it so chose.

**Box H.** Percentage of payment period completed

- Since the student attended a credit-hour school, the percentage of aid completed is calculated by dividing the number of calendar days completed by the total number of calendar days in the payment period. Number of calendar days completed in payment period = 52 (August 23 – October 13).
- Because the semester does not include a scheduled break of five or more consecutive days, all of the calendar days in the period from August 23 to December 10 are counted. Number of calendar days in payment period = 110.

**Note:** Days in a period are counted as follows:

1. the first day of the payment period is the first scheduled day of academically related activity;
  2. the last day of the payment period is the last scheduled day of academically related activity;
  3. the school must count the date of withdrawal as a date of attendance.
- $52 \text{ days} \div 110 \text{ days} = .4727$ , rounded to .473, or 47.3%. Percentage of payment period completed = 47.3%.

Because this percentage 60% or less, the Percentage of Title IV aid earned,

$$H = 47.3\%$$

**STEP 3: Amount of Title IV Aid Earned by the Student**

**Box I.**  $47.3\%$  (Percentage of Title IV aid earned from Box H) X  $\$2,750.00$  (Total Title IV aid disbursed plus Title IV aid that could have been disbursed from Box G) =  $\$1,300.75$ .  
Amount of Title IV aid earned by the student (Box I) =  $\$1,300.75$ .

$$I = \$1,300.75$$

**STEP 4: Total Title IV Aid to Be Disbursed or Returned**

**Box J.** Because the total aid earned (Box I) is greater than the total aid disbursed (Box E), Penny is due a post-withdrawal disbursement.  $\$1,300.75$  (Box I) –  $\$1,000.00$  (Box E) =  $\$300.75$ .  
post-withdrawal disbursement (Box J) =  $\$300.75$ .

$$J = \$300.75$$

If a post-withdrawal disbursement is due the student, you stop here on the worksheet. Your next step is to begin compiling the information a school must maintain in its files when a student is eligible for a post-withdrawal disbursement (ESECC has chosen to use FSA's Post-withdrawal Tracking Sheet), and providing the required notifications to the student.

## THE POST-WITHDRAWAL DISBURSEMENT TRACKING SHEET

The FAO performed the Return calculation on October 15 and determined that Penny was eligible for a post-withdrawal disbursement of \$300.75 (STEP 4, Box J).

Because the post-withdrawal disbursement would be composed entirely of loan funds, the school could not credit any funds to Penny's account or disburse any funds to her directly without sending Penny written notification advising her of her responsibility to repay the funds and obtaining Penny's confirmation that she still wanted them.

Therefore, on October 20, the school sent Penny a letter explaining that:

- she was eligible for a post-withdrawal disbursement of Subsidized Direct Loan funds in the amount of \$300.75;
- she could accept some or all of the funds;
- Penny was obligated to repay any loan funds she accepted;
- if she accepted the disbursement, \$100 would be credited to her account for unpaid charges and that Penny could not receive that \$100;
- if she accepted the disbursement, the school would make a direct disbursement directly to her of \$200.75; and
- she has until November 13 (24 days from the day the school mailed the letter)<sup>1</sup> to accept the disbursement, and that if her response was received after that date, the school did not have to make the disbursement.

On November 13, the school received confirmation from Penny that she accepted all of the funds.

On November 15, the school drew down \$300.75 in Subsidized Direct Loan funds through G5, credited the \$300.75 to Penny's account, took \$100 for unpaid charges and sent Penny a check for the credit balance of \$200.75. (Note that the school could have drawn down the funds, credited the student's account with \$100.00, and sent the student the balance of \$200.75, but we do not require a school to deviate from its normal cash management procedures and establish a different type of audit trail for post-withdrawal disbursements.)

The FAO placed a record of all the aforementioned in Penny's permanent financial aid file.

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<sup>1</sup> The regulations now allow a school to set a deadline later than 14 days, provided the later deadline applies to both confirmation of loan disbursements to the student's account and direct disbursements of a post-withdrawal disbursement.

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

<b>Student's Name</b>	Penny Jones	<b>Social Security Number</b>	Example 1
<b>Date form completed</b>	10 / 15 /	<b>Date of school's determination that student withdrew</b>	10 / 13 /
<b>Period used for calculation (check one)</b>	<input checked="" type="checkbox"/> <b>Payment period</b>	<input type="checkbox"/> <b>Period of enrollment</b>	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	1,000.00		A. 1,000.00
2. Academic Competitiveness Grant			+ B. 00.00
3. National SMART Grant			E. \$ 1,000.00
4. FSEOG			
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b>	1,000.00	<b>C.</b> 00.00	<b>F.</b> Total Title IV grant aid disbursed and that could have been disbursed for the period.
Subtotal		Subtotal	+ <b>C.</b> 00.00
			= <b>F.</b> \$ 1,000.00
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could have been disbursed for the period.
7. Unsubsidized FFEL/Direct Stafford Loan		1,750.00	A. 1,000.00
8. Subsidized FFEL/Direct Stafford Loan			B. 00.00
9. Perkins Loan			C. 00.00
10. FFEL/Direct PLUS (Graduate Student)			+ D. 1,750.00
11. FFEL/Direct PLUS (Parent)			= <b>G.</b> \$ 2,750.00
<b>B.</b>	00.00	<b>D.</b> 1,750.00	
Subtotal		Subtotal	

## STEP 2: Percentage of Title IV Aid Earned

08 / 23 /	12 / 10 /	10 / 13 /
Start date	Scheduled end date	Date of withdrawal

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

52	÷	110	=	47.3	%
Completed days		Total days			

▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.

▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

<b>H.</b>	47.3	%
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## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

47.3	%	X	2,750.00	=	<b>I.</b> \$ 1,300.75
Box H			Box G		

## STEP 4: Total Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

1,300.75	-	1,000.00	=	<b>J.</b> \$ 300.75
Box I		Box E		

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

*Step 4 continued ▶*



**POST-WITHDRAWAL DISBURSEMENT TRACKING SHEET**

Student's Name	PENNY JONES	Social Security Number	EXAMPLE 1
Date of school's determination that student withdrew	10 / 13 /		

**I. Amount of Post-Withdrawal disbursement (PWD)**

Amount from "Box J" of the Treatment of Title IV Funds When a Student Withdraws worksheet **Box 1**

**II. Outstanding Charges For Educationally Related Expenses Remaining On Student's Account**

Total Outstanding Charges Scheduled to be Paid from PWD **Box 2**   
*(Note: Prior-year charges cannot exceed \$200.)*

**III. Post-withdrawal Disbursement Offered Directly to Student and/or Parent**

From the total post-withdrawal disbursement due (Box 1), subtract the post-withdrawal disbursement to be credited to the student's account (Box 2). This is the amount you must make to the student (grant) or offer to the student or parent (Loan) as a Direct Disbursement.

**Box 1**    **−**     **Box 2**    **=**    **Box 3**   

**IV. Allocation of Post-withdrawal Disbursement**

Type of Aid	Loan Amount School Seeks to Credit to Account	Loan Amount Authorized to Credit to Account	Title IV Aid Credited to Account	Loan Amount Offered as Direct Disbursement	Loan Amount Accepted as Direct Disbursement	Title IV Aid Disbursed Directly to Student
Pell Grant	N/A	N/A		N/A	N/A	
ACG	N/A	N/A		N/A	N/A	
National SMART Grant	N/A	N/A		N/A	N/A	
FSEOG	N/A	N/A		N/A	N/A	
TEACH Grant	N/A	N/A		N/A	N/A	
Iraq Afghanistan Svc. Grant	N/A	N/A		N/A	N/A	
Perkins						
Subsidized FFEL / Direct			\$100.00	\$100.00	\$ 200.75	\$200.75
Unsubsidized FFEL / Direct						
FFEL / Direct Grad Plus						
FFEL / Direct Parent Plus						
<b>Totals</b>						

**V. Authorizations and Notifications**

Post-withdrawal disbursement loan notification sent to student and/or parent on

Deadline for student and/or parent to respond

Response received from student and/or parent on 
 Response not received  
 School does not accept late response

**VI. Date Funds Sent**

Date Direct Disbursement mailed or transferred Grant  Loan

## CASE STUDY 2: BOB ELLISON

*Calculating the return of Title IV funds when a student receiving Title IV grants and loans at a low-cost public community college that measures progress in credit hours withdraws and both the school and the student must return grant funds.*

### Learning Objectives

Learn to complete STEPs 1–10 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet and be able to:

- identify the basic information needed to complete the worksheet, including the withdrawal date and date of the institution’s determination that the student withdrew for a student who officially withdraws;
- calculate the percentage of the payment period or period of enrollment the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned;
- determine the amount to be offered to the student or returned;
- apply the Title IV grant protection; and
- apply the *de minimis* grant repayment provision.

#### School Profile

West Coast Community College (WCCC) is a two-year public, credit-hour institution.

Academic Year/Program:	2 semesters 32 weeks and 24 semester hours
Period:	16 weeks 110 calendar days
Period Start Date:	January 8
Period End Date:	May 4
Institutionally Scheduled Break:	Yes, 7 days
Taking Attendance Required:	No
Method for Matching FSEOG:	Fund-specific

**Student Profile**

Bob Ellison is a first-time freshman at WCCC. Charges to his account are as follows:

Tuition and Fees:                   \$       1,000.00/16 week semester

School Authorized to Credit  
Account for Other Charges:           Yes (all charges)

Bob's financial aid package includes the following annual awards:

Pell Grant                               \$       2,800.00  
FSEOG                                   \$       2,400.00

**Discussion**

Bob Ellison enrolled as a first-time freshman at (WCCC) for the spring semester on January 8. On January 18, Bob got a call from the state treasurer informing him that the programming job he had applied for six months ago was his for the taking. That same day, Bob contacted the Financial Aid Office to: (1) advise it that he was withdrawing from WCCC, (2) begin WCCC's formal withdrawal process (11 calendar days into the semester), and (3) find out what to do next. All of his financial aid for the semester had been disbursed.

**Solution**

The date of the institution's determination that Bob withdrew is the day he contacted the Financial Aid Office to advise the school that he was withdrawing from WCCC: January 18.

**STEP 1: Student's Title IV Aid Information**

**Box A.** Because WCCC uses the fund-specific method of matching FSEOG funds, 100% of Bob's FSEOG grant is used in the calculation. Title IV grant aid disbursed = \$2,600.00.

Pell Grant	\$ 1,400.00
FSEOG	\$ 1,200.00
	\$ 2,600.00
<b>A. =</b>	\$ 2,600.00

**Box B.** Net Title IV loans disbursed = \$ 0.00.

**Box C.** Grants that could have been disbursed = \$ 0.00.

**Box D.** Net Title IV loans that could have been disbursed = \$ 0.00.

**Box E.** Total Title IV aid disbursed for the payment period =  $A + B = 2,600.00 + 0.00 = \$ 2,600.00$ .

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the payment period =  $A + C = 2,600.00 + 0.00 = \$ 2,600.00$ .

**Box G.** Total Title IV aid disbursed and could have been disbursed for the payment period =  $A + B + C + D = 2,600.00 + 0.00 + 0.00 + 0.00 = \$ 2,600.00$ .

### STEP 2: Percentage of Title IV Aid Earned

1. Payment period start date = January 8.
2. Payment period end date = May 4.
3. Date of withdrawal = January 18.
4. Percentage of payment period completed:
  - Number of calendar days completed = 11 calendar days.
  - Number of calendar days in payment period = 110 calendar days.
  - $11 \text{ days} \div 110 \text{ days} = .100$ . Percentage of payment period completed = 10.0%.

**Box H.** Because this percentage is 60% or less, the Percentage of Title IV aid earned = **10.0%**.

### STEP 3: Amount of Title IV Aid Earned by Student

**Box I.** Multiply 10.0% (Percentage of Title IV aid earned from Box H) X \$2,600.00 (total Title IV aid disbursed plus Title IV aid that could have been disbursed from Box G) = \$260.00  
Amount of Title IV aid earned by student = \$260.00.

**Box I.** = \$260.00

### STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K. post-withdrawal disbursement = N/A.

**Box K.** Because the total aid disbursed (Box E) is greater than the total aid earned (Box I), Title IV aid will need to be returned.

$\$2,600.00$  (Box E) –  $\$260.00$  (Box D) =  $\$2,340.00$ . Title IV aid to be returned =  $\$2,340.00$ .

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**Box L.** Institutional charges for the payment period or period of enrollment = \$1,000.00.

Tuition and Fees	\$	1,000.00
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**Box M.** Subtract 10.0%, the percentage of Title IV aid earned (Box H), from 100% ( $100\% - 10.0\% = 90.0\%$ ). Percentage of Title IV aid unearned = 90.0%.

**Box N.** First, calculate the unearned institutional charges. \$1,000.00 (institutional charges from Box L) X 90.0% (% Title IV aid unearned from Box M) = \$900.00. Amount of unearned institutional charges = \$900.00.

**Box O.** Then, compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount for Box O.

Box K =	\$	2,340.00
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Box N =	\$	900.00
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Amount of unearned Title IV aid due from the school = \$900.00.

**STEP 6: Return of Funds by the School**

**Box P.** The student had no loans, so the total loans the school must return = \$0.00

Box P =	\$	0.00
---------	----	------

The student's Pell Grant (\$1,025.00) exceeds the amount the school must return (\$900.00), so the school must return \$900.00 to the Federal Pell Grant program. The school must return the funds as soon as possible, but no later than **45 days** from the date it determined Bob withdrew.

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid that the school must return \$900.00 (Box O) from the total amount of Title IV aid that is to be returned \$2,340.00 (Box K).  $\$2,340.00 - \$900.00 = \$1,440.00$ . Initial amount of unearned Title IV aid due from student = \$1,440.00.

**STEP 8: Repayment of the Student's Loans**

**Box R.** The student had no loans, so the total loans the student must return = \$0.00.

**STEP 9: Grant Funds to be Returned****Box S. Initial amount of Title IV grants for the student to return**

Subtract the amount of loans to be repaid by the student (\$0.00 from Box R) from the initial amount of unearned Title IV aid due from the student (\$1,440.00 from Box Q) to find the Initial amount of Title IV grants for the student to return.  $\$1,440.00 - \$0.00 = \$1,440.00$ .

**Box T. Amount of grant protection**

Multiply the total of Title IV grant aid that was disbursed and could have been disbursed for the payment period or period of enrollment (\$2,600.00 from Box F) by 50%. Amount of grant protection =  $\$2,600.00 \times 50.0\% = \$1,300.00$ .

**Box U. Title IV grant funds for the student to return**

Subtract the protected amount of Title IV grants (\$1,300.00 from Box T) from the initial amount of Title IV grants for student to return (\$1,440.00 from Box S). Total grants for student to return =  $\$1,440.00 - \$1,300.00 = \$140.00$ .

**STEP 10: Return of Grant Funds by the Student****Amount of Title IV grants for the student to return**

- Subtract the amount the school had to return to the Federal Pell Grant program (\$900.00) from the amount Federal Pell Grant disbursed to the student (\$1,400.00). Remaining unearned Pell Grant balance =  $\$1,400.00 - \$900.00 = \$500.00$ .
- Since the \$500 remaining in Pell funds exceeds the \$140.00 for the student to return, WCCC informs Bob that he must repay the \$140.00 and that he has 45-days to make repayment arrangements or his overpayment. WCCC also informs Bob that if he fails to repay or make arrangements to repay the overpayment, he will be referred to the Department and will lose eligibility for additional Title IV funds.



# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

Student's Name	Bob Ellison	Social Security Number	Example 2
Date form completed	/ /	Date of school's determination that student withdrew	01 / 18 /
Period used for calculation (check one)	<input checked="" type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed															
1. Pell Grant	1,400.00		<b>E. Total Title IV aid disbursed for the period.</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">A.</td><td style="width: 50%; text-align: right;">2,600.00</td></tr> <tr><td colspan="2" style="text-align: center;">+</td></tr> <tr><td>B.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="text-align: center;">=</td></tr> <tr><td>E. \$</td><td style="text-align: right;">2,600.00</td></tr> </table>	A.	2,600.00	+		B.	0.00	=		E. \$	2,600.00				
A.	2,600.00																
+																	
B.	0.00																
=																	
E. \$	2,600.00																
2. Academic Competitiveness Grant																	
3. National SMART Grant																	
4. FSEOG	1,200.00																
5. TEACH Grant																	
6. Iraq Afghanistan Service Grant																	
<b>A.</b>		2,600.00	Subtotal														
		<b>C.</b>	0.00														
		Subtotal															
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed															
7. Unsubsidized FFEL/Direct Stafford Loan			<b>F. Total Title IV grant aid disbursed and that could have been disbursed for the period.</b> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">A.</td><td style="width: 50%; text-align: right;">2,600.00</td></tr> <tr><td colspan="2" style="text-align: center;">+</td></tr> <tr><td>C.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="text-align: center;">=</td></tr> <tr><td>F. \$</td><td style="text-align: right;">2,600.00</td></tr> </table>	A.	2,600.00	+		C.	0.00	=		F. \$	2,600.00				
A.	2,600.00																
+																	
C.	0.00																
=																	
F. \$	2,600.00																
8. Subsidized FFEL/Direct Stafford Loan																	
9. Perkins Loan																	
10. FFEL/Direct PLUS (Graduate Student)																	
11. FFEL/Direct PLUS (Parent)																	
<b>B.</b>		0.00	Subtotal														
		<b>D.</b>	0.00														
		Subtotal															
		<b>G. Total Title IV aid disbursed and that could have been disbursed for the period.</b>															
		<table border="1" style="width: 100%; border-collapse: collapse;"> <tr><td style="width: 50%;">A.</td><td style="width: 50%; text-align: right;">2,600.00</td></tr> <tr><td>B.</td><td style="text-align: right;">0.00</td></tr> <tr><td>C.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="text-align: center;">+</td></tr> <tr><td>D.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="text-align: center;">=</td></tr> <tr><td>G. \$</td><td style="text-align: right;">2,600.00</td></tr> </table>		A.	2,600.00	B.	0.00	C.	0.00	+		D.	0.00	=		G. \$	2,600.00
A.	2,600.00																
B.	0.00																
C.	0.00																
+																	
D.	0.00																
=																	
G. \$	2,600.00																

## STEP 2: Percentage of Title IV Aid Earned

01 / 08 /	05 / 04 /	01 / 18
Start date	Scheduled end date	Date of withdrawal

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
 Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

11	÷	110	=	10.0	%
Completed days		Total days			

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

<b>H.</b>	10.0 %
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## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

10.0 %	X	2,600.00	=	I. \$	260.00
Box H		Box G			

## STEP 4: Total Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Box K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
 From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

Box I	-	Box E	=	\$	NA
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**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

*Step 4 continued ▶*

Student's Name **Bob Ellison**

Social Security Number **Example 2**

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

$2,600.00 - 260.00 = \mathbf{K.\$} 2,340.00$   
Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

<b>L. Institutional charges for the period</b>	Tuition	1,000.00
	Room	
	Board	
	Other	
	Other	
	Other	

**Total Institutional Charges** = **L.\$** 1,000.00  
(Add all the charges together)

**M. Percentage of unearned Title IV aid**  
 $100\% - 10.0 = \mathbf{M.} 90.0 \%$   
Box H

**N. Amount of unearned charges**  
 Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).

$1,000.00 \times 90.0 \% = \mathbf{N.\$} 900.00$   
Box L                      Box M

**O. Amount for school to return**  
 Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N),

**O.\$** 900.00

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized Direct Stafford Loan	
2. Subsidized Direct Stafford Loan	
3. Perkins Loan	
4. FFEL/Direct PLUS (Graduate Student)	
5. FFEL/Direct PLUS (Parent)	

**Total loans the school must return** = **P.\$** 0.00

6. Pell Grant	900.00
7. Academic Competitiveness Grant	
8. National SMART Grant	
9. FSEOG	
10. TEACH Grant	
11. Iraq Afghanistan Service Grant	

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

$2,340.00 - 900.00 = \mathbf{Q.\$} 1,440.00$   
Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

$00.00 - 00.00 = \mathbf{R.\$} 00.00$   
Box B                      Box P

▶ If Box Q is less than or equal to Box R, **STOP**.

The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**

From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

$1,440.00 - 00.00 = \mathbf{S.\$} 1,440.00$   
Box Q                      Box R

**T. Amount of Title IV grant protection**

Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

$2,600.00 \times 50\% = \mathbf{T.\$} 1,300.00$   
Box F

**U. Title IV grant funds for student to return**

From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

$1,440.00 - 1,300.00 = \mathbf{U.\$} 140.00$   
Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	140.00
2. Academic Competitiveness Grant	
3. National SMART Grant	
4. FSEOG	
5. TEACH Grant	
6. Iraq Afghanistan Service Grant	

### CASE STUDY 3: RICHARD SHERMAN

*When a student receiving Title IV grants and loans at a school that uses the Aggregate method for matching the school's FSEOG federal allocation withdraws unofficially.*

#### Learning Objectives

Learn to complete Steps 1–9 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet and be able to:

- identify the basic information needed to complete the worksheet, including the withdrawal date and date of the institution's determination that the student withdrew for a student who withdraws unofficially;
- calculate the percentage of the payment period or period of enrollment the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned;
- determine the amount to be offered to the student or returned; and
- apply the Title IV grant protection.

#### School Profile

The Ultra Large State University (ULSU) is a four-year, semester-based, public institution that measures academic progress in credit hours and uses the Fund Specific method for matching the school's FSEOG federal allocation with state grant funds.

Academic Year/Program	2 semesters 30 weeks and 24 semester hours
Period	15 weeks 100 calendar days
Period Start Date	September 1
Institutionally Scheduled Break	None
Required to Take Attendance	No
Method for Matching FSEOG	Fund Specific

### Student Profile

Richard Sherman is a third-year student with a 3.5 cumulative GPA majoring in engineering.

Tuition and fees	\$	4,000.00/15 week semester
Room	\$	1,000.00/15 week semester
Board	\$	1,000.00/15 week semester
Books and Supplies (credit voucher at school store)	\$	500.00/15 week semester

School Authorized to Credit  
Account for Other Charges: Yes (all charges)

Richard's financial aid package included the following **annual** awards:

Pell Grant	\$	5,500.00
State Grant	\$	1,000.00
FSEOG (Federal Portion)	\$	4,000.00
Net Unsubsidized Direct Loan	\$	3,860.00

All of Richard's financial aid for the first semester (i.e., one-half of his annual awards) was disbursed on the first day of classes.

### Discussion

Richard is a brilliant computer engineering major in his third year at The ULSU. Over the summer between his second and third year, Richard developed and submitted to Gigantic Computer Corporation (GCC) an idea for a new memory chip. In October, Richard got a six-figure offer of employment from GCC. Richard was so excited by the offer that he packed his bags and headed for Seattle without telling anyone at the school that he was leaving.

Instructors at The ULSU must report a last date of attendance (LDA) whenever they submit a non-passing grade, and those dates appear on a report of Title IV recipients who failed to earn a passing grade in any of their classes that is provided by the Computer Center to the financial aid office at the end of each grading period.

On December 16, after grades have been submitted for the fall semester, the Computer Center at The ULSU ran the program that identified Title IV recipients who failed to earn a passing grade in any of their classes. When the aid office received and evaluated the report for the fall semester, it found that Richard's LDA was October 10. Because Richard did not provide official notification of his withdrawal, he is considered an unofficial withdrawal.

At the beginning of the semester, the following awards were posted to Richard's account at ULSU.

Pell Grant	\$	2,750.00
State Grant	\$	500.00
FSEOG	\$	2,000.00
Unsubsidized Direct	\$	1,930.00

### Solution

The date of the institution's determination that Richard withdrew is the date the aid office received and processed the report from the Computer Center. Date of institution's determination that the student withdrew = December 16.

Note: For a student who withdraws without providing notification from a school that is not required to take attendance the school must determine the withdrawal date no later than 30 days after the end of the earlier of (1) the payment period or the period of enrollment (as applicable), (2) the academic year, or (3) the student's educational program.

### STEP 1: Student's Title IV Aid Information

**Box A.** ULSU enters the following data in STEP 1.

Title IV grant aid disbursed –		
Pell Grant	\$	2,750.00
FSEOG	\$	2,000.00
<b>A.</b>	=	<u>\$ 4,750.00</u>

**Box B.** Net Title IV loans disbursed,  
Unsubsidized Direct Loan = \$ 1,930.00

**Box C.** Title IV grants that could have been disbursed = \$ 0.00.

**Box D.** Net Title IV loans that could have been disbursed = \$ 0.00.

**Box E.** Total Title IV aid disbursed for the payment period = A + B = 4,750.00 + 1,930.00  
= \$ 6,680.00.

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the payment period  
= A + C = 4,750.00 + 0.00 = \$ 4,750.00.

**Box G.** Total Title IV aid disbursed and could have been disbursed for the payment period  
= A + B + C + D = 4,750.00 + 1,930.00 + 0.00 + 0.00 = \$ 6,680.00.

## STEP 2: Percentage of Title IV Aid Earned

Because Richard did not officially withdraw from school and The ULSU does not take attendance and is not required to take attendance by an outside agency (other than for a one day snapshot for state census purposes), the school may use either the midpoint of the payment period or the last date of Richard's attendance in an academically related activity as the withdrawal date. The school elects to choose the midpoint of the period as Richard's withdrawal date.

1. Payment period start date = September 1
2. Payment period end date = December 9
3. Date of withdrawal = October 20<sup>1</sup>
4. Percentage of payment period completed
  - Number of calendar days completed = 50<sup>2</sup>
  - Number of calendar days in the payment period = 100
  - $50 \text{ days} \div 100 \text{ days} = 0.5000$ . Percentage of payment period completed = 50.0%

**Box H.** Because this percentage is 60% or less, the Percentage of Title IV aid earned = 50.0%.

## STEP 3: Amount of Title IV Aid Earned by the Student

**Box I.**  $50.0\%$  (Percentage of Title IV aid earned from Box H) X  $\$6,680.00$  (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) =  $\$3,340.00$ . Amount of Title IV aid earned by the student =  $\$3,340.00$ .

## STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

**Box K.** Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I), Title IV aid must be returned.

$\$6,680.00$  (Box E) –  $\$3,340.00$  (Box I) =  $\$3,340.00$ . Title IV Aid to be returned =  $\$3,340.00$ .

---

1, 2 The midpoint of the period, or 50 of 100 days.



**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**Box L.** Institutional charges for the payment period or period of enrollment = \$6,500.00.

Tuition and fees	\$	4,000.00
Room	\$	1,000.00
Board	\$	1,000.00
Books	\$	500.00

**Box M.** Subtract the percentage of Title IV earned from Box H (50.0%) from 100.0%.  $100\% - 50.0\% = 50.0\%$ . Percentage of Title IV aid unearned = 50.0%.

**Box N.** Calculate the amount of unearned charges.  $\$6,500.00$  (institutional charges from Box L) X 50% (% of Title IV aid unearned from Box M) =  $\$3,250.00$ .  
Amount of unearned institutional charges =  $\$3,250.00$ .

**Box O.** Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	3,340.00
Box N =	\$	3,250.00

Amount of unearned Title IV aid due from the school =  $\$3,250.00$ .

**STEP 6: Return of Funds by the School**

**Box P.** The only Title IV loan disbursement Richard received was an Unsubsidized Direct Loan disbursement of  $\$1,930.00$ . Since  $\$1,930.00$  is less than the  $\$3,250.00$  (Box O) the school must return, the school must return the entire  $\$1,930.00$ . Box P =  $\$1,930.00$ .

After the school returns  $\$1,930.00$  to the Direct Loan program,  $\$1,320.00$  remains to be returned by the school ( $\$3,250$  (from Box O) –  $\$1,930$  (from Box P)). Richard received  $\$2,000.00$  in Pell Grant funds, so the school returns the  $\$1,320.00$  to the Pell Grant Program.

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid the school must return ( $\$3,250.00$  from Box O) from the total amount of Title IV aid that is to be returned ( $\$3,340.00$  from Box K) to find the Initial amount of Title IV aid Due from the Student.  $\$3,340.00 - \$3,250.00 = \$90.00$ .

**STEP 8: Repayment of the Student's Loans**

**Box R.** Subtract the Total Loans the school must return ( $\$1,930.00$  from Box P) from the Net Loans Disbursed to the Student ( $\$1,930.00$  from Box B) to find the total of the loans the student must repay  $\$1,930.00 - \$1,930.00 = \$0.00$ .

**Remember,** you must notify the holder of Richard's loan that he has withdrawn from school.

**STEP 9: Grant Funds to be Returned****Box S. Initial amount of Title IV grants for the student to return**

Subtract the amount of loans to be repaid by the student (\$0.00 from Box R) from the Initial Amount of Unearned aid due from the student (\$90.00 from Box Q) to find the Initial amount of Title IV grants for the student to return.  $\$90.00 - \$0.00 = \$90.00$ .

**Box T. Amount of grant protection**

Multiply the Total of Title IV grant aid disbursed or could have been disbursed for the payment period or period of enrollment (\$4,740.00 from Box F) by 50.0%.  $\$4,740 \times 50.0\% = \$2,370.00$ .

**Box U. Title IV grant funds for the student to return**

Subtract the amount of grant protection (\$2,375.00 from Box T) from the initial amount of Title IV grants for the student to return (\$90.00 from Box S) to find the Title IV grant funds for the student to return.  $\$90.00 - \$2,375.00 = \$0.00^1$ .

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<sup>1</sup> If this amount is less than or equal to \$0.00, enter = NA, and stop here. Richard is not required to return any Title IV grant funds.

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

Student's Name	Richard Sherman	Social Security Number	Example 3
Date form completed	/ /	Date of school's determination that student withdrew	12 / 16 /
Period used for calculation (check one)	<input checked="" type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,750.00		A. 4,750.00
2. Academic Competitiveness Grant			+ B. 1,930.00
3. National SMART Grant			E. \$ 6,680.00
4. FSEOG	2,000.00		
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b>	4,750.00	<b>C.</b> 0.00	<b>F.</b> Total Title IV grant aid disbursed and that could have been disbursed for the period.
Subtotal		Subtotal	A. 4,750.00
			+ C. 0.00
			= <b>F. \$</b> 4,750.00
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could have been disbursed for the period.
7. Unsubsidized FFEL/Direct Stafford Loan	1,930.00		A. 4,750.00
8. Subsidized FFEL/Direct Stafford Loan			B. 1,930.00
9. Perkins Loan			C. 0.00
10. FFEL/Direct PLUS (Graduate Student)			+ D. 0.00
11. FFEL/Direct PLUS (Parent)			G. \$ 6,680.00
<b>B.</b>	1,930.00	<b>D.</b> 0.00	
Subtotal		Subtotal	

## STEP 2: Percentage of Title IV Aid Earned

09 / 01 /	12 / 09 /	10 / 20
Start date	Scheduled end date	Date of withdrawal

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

50	÷	100	=	50.0	%
<small>Completed days</small>		<small>Total days</small>			

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

<b>H.</b>	50.0	%
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## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

50.0	%	X	6,680.00	=	<b>I. \$</b> 3,340.00
<small>Box H</small>			<small>Box G</small>		

## STEP 4: Total Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

[ ]	-	[ ]	<b>J. \$</b> NA
<small>Box I</small>		<small>Box E</small>	

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

*Step 4 continued ▶*

**Student's Name**

**Social Security Number**

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

= **K.\$**

Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

<b>L. Institutional charges for the period</b>	Tuition	4,000.00
	Room	1,000.00
	Board	1,000.00
	(Books) Other	500.00
	Other	
	Other	

**Total Institutional Charges** = **L.\$**   
(Add all the charges together)

**M. Percentage of unearned Title IV aid**  
 100% −  = **M.**  %  
Box H

**N. Amount of unearned charges**  
 Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).

**X**  = **N.\$**

Box L                      Box M

**O. Amount for school to return**  
 Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N),

**O.\$**

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	1,930.00
2. Subsidized FFEL/Direct Stafford Loan	
3. Perkins Loan	
4. FFEL/Direct PLUS (Graduate Student)	
5. FFEL/Direct PLUS (Parent)	

**Total loans the school must return** = **P.\$**

6. Pell Grant	1,320.00
7. Academic Competitiveness Grant	
8. National SMART Grant	
9. FSEOG	
10. TEACH Grant	
11. Iraq Afghanistan Service Grant	

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

= **Q.\$**

Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

= **R.\$**

Box B                      Box P

▶ If Box Q is less than or equal to Box R, **STOP**.  
 The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**

From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

= **S.\$**

Box Q                      Box R

**T. Amount of Title IV grant protection**

Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

**X**  = **T.\$**

Box F

**U. Title IV grant funds for student to return**

From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

= **U.\$**

Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	
2. Academic Competitiveness Grant	
3. National SMART Grant	
4. FSEOG	
5. TEACH Grant	
6. Iraq Afghanistan Service Grant	

## CASE STUDY 4: HARRY SPRINGER

*When a student receiving Title IV grants and loans at a school that measures academic progress in clock hours and performs its Return calculations on a period of enrollment basis, withdraws unofficially.*

### Learning Objectives

Learn to complete Steps 1–8 of the Treatment of Title IV Funds when a Student Withdraws from a Clock-Hour Program worksheet, and be able to:

- determine withdrawal date for student who did not provide notification of intent to withdraw at a school required to take attendance;
- determine the scheduled clock hours;
- calculate the percentage of the period of enrollment the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned; and
- determine the amount to be offered to the student or returned.

#### School Profile

Quality Tech School (QTS) is a proprietary school that measures academic progress in clock hours.

Academic Year/Program/ Period of Enrollment	900 hours/30 weeks
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Payment Period	450 hours
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Period Start Date	January 8
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Period End Date	August 3
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Institutionally Scheduled Break	None
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Required to Take Attendance	Yes
-----------------------------	-----

Period used in Return calculation	Period of Enrollment
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### Student Profile

Harry Springer enrolled at QTS for a 30-week program of study period consisting of 900 clock hours offered over 30 weeks. The first payment period is 450 clock hours. Charges to Harry's account are as follows:

Tuition and fees	\$	8,000.00/30 week program
Room	\$	non-residential program
Board	\$	non-residential program
Books and Supplies	\$	500.00/program

School Authorized to Credit  
Account for Other Charges: Yes (all charges)

Harry's financial aid package included the following **annual** awards:

Pell Grant	\$	4,000.00
Net Subsidized Direct Loan	\$	3,860.00

All of Harry's financial aid for the first payment period (450 clock hours, i.e., one-half his annual awards) was disbursed on the first day of classes.

### Discussion

On the first day of the winter period, January 8, Harry received the following disbursements to his student account:

Pell Grant	\$	2,000.00
Subsidized Direct Loan	\$	1,930.00

Everything seemed to be going very well for Harry. It wasn't until January 26 that the school discovered Harry hadn't been attending classes and didn't plan on returning. The director of the program notified the aid office that Harry's last day of attendance was January 17 (through which time Harry was scheduled to have attended 45 hours), and the aid office began the withdrawal process and required calculations.



### Solution

The date of the institution's determination that Harry withdrew (January 26) is the date the aid office received the information from the Director of Student Services. Because QTS is required to take attendance, Harry's withdrawal date is his last day of attendance at an academically related activity, January 17.

At the beginning of the enrollment period, the following awards were posted to Harry's account at QTS.

Pell Grant	\$	2,000.00
Subsidized Stafford Loan	\$	1,930.00

### STEP 1: Student's Title IV Aid Information

**Box A.** Title IV grant aid disbursed –

Pell Grant	\$	2,000.00
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<b>A. =</b>	\$	2,000.00
-------------	----	----------

**Box B.** Net Title IV loans disbursed –

Unsubsidized Direct Loan	\$	1,930.00
--------------------------	----	----------

<b>B. =</b>	\$	1,930.00
-------------	----	----------

**Box C.** Because QTS uses the period of enrollment as the basis for its Return calculation, the \$2,000 in Pell funds Harry was scheduled to receive once he had completed the first 450 hours of his program is included as Title IV grants that could have been disbursed.

<b>C. =</b>	\$	2,000.00
-------------	----	----------

**Box D.** Because QTS uses the period of enrollment as the basis for its Return calculation, the \$1,930.00 in Subsidized Direct Loan funds Harry was scheduled to receive once he had completed the first 450 hours and the calendar midpoint of his program of his program is included as Title IV loans that could have been disbursed.

<b>D. =</b>	\$	1,930.00
-------------	----	----------

**Box E.** Total Title IV aid disbursed for the period of enrollment =  $A + B = 2,000.00 + 1,930.00 = \$ 3,930.00$ .

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the period of enrollment =  $A + C = 2,000.00 + 2,000.00 = \$ 4,000.00$ .

**Box G.** Total Title IV aid disbursed and could have been disbursed for the period of enrollment =  $A + B + C + D = 2,000.00 + 1,930.00 + 2,000.00 + 1,930.00 = \$ 7,860.00$ .

## STEP 2: Percentage of Title IV Aid Earned

Because QTS is required to take attendance by an outside agency, the school must use the last date of Harry's attendance in an academically related activity as determined from its attendance records as the withdrawal date. Harry's last date of attendance was January 17.

1. Period of enrollment start date = January 8.
2. Period of enrollment end date = August 3.
3. Date of withdrawal = January 17.

**Box H.** Percentage of period completed

Only scheduled hours are used to determine the percentage of the period completed by a student withdrawing from a clock-hour program. The percentage of the period completed by a student is determined by dividing the number of hours the student was scheduled to complete in the payment period or period of enrollment as of the day the student withdrew, by the total number of clock hours in the same period.

- Number of clock hours Harry was scheduled to complete by January 17 = 45.
- Number of clock hours in the period of enrollment = 900.
- $45 \text{ clock hours} \div 900 \text{ clock hours} = 0.050$ .

Percentage of period of enrollment completed = 5.0%.

Because this percentage is 60% or less, the Percentage of Title IV aid earned, Box H = 5.0%.

## STEP 3: Amount of Title IV Aid Earned by the Student

**Box I.**  $5.0\%$  (Percentage of Title IV aid earned from Box H) X  $\$7,860.00$  (Total of the Title IV aid disbursed and could have been disbursed for the period of enrollment from Box G) =  $\$393.00$ . Amount of Title IV aid earned by the student =  $\$393.00$ .

## STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

**Box K.** Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I) Title IV aid must be returned.

$\$3,930.00$  (Box E) –  $\$393.00$  (Box I) =  $\$3,537.00$ . Title IV Aid to be returned =  $\$3,537.00$ .

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**Box L.** Institutional charges for the period of enrollment = \$8,500.00.

Tuition and fees	\$	8,000.00
Books & Supplies	\$	500.00

**Box M.** Subtract the percentage of Title IV earned from Box H (5.0%) from 100.0%.  $100\% - 5.0\% = 95.0\%$ . Percentage of Title IV aid unearned = 95.0%.

**Box N.** Calculate the amount of unearned charges. \$8,500.00 (institutional charges from Box L) X 95% (Percentage of Title IV aid unearned from Box M) = \$8,075.00.  
Amount of unearned institutional charges = \$8,075.00.

**Box O.** Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	3,537.00
Box N =	\$	8,075.00

Amount of unearned Title IV aid due from the school = \$3,537.00.

**STEP 6: Return of Funds by the School**

**Box P.** The only Title IV loan disbursement Richard received was a Subsidized Direct Loan disbursement of \$1,930.00. Since \$1,930.00 is less than the \$3,537.00 (Box O) the Amount for school to return, the school must return the entire \$1,930.00 to the Direct Loan Program.

Box P =	\$	1,930.00
---------	----	----------

After the school returns \$1,930.00 to the FFEL program, the balance to be returned by the school is \$1,607.00 ( $\$3,537.00$  [from Box O] –  $\$1,930.00$  [from Box P]). Harry received \$2,000.00 in Pell Grant funds, so the school returns the \$1,607.00 to the Pell Grant Program.

The school must return any unearned funds within 45 days from the date of the institution's determination that Harry withdrew.

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid the school must return (\$3,537.00 from Box O) from the total amount of Title IV aid that is to be returned (\$3,537.00 from Box K) to find the Initial Amount of Title IV aid Due from the Student.  $\$3,537.00 - \$3,537.00 = \$0.00$ .

**STEP 8: Repayment of the Student's Loans**

**Box R.** Subtract the Total Loans the school must return (\$1,930.00 from Box P) from the Net Loans Disbursed to the Student (\$1,930.00 from Box B) to find the total of the loans the student must repay  $\$1,930.00 - \$1,930.00 = \$0.00$ .

Since the amount from Box Q (\$0.00) is equal to (or less than) the amount from Box R (\$0.00), the calculation ends here.

**Remember,** you must notify the holder of Harry's loan that he has withdrawn from school.

# Treatment Of Title IV Funds When A Student Withdraws From A Clock-Hour Program

Student's Name	Harry Springer	Social Security Number	Example 4
Date form completed	/ /	Date of school's determination that student withdrew	1 / 26 /
Period used for calculation (check one)	<input type="checkbox"/> Payment period	<input checked="" type="checkbox"/> Period of enrollment	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,000.00	2,000.00	A. 2,000.00
2. Academic Competitiveness Grant			+ B. 1,930.00
3. National SMART Grant			= E. \$ 3,930.00
4. FSEOG			
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b> Subtotal	2,000.00	<b>C.</b> Subtotal	2,000.00
			+ <b>C.</b> 2,000.00
			= <b>F. \$</b> 4,000.00
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could have been disbursed for the period.
7. Unsubsidized FFEL/Direct Stafford Loan	1,930.00	1,930.00	A. 2,000.00
8. Subsidized FFEL/Direct Stafford Loan			B. 1,930.00
9. Perkins Loan			C. 2,000.00
10. FFEL/Direct PLUS (Graduate Student)			+ D. 1,930.00
11. FFEL/Direct PLUS (Parent)			= <b>G. \$</b> 7,860.00
<b>B.</b> Subtotal	1,930.00	<b>D.</b> Subtotal	2,000.00
			1,930.00

## STEP 2: Percentage of Title IV Aid Earned

Withdrawal date: 1 / 17 /

**H. Determine the percentage of the period completed:**  
Divide the clock hours scheduled to have been completed as of the withdrawal date in the period by the total clock hours in the period.

45	÷	900	=	5.0 %
Hours scheduled to complete		Total hours in period		

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.** 5.0 %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

5.0 %	×	7,860.00	=	I. \$ 393.00
Box H		Box G		

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

	-		=	NA
Box I		Box E		

If there's an entry for "J," **Stop here**, and enter the amount in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

**K. Title IV aid to be returned**  
From the Total Title IV aid disbursed for the period (Box E) subtract the Amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

3,930.00	-	393.00	=	3,537.00
Box E		Box I		

Student's Name

Social Security Number

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

<b>L. Institutional charges for the period</b>  (Books & Supplies)	Tuition	<input type="text" value="8,000.00"/>
	Room	<input type="text"/>
	Board	<input type="text"/>
	Other	<input type="text" value="500.00"/>
	Other	<input type="text"/>
	Other	<input type="text"/>
<b>Total Institutional Charges</b> (Add all the charges together)		<b>= <input type="text" value="8,500.00"/></b>

**M. Percentage of unearned Title IV aid**

$100\% - \text{Box H } 5.0\% = \text{M. } 95.0\%$

**N. Amount of unearned charges**  
Multiply institutional charges for the period (Box L) by the Percentage of unearned Title IV aid (Box M).

$8,500.00 \times 95.0\% = \text{N. } \$ 8,075.00$

**O. Amount for school to return**  
Compare the amount of Title IV aid to be returned (Box K) to Amount of unearned charges (Box N), and enter the lesser amount.

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	<input type="text" value="1,930.00"/>
2. Subsidized FFEL/Direct Stafford Loan	<input type="text"/>
3. Perkins Loan	<input type="text"/>
4. FFEL/Direct PLUS (Graduate Student)	<input type="text"/>
5. FFEL/Direct PLUS (Parent)	<input type="text"/>
<b>Total loans the school must return = P. \$ 1,930.00</b>	
6. Pell Grant	<input type="text" value="1,607.00"/>
7. Academic Competitiveness Grant	<input type="text"/>
8. National SMART Grant	<input type="text"/>
9. FSEOG	<input type="text"/>
10. TEACH Grant	<input type="text"/>
11. Iraq Afghanistan Service Grant	<input type="text"/>

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

$3,537.00 - 3,537.00 = \text{Q. } \$ 0.00$

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8.

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R). These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

$1,930.00 - 1,930.00 = \text{R. } \$ 0.00$

Box B      Box P

▶ If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**  
From the Initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

$\text{Box Q} - \text{Box R} = \text{S.}$

**T. Amount of Title IV grant protection**  
Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

$\text{Box F} \times 50\% = \text{T.}$

**U. Title IV grant funds for student to return**  
From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

$\text{Box S} - \text{Box T} = \text{U.}$

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	<input type="text"/>
2. Academic Competitiveness Grant	<input type="text"/>
3. National SMART Grant	<input type="text"/>
4. FSEOG	<input type="text"/>
5. TEACH Grant	<input type="text"/>
6. Iraq Afghanistan Service Grant	<input type="text"/>



## CASE STUDY 5: JORDAN AIRE

*When a student receiving Title IV grants and loans at a school that measures academic progress in clock hours and performs its Return calculations on a payment period basis withdraws unofficially.*

### Learning Objectives

Learn to complete Steps 1–8 of the Treatment of Title IV Funds when a Student Withdraws from a Clock-Hour Program worksheet, and be able to:

- determine withdrawal date for student who did not provide notification of intent to withdraw at a school required to take attendance;
- determine the scheduled clock hours;
- calculate the percentage of the payment period the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned; and
- determine the amount to be offered to the student or returned.

#### School Profile

Learn to Earn Technical School (LETS) is a proprietary school that measures academic progress in clock hours.

Academic Year/Program/ Period of Enrollment	900 hours/30 weeks
Payment Period	450 hours
Period Start Date	April 2
Period End Date	October 26
Institutionally Scheduled Break	None
Required to Take Attendance	Yes
Period Used in Return Calculation	Payment Period

### Student Profile

Jordan Aire enrolled at LETS for a 30-week program of study period consisting of 900 clock hours offered over 30 weeks. The first payment period is 450 clock hours. Charges to Jordan's account are as follows:

Tuition and fees	\$	9,000.00/30 week program
Room	\$	non-residential program
Board	\$	non-residential program
Books and Supplies	\$	500.00/program

School Authorized to Credit  
Account for Other Charges: Yes (all charges)

Jordan's financial aid package included the following **annual** awards:

Pell Grant	\$	4,000.00
Net Subsidized Direct Loan	\$	3,860.00

All of Jordan's financial aid for the first payment period (450 clock hours, i.e., one-half his annual awards) was disbursed on the first day of classes.

### Discussion

On the first day of the period, April 2, Jordan received the following disbursements to his student account:

Pell Grant	\$	2,000.00
Subsidized Direct Loan	\$	1,930.00

On May 3, the Retention Specialist at LETS is informed by the director of Jordan's program that since April 21, Jordan has not been attending classes. The Retention Specialist contacts Jordan who tells him that he's been ill but plans on coming back to school during the next week. Since this falls within the time period for excused absences allowed by school policy, as well as absences allowed by the state and the school's accrediting agency, the school delays taking any action. However, on May 11 when the Retention Specialist follows up with the Program Director, he finds that Jordan has not returned to school. Since Jordan has now exceeded the number of absences allowed by school policy, LETS must administratively withdraw Jordan from school.

Note: Remember that institutions that are required to take attendance are expected to have a procedure in place for routinely monitoring attendance records to determine in a timely manner when a student withdraws. Except in unusual instances, the date of the institution's determination that the student withdrew should be no later than 14 days after the student's withdrawal date.

The institution is not required to administratively withdraw a student who has been absent for 14 days. However, after 14 days, it is expected to have determined whether the student intends to return to classes or has withdrawn. Moreover, the institution must return any unearned funds within 45 days of the date of the institution's determination that Jordan withdrew (May 4).

### Solution

Jordan's withdrawal date is his last day of attendance at an academically related activity as determined from the school's attendance records, April 20.

The school must use May 4 (14 days from the student's last day of attendance) as the date of the institution's determination that the student withdrew.

At the beginning of the payment period, the following awards were posted to Jordan's account at LETS.

Pell Grant	\$	2,000.00
Subsidized Direct Loan	\$	1,930.00

### STEP 1: Student's Title IV Aid Information

**Box A.** Title IV grant aid disbursed –

Pell Grant	\$	2,000.00
------------	----	----------

<b>A. =</b>	\$	2,000.00
-------------	----	----------

**Box B.** Net Title IV loans disbursed –

Unsubsidized Direct Loan =	\$	1,930.00
----------------------------	----	----------

<b>B. =</b>	\$	1,930.00
-------------	----	----------

**Box C.** Title IV grants that could have been disbursed = \$ 0.00.

**Box D.** Title IV loans that could have been disbursed = \$ 0.00.

**Box E.** Total Title IV aid disbursed for the payment period = A + B = 2,000.00 + 1,930.00 = \$ 3,930.00.

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the payment period = A + C = 2,000.00 + 0.00 = \$ 2,000.00.

**Box G.** Total Title IV aid disbursed and could have been disbursed for the payment period = A + B + C + D = 2,000.00 + 1,930.00 + 0.00 + 0.00 = \$3,930.00.

## STEP 2: Percentage of Title IV Aid Earned

Because LETS is required to take attendance by an outside agency, the school must use the last date of Jordan's attendance in an academically related activity as determined from its attendance records as the withdrawal date. Jordan's last date of attendance was April 20.

1. Payment Period start date = April 2.
2. Payment Period end date = October 26.
3. Date of withdrawal = April 20.

**Box H.** Percentage of payment period completed

Only scheduled hours are used to determine the percentage of the period completed by a student withdrawing from a clock-hour program. The percentage of the period completed by a student is determined by dividing the number of hours the student was scheduled to complete in the payment period or period of enrollment as of the day the student withdrew, by the total number of clock hours in the same period.

- Number of clock hours Jordan was scheduled to complete by April 20 = 90
- Number of clock hours in the payment period = 450
- $90 \text{ clock hours} \div 450 \text{ clock hours} = 0.20$ .

Percentage of payment period completed = 20.0%

Because this percentage is 60% or less, the Percentage of Title IV aid earned in Box H = 20.0%.

## STEP 3: Amount of Title IV Aid Earned by the Student

**Box I.**  $20.0\%$  (Percentage of Title IV aid earned from Box H) X  $\$3,930.00$  (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) =  $\$786.00$ . Amount of Title IV aid earned by the student =  $\$786.00$ .

## STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

**Box K.** Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I), Title IV aid must be returned.

$\$3,930.00$  (Box E) –  $\$786.00$  (Box I) =  $\$3,144.00$ . Title IV Aid to be Returned =  $\$3,144.00$ .

**STEP 5: Amount of Title IV Aid Due from the School**

**Box L.** Before entering data in STEP 5, Part L, of the Return calculation A school that charges by the period of enrollment but performs its Return calculation on a payment period basis, must determine whether it must enter: (a) the prorated amount of all institutional charges, or (b) the amount the school retained. To do this, first, the school prorates all institutional charges. Then, the school determines the amount actually retained. The school compares the two results and enters in STEP 5, Part L, the greater of the two amounts. Because LETS provides students with their books and supplies on the first day of class and retains 100% of those fees in addition to the tuition charged for the first payment period, LETS must include 100% of the cost of those books and supplies in its institutional charges for the first payment period.

Institutional charges for the payment period = \$5,000.00.

Tuition and fees	\$	4,500.00
Books and Supplies	\$	500.00

**Box M.** Subtract the percentage of Title IV earned from Box H (20.0%) from 100.0%.  $100\% - 20.0\% = 80.0\%$ . Percentage of Title IV aid unearned = 80.0%.

**Box N.** Calculate the amount of unearned charges.  $\$5,000.00$  (institutional charges from Box L)  $\times$  80% (Percentage of Title IV aid unearned from Box M) =  $\$4,000.00$ .  
Amount of unearned institutional charges =  $\$4,000.00$ .

**Box O.** Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	3,144.00
Box N =	\$	4,000.00

Amount of unearned Title IV aid due from the school =  $\$3,144.00$ .

**STEP 6: Return of Funds by the School**

**Box P.** Jordan received a Subsidized Direct Loan disbursement of  $\$1,930.00$ . Since  $\$1,930.00$  is less than the  $\$3,144.00$  (Box O) the school must return, the school must return  $\$1,930.00$  to the lender. Box P =  $\$1,930.00$ .

After the school returns  $\$1,930.00$  to the Title IV loan programs, the balance to be returned by the school is  $\$1,214.00$  ( $\$3,144.00$  (from Box O)  $-$   $\$1,930$  (from Box P)). Jordan received  $\$2,000.00$  in Pell Grant funds, so the school returns  $\$1,214.00$  to the Pell Grant Program.

The school must return any unearned funds within 45 days from the date of the institution's determination that Jordan withdrew (May 4).

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid the school must return (\$3,144.00 from Box O) from the total amount of Title IV aid that is to be returned (\$3,144.00 from Box K) to find the Initial amount of Title IV aid Due from the Student.  $\$3,144.00 - \$3,144.00 = \$0.00$ .

**STEP 8: Repayment of the Student's Loans**

**Box R.** Subtract the Total Loans the school must return (\$1,930.00 from Box P) from the Net Loans Disbursed to the Student (\$1,930.00 from Box B) to find the total of the loans the student must repay  $\$1,930.00 - \$1,930.00 = \$0.00$ .

Since the amount from Box Q (\$0.00) is equal to (or less than) the amount from Box R (\$0.00), the calculation ends here.

**Remember,** you must notify the holder of Jordan's loan that he has withdrawn from school.



# Treatment Of Title IV Funds When A Student Withdraws From A Clock-Hour Program

Student's Name	Jordan Aire	Social Security Number	Example 5
Date form completed	/ /	Date of school's determination that student withdrew	5 / 04 /
Period used for calculation (check one)	<input checked="" type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,000.00	0.00	A. 2,000.00
2. Academic Competitiveness Grant			+ B. 1,930.00
3. National SMART Grant			= E. \$ 3,930.00
4. FSEOG			
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b> Subtotal	2,000.00	<b>C.</b> Subtotal	0.00
			+ <b>C.</b> 0.00
			= <b>F. \$</b> 2,000.00
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could
7. Unsubsidized FFEL/Direct Stafford Loan	1,930.00	0.00	A. 2,000.00
8. Subsidized FFEL/Direct Stafford Loan			B. 1,930.00
9. Perkins Loan			C. 0.00
10. FFEL/Direct PLUS (Graduate Student)			+ D. 0.00
11. FFEL/Direct PLUS (Parent)			= <b>G. \$</b> 3,930.00
<b>B.</b> Subtotal	1,930.00	<b>D.</b> Subtotal	0.00

## STEP 2: Percentage of Title IV Aid Earned

Withdrawal date 4 / 20 /

**H. Determine the percentage of the period completed:**  
Divide the clock hours scheduled to have been completed as of the withdrawal date in the period by the total clock hours in the period.

90	÷	450	=	20.0	%
Hours scheduled to complete		Total hours in period			

▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.

▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3. **H.** 20.0 %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

20.0 %	x	3,930.00	=	<b>I. \$</b> 786.00
Box H		Box G		

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

	-		=	NA
Box I		Box E		

If there's an entry for "J," **Stop here**, and enter the amount in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

**K. Title IV aid to be returned**  
From the Total Title IV aid disbursed for the period (Box E) subtract the Amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

3,930.00	-	786.00	=	3,144.00
Box E		Box I		

Student's Name

Social Security Number

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**L. Institutional charges for the period**

Tuition	<input type="text" value="4,500.00"/>
Room	<input type="text"/>
Board	<input type="text"/>
(Books & Supplies) Other	<input type="text" value="500.00"/>
Other	<input type="text"/>
Other	<input type="text"/>

Total Institutional Charges (Add all the charges together) =

**M. Percentage of unearned Title IV aid**

100% - % = **M.** %

Box H

**N. Amount of unearned charges**  
Multiply institutional charges for the period (Box L) by the Percentage of unearned Title IV aid (Box M).

x % = **N.** \$

**O. Amount for school to return**  
Compare the amount of Title IV aid to be returned (Box K) to Amount of unearned charges (Box N), and enter the lesser amount.

**O.** \$

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	<input type="text" value="1,930.00"/>
2. Subsidized FFEL/Direct Stafford Loan	<input type="text"/>
3. Perkins Loan	<input type="text"/>
4. FFEL/Direct PLUS (Graduate Student)	<input type="text"/>
5. FFEL/Direct PLUS (Parent)	<input type="text"/>
<b>Total loans the school must return = P.</b> \$ <input type="text" value="1,930.00"/>	
6. Pell Grant	<input type="text" value="1,214.00"/>
7. Academic Competitiveness Grant	<input type="text"/>
8. National SMART Grant	<input type="text"/>
9. FSEOG	<input type="text"/>
10. TEACH Grant	<input type="text"/>
11. Iraq Afghanistan Service Grant	<input type="text"/>

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

-  = **Q.** \$

Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8.

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

-  = **R.** \$

Box B                      Box P

▶ If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**  
From the Initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

-  = **S.**  .

Box Q                      Box R

**T. Amount of Title IV grant protection**  
Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

x  = **T.**  .

Box F

**U. Title IV grant funds for student to return**  
From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

-  = **U.**  .

Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

**Title IV Grant Programs**                      Amount To Return

1. Pell Grant	<input type="text"/>
2. Academic Competitiveness Grant	<input type="text"/>
3. National SMART Grant	<input type="text"/>
4. FSEOG	<input type="text"/>
5. TEACH Grant	<input type="text"/>
6. Iraq Afghanistan Service Grant	<input type="text"/>

## CASE STUDY 6: THOMPSON S. HUNTER

*When a student receiving Title IV grants at a school that utilizes a term-based modular course structure, measures academic progress in credit hours and performs its Return calculations on a payment period basis, officially withdraws.*

### Learning Objectives

Learn to complete Steps 1–10 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet and be able to:

- determine whether or not the student must be considered as withdrawn;
- determine the total number of days the student was in attendance;
- recalculate the student's eligibility for Pell and Campus-Based funds;
- calculate the percentage of the payment period the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned; and
- determine the amount to be offered to the student or returned.

#### School Profile

Las Vegas School of Digital Journalism (LSDJ) is a public residential institution that utilizes a term-based modular course structure and measures academic progress in credit hours.

Academic Year/ Period of Enrollment	2 semesters/ 32 weeks and 24 semester hours
Payment Period	1 semester 117 calendar days
Period Start Date	August 22
Period End Date	December 16
Institutionally Scheduled Break	Yes
Required to Take Attendance	No
Period used in Return calculation	Payment Period

### School Profile, continued

Scheduled starting and ending dates for modules within the term.

Start	End
August 22	September 16
September 19	October 14
October 17	November 11
November 14	December 16

A scheduled break begins after the last class on Friday, November 18. Classes resume on Monday, November 28. The scheduled break is nine days long.

Though it is not a school that is required to take attendance, LSDJ has a school policy of using a student's last date of attendance at an academically related activity as the withdrawal date when a student withdraws from a program offered in modules.

### Student Profile

Thompson Hunter is an independent, third-year student enrolled at LSDJ for 12 credits offered in four modules. In each module, a student is enrolled in one course that begins and ends on a fixed date. In Thompson's case, each course is worth three credits.

Charges to Thompson's account for the payment period are as follows:

Tuition and fees	\$	1,200.00/12 credits
------------------	----	---------------------

School Authorized to Credit Account for Other Charges:	Yes (all charges)
---	-------------------

Thompson's financial aid package is based on the following academic year (9-month budget):

Tuition	\$	2,400.00
Room	\$	2,800.00
Board	\$	1,600.00
Books	\$	800.00
Personal Expenses	\$	800.00
Travel	\$	800.00

Thompson's financial aid package included the following **annual** awards:

Pell Grant	\$	5,550.00
FSEOG	\$	3,650.00

All of Thompson's financial aid for the first payment period (one-half his annual awards) was disbursed on the first day of classes.

### Discussion

On the first day of the period, August 22, Thompson received the following disbursements to his student account:

Pell Grant	\$	2,775.00
FSEOG	\$	1,825.00

On October 14, Thompson comes to see you. He tells you that his dog Gonzo has just had 10 puppies. He fears that if he's not around to help her, something terrible might happen to the puppies, and he doesn't want to deal with the self-loathing that would result. He feels it is best if he withdraws from the first semester now.

When a student withdraws from one of a series of modules in a term-based program, a school must first determine whether or not the student must be treated as a withdrawal. In order to do so, the school must answer three questions:

1. After beginning attendance in the payment period or period of enrollment, did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend?

If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.

In Thompson's case, the answer to Question 1 is **Yes**; you go on to Question 2.

2. When the student ceased to attend or failed to begin attendance in a course he or she was scheduled to attend, was the student still attending any other courses?

If the answer is yes, this is not a withdrawal; (Note, however that other regulatory provisions concerning recalculation may apply.) If the answer is no, go to question 3.

In Thompson's case, the answer to Question 2 is **No**; you go on to Question 3.

3. Did the student confirm attendance in a course in a module beginning later in the period?

If the answer is yes, this is not a withdrawal, unless the student does not return. If the answer is no, this is a withdrawal, and the Return of Title IV Funds requirements apply.

In Thompson's Case, the answer is **No**; you must treat Thompson as a withdrawal.

Therefore, though Thompson completed the first two modules in the semester, since he doesn't intend on returning to a module in this semester, the revised Return regulations require that LSDJ treat him as a withdrawn student.

Because Thompson failed to begin attendance in all of the classes on which his Pell Grant was based, before performing the required Return calculation, LSDJ must recalculate Thompson's Pell based on his enrollment in just the two modules he began—six credits or half time. Thompson's scheduled annual Pell award as a half-time student is \$2,775. His revised first semester award is \$1,388.00. LSDJ must return \$1,387.00 (the difference between Thompson's initial Pell disbursement of \$2,775.00 and his new award of \$1,388.00), and include only his new award of \$1,388.00 in the Return calculation. The school returns the \$1,387.00 through G5 and reduces Thompson's Pell Grant in COD to \$1,388.00.

In addition, since Thompson was receiving Campus-Based aid (FSEOG), the school has to recalculate his eligibility for Campus-Based funds, eliminating the costs attributable to the modules that he did not begin attending to see whether a reduction of the Campus-Based aid is necessary. Based on a revised COA of \$3,600.00 for the fall semester and revised Pell Grant of \$1,388.00, Thompson's remaining first-semester need is \$2,212.00. That is more than his FSEOG of \$1,825.00. Therefore, LSDJ does not need to reduce Thompson's FSEOG award before performing the Return calculation.

LSDJ performed a return calculation using Thompson's last day of attendance of October 14 as his withdrawal date (as per school policy); \$1,388.00 as the amount of Pell Grant disbursed; and \$1,825.00 as the amount of FSEOG funds disbursed. On October 24, LSDJ returned the funds for which it was responsible to the appropriate programs, and made the appropriate adjustments in COD.



**Solution**

Per school policy, Thompson's withdrawal date is his last day of attendance at an academically related activity as determined from the school's attendance records, October 14.

At the beginning of the semester, the following awards were posted to Thompson's account at LSDJ.

Pell Grant	\$	2,775.00
FSEOG	\$	1,825.00

**STEP 1: Student's Title IV Aid Information**

Box A. After recalculating and returning the Pell Grant funds for which Thompson was ineligible, the Title IV grant aid disbursed was –

Pell Grant	\$	1,388.00
FSEOG	\$	1,825.00

**A. =** \$ 3,213.00

Box B. Net Title IV loans that could have been disbursed = \$ 0.00.

Box C. Title IV grants that could have been disbursed = \$ 0.00.

Box D. Title IV loans that could have been disbursed = \$ 0.00.

Box E. Total Title IV aid disbursed for the payment period =  $A + B = 3,213.00 + 0.00 = \$ 3,213.00$ .

Box F. Total Title IV grant aid disbursed and could have been disbursed for the payment period =  $A + C = 3,213.00 + 0.00 = \$ 3,213.00$ .

Box G. Total Title IV aid disbursed and could have been disbursed for the payment period =  $A + B + C + D = 3,213.00 + 0.00 + 0.00 + 0.00 = \$3,213.00$ .

**STEP 2: Percentage of Title IV Aid Earned**

LSDJ has an institutional policy of using the last date of attendance in an academically related activity as determined from its attendance records as the withdrawal date for students who cease attendance before completing more than 60 percent of the payment period. Thompson's last date of attendance was October 14.

1. Payment Period start date = August 22.
2. Payment Period end date = December 16.
3. Date of withdrawal = October 14.
4. Percentage of payment period completed
  - Number of calendar days completed = 54
  - Number of calendar days in the payment period = 108 (117 – 9 day scheduled break)
  - $54 \text{ days} \div 108 \text{ days} = 0.50$ . Percentage of payment period completed = 50.0%

Box H. Because this percentage is 60% or less, the Percentage of Title IV aid earned = 50.0%.

**STEP 3: Amount of Title IV Aid Earned by the Student**

Box I.  $50.0\%$  (Percentage of Title IV aid earned from Box H) X  $\$3,213.00$  (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) =  $\$1,606.50$ . Amount of Title IV aid earned by the student =  $\$1,606.50$ .

**STEP 4: Total Title IV Aid to be Disbursed or Returned**

Box J. Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

Box K. Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I), Title IV aid must be returned.

$\$3,213.00$  (Box E) –  $\$1,606.50$  (Box I) =  $\$1,606.50$ . Title IV Aid to be returned =  $\$1,606.50$ .

**STEP 5: Amount of Title IV Aid Due from the School**

Box L. The institutional charges on Thompson's account are the charges initially assessed for the payment period. Note that books and supplies are not included because Thompson had an opportunity to purchase them elsewhere, and did.

Tuition and fees	\$	1,200.00
Room	\$	1,400.00
Board	\$	<u>800.00</u>
Box L =	\$	3,400.00

Box M. Subtract the percentage of Title IV earned from Box H (50.0%) from 100.0%.  
 $100\% - 50.0\% = 50.0\%$ . Percentage of Title IV aid unearned = 50.0%.

Box N. Calculate the amount of unearned charges. \$3,400.00 (institutional charges from Box L) X 50.0% (% of Title IV aid unearned from Box M) = \$1,700.00.

Amount of unearned institutional charges = \$1,700.00.

Box O. Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	1,606.50
Box N =	\$	1,700.00

Amount of unearned Title IV aid due from the school = \$1,606.50.

**STEP 6: Return of Funds by the School**

Box P. Thompson received a recalculated Pell Grant disbursement of \$1,388.00. Since \$1,388.00 is less than the \$1,606.50 (Box O) the school must return, the school must return the \$1,388.00 to the Pell Grant Program and an additional \$218.50 ( $1,606.50 - 1,388.00$ ) to the FSEOG program through the G5 system. The school must also reduce Thompson's Pell Grant in COD to \$0.00.

The school must return any unearned funds within 45 days from the date of the school's determination that Thompson withdrew.

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

Box Q. Subtract the amount of Title IV aid the school must return (\$1,606.50 from Box O) from the total amount of Title IV aid that is to be returned (\$1,606.50 from Box K) to find the Initial amount of Title IV aid Due from the Student.  $\$1,606.50 - \$1,606.50 = \$0.00$ .

Box Q =                   \$           0.00

Because Box Q is \$0.00, no further calculation is needed.

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

<b>Student's Name</b>	Thompson Hunter	<b>Social Security Number</b>	Example 6
<b>Date form completed</b>	/ /	<b>Date of school's determination that student withdrew</b>	10 / 17 /
<b>Period used for calculation (check one)</b>	<input checked="" type="checkbox"/> <b>Payment period</b>	<input type="checkbox"/> <b>Period of enrollment</b>	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed													
1. Pell Grant	1,388.00		<b>E. Total Title IV aid disbursed for the period.</b> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="border: 1px solid black;">A.</td><td style="text-align: right;">3,213.00</td></tr> <tr><td style="border: 1px solid black;">+</td><td style="border: 1px solid black;">B.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="border: 1px solid black;">E. \$</td><td style="text-align: right;">3,213.00</td></tr> </table>	A.	3,213.00	+	B.	0.00	E. \$		3,213.00				
A.	3,213.00														
+	B.	0.00													
E. \$		3,213.00													
2. Academic Competitiveness Grant															
3. National SMART Grant															
4. FSEOG	1825.00														
5. TEACH Grant															
6. Iraq Afghanistan Service Grant															
<b>A.</b>		3,213.00	<b>F. Total Title IV grant aid disbursed and that could have been disbursed for the period.</b> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="border: 1px solid black;">A.</td><td style="text-align: right;">3,213.00</td></tr> <tr><td style="border: 1px solid black;">+</td><td style="border: 1px solid black;">C.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="border: 1px solid black;">= F. \$</td><td style="text-align: right;">3,213.00</td></tr> </table>	A.	3,213.00	+	C.	0.00	= F. \$		3,213.00				
A.	3,213.00														
+	C.	0.00													
= F. \$		3,213.00													
Subtotal		C.		0.00											
<b>Title IV Loan Programs</b>		<b>Net Amount Disbursed</b>		<b>Net Amount that Could Have Been Disbursed</b>											
7. Unsubsidized FFEL/Direct Stafford Loan	0.00		<b>G. Total Title IV aid disbursed and that could have been disbursed for the period.</b> <table style="width: 100%; border-collapse: collapse;"> <tr><td style="border: 1px solid black;">A.</td><td style="text-align: right;">3,213.00</td></tr> <tr><td style="border: 1px solid black;">B.</td><td style="text-align: right;">0.00</td></tr> <tr><td style="border: 1px solid black;">C.</td><td style="text-align: right;">0.00</td></tr> <tr><td style="border: 1px solid black;">+</td><td style="border: 1px solid black;">D.</td><td style="text-align: right;">0.00</td></tr> <tr><td colspan="2" style="border: 1px solid black;">G. \$</td><td style="text-align: right;">3,213.00</td></tr> </table>	A.	3,213.00	B.	0.00	C.	0.00	+	D.	0.00	G. \$		3,213.00
A.	3,213.00														
B.	0.00														
C.	0.00														
+	D.	0.00													
G. \$		3,213.00													
8. Subsidized FFEL/Direct Stafford Loan															
9. Perkins Loan															
10. FFEL/Direct PLUS (Graduate Student)															
11. FFEL/Direct PLUS (Parent)															
<b>B.</b>		0.00	<b>D.</b>	0.00											
Subtotal		Subtotal													

## STEP 2: Percentage of Title IV Aid Earned

08 / 22 /	12 / 16 /	10 / 14
<b>Start date</b>	<b>Scheduled end date</b>	<b>Date of withdrawal</b>

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date. *(Less 9 day scheduled break)*

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

54	÷	108	=	50.0	%
<small>Completed days</small>		<small>Total days</small>			

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.** 50.0 %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

50.0%	×	3,213.00	=	<b>I. \$</b>	1,606.50
<small>Box H</small>		<small>Box G</small>			

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Box K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

[ ]	-	[ ]	=	<b>J. \$</b>	NA
<small>Box I</small>		<small>Box E</small>			

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

*Step 4 continued ▶*

Student's Name

Social Security Number

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

**K. Title IV Aid to be returned**  
 From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

-  = **K.\$**

Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**L. Institutional charges for the period**

Tuition	1,200.00
Room	1,400.00
Board	800.00
Other	
Other	
Other	

**Total Institutional Charges** = **L.\$**   
 (Add all the charges together)

**M. Percentage of unearned Title IV aid**  
 100% -  = **M.**

Box H

**N. Amount of unearned charges**  
 Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).

X  = **N.\$**

Box L                      Box M

**O. Amount for school to return**  
 Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N), and enter the lesser amount.

**O.\$**

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	
2. Subsidized FFEL/Direct Stafford Loan	
3. Perkins Loan	
4. FFEL/Direct PLUS (Graduate Student)	
5. FFEL/Direct PLUS (Parent)	
<b>Total loans the school must return = P.\$</b> <input type="text" value="0.00"/>	
6. Pell Grant	\$1,388.00
7. Academic Competitiveness Grant	
8. National SMART Grant	
9. FSEOG	\$218.50
10. TEACH Grant	
11. Iraq Afghanistan Service Grant	

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

-  = **Q.\$**

Box K                      Box O

▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

-  = **R.\$**

Box B                      Box P

▶ If Box Q is less than or equal to Box R, **STOP**.  
 The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**  
 From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

-  = **S.\$**

Box Q                      Box R

**T. Amount of Title IV grant protection**  
 Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

X  = **T.\$**

Box F

**U. Title IV grant funds for student to return**  
 From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

-  = **U.\$**

Box S                      Box T

▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6. **Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	
2. Academic Competitiveness Grant	
3. National SMART Grant	
4. FSEOG	
5. TEACH Grant	
6. Iraq Afghanistan Service Grant	



## CASE STUDY 7: THE RETURN OF THOMPSON S. HUNTER

*When a student receiving Title IV grants at a school that utilizes a term-based modular course structure, measures academic progress in credit hours and performs its Return calculations on a payment period basis, officially withdraws, returns within the payment period, and withdraws again.*

### Learning Objectives

Learn to complete Steps 1–10 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet, and be able to:

- identify the steps that must be taken when a student who withdrew from a term-based program offered in modules returns within the payment period;
- determine the numerator and denominator when calculating the percentage of the payment period completed for a student who withdraws, returns and withdraws again.
- recalculate the student’s eligibility for Pell and Campus-Based funds;
- calculate the percentage of the payment period the student completed, and the percentage and the amount of Title IV aid earned by the student;
- determine if the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned, and if so, how much the school must return and
- determine the amount to be offered to the student or returned by him.

#### School Profile

Las Vegas School of Digital Journalism (LSDJ) is public residential institution that utilizes a term-based modular course structure and measures academic progress in credit hours.

Academic Year/ Period of Enrollment	2 semesters/ 32 weeks and 24 semester hours
Payment Period	1 semester 117 calendar days
Period Start Date	August 22
Period End Date	December 16
Institutionally Scheduled Break	Yes
Required to Take Attendance	No
Period used in Return calculation	Payment Period



Thompson's financial aid package included the following **annual** awards:

Pell Grant	\$	5,550.00
FSEOG	\$	3,650.00

All of Thompson's financial aid for the first payment period (one-half his annual awards) was disbursed on the first day of classes.

### Discussion

On November 11, Thompson Hunter (the student from Case Study 6) walks into your office with the news that his wife Barbara Ann has quit her acting job in LA and moved back to Las Vegas. Longing for a normal family life, Barbara Ann is more than happy to care for Gonzo and the puppies. Thompson would like to re-enter the program when the fourth module begins on November 14.

When Thompson returns for module four, 34 CFR 668.22(a)(2)(iii)(A) applies. That regulation provides that, if a student withdraws from a term-based credit-hour program offered in modules and re-enters the same program prior to the end of the payment period, the student is treated as if he or she did not cease attendance for purposes of determining the student's aid awards for the period. The student is considered to be in the same payment period he or she was in at the time of the withdrawal and retains his or her original Title IV eligibility for that payment period, provided the student's enrollment status continues to support the same amount of those funds. To do this, the school must:

- recalculate Thompson's Title IV program eligibility based upon enrollment in modules 1, 2, and 4 and then re-disburse any Title IV, HEA program funds that had been disbursed and then returned under the Return of Title IV Funds provisions, adjusting, if necessary, for any change in his enrollment status;
- disburse any Title IV, HEA program funds for which Thompson was otherwise eligible that had not yet been disbursed at the time he withdrew, adjusting for the change in enrollment status; and
- cancel any Title IV overpayments assessed Thompson as a result of the prior withdrawal.

When Thompson returns in module four, the three credits for that module are added to the six credits that Thompson completed previously. Nine credits at LSDJ are the minimum number required for three-quarter-time enrollment status. Therefore, the school must recalculate Thompson's eligibility for Title IV assistance as a three-quarter time student. Thompson's scheduled annual Pell award as a three-quarter-time student is \$4,163.00, and his one-semester award is \$2,081.50.

After recalculating Thompson's eligibility from full time to half time when he withdrew previously, the school returned \$1,387.00 (the difference between Thompson's initial Pell disbursement of \$2,775.00 and his half-time award of \$1,388.00). The school then included only his new award of \$1,388.00 in the Return calculation and returned the entire amount as a result of the calculation. The school also reduced his Pell award in COD to \$0.00. When Thompson returns, the school must once again adjust his award in COD (this time to his three-quarter-time award of \$2,081.50) and draw down and disburse \$2,081.50 to his account.

In addition, the school has to recalculate Thompson’s eligibility for Campus-Based funds, adding the costs attributable to the additional module that he has begun attending, to see whether a modification of his Campus-Based aid is necessary. Based on a revised COA of \$4,100.00 for the fall semester and revised Pell Grant of \$2,081.50, Thompson’s remaining first-semester need is \$2,018.50. That is greater than his initial FSEOG award of \$1,825.00. Therefore, since it has not already awarded the \$218.50 that it returned previously to another eligible student, the school re-awards and disburses the \$218.50 in FSEOG funds to Thompson.

When the aid officer reviews the results of the previous Return calculation, he finds that Thompson had not been required to return any Title IV funds; therefore, there are no student overpayments to cancel.

On the first day of module four, November 14, LSDJ made the following disbursements to his student account:

Pell Grant	\$	2,081.50	
FSEOG	\$	218.50	(restoring his total to \$1,825)

After class on December 5, Thompson once again comes to see you. He says that his uncle Raoul (born in England under mysterious circumstances) has just discovered that he is in line to be the Duke of Marlboro. Raoul must go to England immediately to claim the title, and he’s willing to cover the cost of Thompson’s traveling with him to the investiture. Therefore, Thompson has decided to withdraw immediately.

When a student withdraws from one of a series of modules in a term-based program, a school must first determine whether or not the student must be treated as a withdrawal. In order to do so, the school must answer three questions:

1. After beginning attendance in the payment period or period of enrollment, did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend?

If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.

In Thompson’s case, the answer to Question 1 is **Yes**; you go on to Question 2.

2. When the student ceased to attend or failed to begin attendance in a course he or she was scheduled to attend, was the student still attending any other courses?

If the answer is yes, this is not a withdrawal. (Note, however that other regulatory provisions concerning recalculation may apply.) If the answer is no, go to question 3.

In Thompson’s case, the answer to Question 2 is **No**; you go on to Question 3.

3. Did the student confirm attendance in a course in a module beginning later in the period (If this were a non-standard term or nonterm program, this would have to be no later than 45 calendar days after the end of the module the student ceased attending)?

If the answer is yes, this is not a withdrawal unless the student does not return. If the answer is no, this is a withdrawal, and the Return of Title IV Funds requirements apply.

In Thompson’s case, the answer is **No**; you must treat Thompson as a withdrawal.

Thompson began attendance in all of the classes on which his Pell Grant was based (modules 1,2, and 4). Therefore, the school did not need to recalculate Thompson's revised Pell Grant. In addition, since Thompson began attendance in all of the classes on which his Campus-Based aid (FSEOG) was based, the school did not have to recalculate his eligibility for Campus-Based funds.

### Solution

Per school policy, Thompson's withdrawal date is his last day of attendance at an academically related activity as determined from the school's attendance records, December 5.

#### STEP 1: Student's Title IV Aid Information

Box A. Since Thompson had begun all modules (classes) on which his Pell and Campus-Based aid was based, the Title IV grant aid disbursed was –

Pell Grant	\$	2,081.50
FSEOG	\$	<u>1,825.00</u>
<b>A.</b>	=	\$ 3,906.50

Box B. Net Title IV loans that could have been disbursed = \$ 0.00.

Box C. Title IV grants that could have been disbursed = \$ 0.00.

Box D. Title IV loans that could have been disbursed = \$ 0.00.

Box E. Total Title IV aid disbursed for the payment period =  $A + B = 3,906.50 + 0.00 = \$ 3,906.50$ .

Box F. Total Title IV grant aid disbursed and could have been disbursed for the payment period =  $A + C = 3,906.50 + 0.00 = \$ 3,906.50$ .

Box G. Total Title IV aid disbursed and could have been disbursed for the payment period =  $A + B + C + D = 3,906.50 + 0.00 + 0.00 + 0.00 = \$3,906.50$

## STEP 2: Percentage of Title IV Aid Earned

Though it is not a school that is required to take attendance, LSDJ has a school policy of using a student's last date of attendance at an academically related activity as the withdrawal date when a student withdraws from a program offered in modules.

The total number of days in the payment period is the original 108 days. While the student did not begin module three, since module three was included in the original payment period or period of enrollment and used to determine the amount of Title IV, HEA funds eligibility, the days from module three are included in the denominator.

The total number of completed calendar days in the period reflects the completed days in modules one, two, and four. From the previous Return calculation, we know that Thompson completed 54 days in modules one and two. He completed 13 days in module 4 (22 days less the 9-day scheduled break). The total number of days completed (the days completed in modules one, two, and four) are the sum of the days completed during each period or 67 days (54 + 13).

1. Payment Period start date = August 22.
2. Payment Period end date = December 16.
3. Date of withdrawal = December 5.
4. Percentage of payment period completed
  - Number of calendar days completed in modules one, two, and four = 67
  - Number of calendar days in the payment period = 108 (117 – 9 day scheduled break)
  - $67 \text{ days} \div 108 \text{ days} = 0.62$ . Percentage of payment period completed = 62.0%

Box H. Because this percentage is greater than 60%, the Percentage of Title IV aid earned = 100.0%. Note that although no return is required, the school must complete STEP 3 in order to determine whether 100% of his aid has been disbursed or Thompson was due a post-withdrawal disbursement.

Percentage of Title IV aid earned = 100.00%

## STEP 3: Amount of Title IV Aid Earned by the Student

Box I. 100.0% (Percentage of Title IV aid earned from Box H) X \$3,843.50. (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) = \$3,843.50.

Amount of Title IV aid earned by the student = \$3,843.50.

Box J. When we subtract the amount of Title IV aid disbursed, \$3,843.50 (Box E) from the amount of Title IV earned, \$3,843.50 (Box I), the aid officer found that the answer is \$0.00. Therefore, Thompson has received all the Title IV aid to which he was entitled and is not due a post-withdrawal disbursement.

No further action is necessary.



# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

<b>Student's Name</b>	Thompson Hunter	<b>Social Security Number</b>	Example 7
<b>Date form completed</b>	/ /	<b>Date of school's determination that student withdrew</b>	12 / 05 /
<b>Period used for calculation (check one)</b>	<input checked="" type="checkbox"/> <b>Payment period</b>	<input type="checkbox"/> <b>Period of enrollment</b>	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,081.50		<b>A.</b> 3,906.50
2. Academic Competitiveness Grant			<b>B.</b> 0.00
3. National SMART Grant			<b>E. \$</b> 3,906.50
4. FSEOG	1825.00		
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b> Subtotal	3,906.50	<b>C.</b> Subtotal	0.00
			<b>F. Total Title IV grant aid disbursed and that could have been disbursed for the period.</b>
			<b>A.</b> 3,906.50
			<b>C.</b> 0.00
			<b>F. \$</b> 3,906.50
			<b>G. Total Title IV aid disbursed and that could have been disbursed for the period.</b>
			<b>A.</b> 3,906.50
			<b>B.</b> 0.00
			<b>C.</b> 0.00
			<b>D.</b> 0.00
			<b>G. \$</b> 3,906.50

## STEP 2: Percentage of Title IV Aid Earned

08 / 22 /	12 / 16 /	12 / 5 /	
<b>Start date</b>	<b>Scheduled end date</b>	<b>Date of withdrawal</b>	

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date. *(Less 9 day scheduled break)*

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

67	÷	108	=	62.0	%
<small>Completed days</small>		<small>Total days</small>			

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.** 100.0 %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

100.0	%	3,906.50	=	<b>I. \$</b> 3,906.50
<small>Box H</small>		<small>Box G</small>		

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

3,906.50	-	3,906.50	=	<b>\$</b> 0.00
<small>Box I</small>		<small>Box E</small>		

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet).

*Step 4 continued ▶*

## CASE STUDY 8: ELI KRAUT

*When a student receiving Title IV grants and loans at a school that utilizes a non-term modular course structure, measures academic progress in credit hours and performs its Return calculations on a payment period basis officially withdraws and is not scheduled to return within 45 days.*

### Learning Objectives

Learn to complete Steps 1–10 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet, and be able to:

- determine whether or not a student must be considered a withdrawal;
- determine if it is necessary to, and if so, recalculate the student’s eligibility for Pell and Campus-Based funds;
- determine the total number of days the student was in attendance, and the numerator and denominator when calculating the percentage of the payment period completed;
- calculate the percentage of the payment period the student completed, and both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned; and
- determine the amount to be offered to the student or returned.

#### School Profile

The Giant School of Sports Medicine (GSSM) is private, for profit institution that utilizes a non-term modular course structure and measures academic progress in credit hours.

Academic Year/ Period of Enrollment	24 credits/ 32 weeks
Payment Period	12 credit hours 4 modules (each of 4 weeks duration) 16 weeks
Period Start Date	August 1
Period End Date	November 18
Institutionally Scheduled Break	No
Required to Take Attendance	No
Period Used in Return Calculation	Payment Period

**School Profile, continued**

Scheduled starting and ending dates for modules within the payment period.

Start	End
August 1	August 26
August 29	September 23
September 26	October 21
October 24	November 18

**Student Profile**

Eli Kraut is a dependent, fourth-year student enrolled at GSSM for 12 credits offered in four modules. In each four week module, a student enrolls in one course that begins and ends on a fixed date. In Eli's case, each course is worth three credits.

Charges to Eli's account for the payment period are as follows:

Tuition and fees	\$	3,200.00/12 credits
------------------	----	---------------------

School Authorized to Credit Account for Other Charges:	Yes (all charges)
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Eli's financial aid package is based on the following nine month academic year cost of attendance (COA).

Tuition	\$	6,400.00
Room	\$	3,200.00
Board	\$	3,200.00
Books	\$	1,600.00
Personal Expenses	\$	3,200.00
Travel	\$	800.00
		<hr/>
	\$	18,400.00

Eli's financial aid package included the following **annual** awards:

Pell Grant	\$	5,550.00
FSEOG	\$	4,000.00
Subsidized Direct Loan	\$	5,500.00
Federal Work Study (FWS)	\$	3,350.00

Except for his FWS award, all of Eli's financial aid for the first payment period (one-half his annual awards) was disbursed on the first day of classes.

### Discussion

On the first day of the period, August 1, Eli received the following disbursements to his student account:

Pell Grant	\$	2,775.00
FSEOG	\$	2,000.00
Subsidized Stafford Loan	\$	2,750.00

On August 25, Eli comes to see you. He tells you that his twin brother, Jake, has just won an all-expenses paid Mediterranean cruise for two and has invited Eli (the lucky dog) to accompany him on the cruise. Eli has decided not to miss this chance of a lifetime. He intends to drop modules two and three, and return for the fourth module on October 24. On August 26, Eli completes module one and withdraws.

When a student withdraws from one of a series of modules in a non-term-based program, a school must first determine whether or not the student must be treated as a withdrawal. In order to do so, the school must answer three questions:

1. After beginning attendance in the payment period or period of enrollment, did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend?

If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.

In Eli's case, the answer to Question 1 is **Yes**; you go on to Question 2.

2. When the student ceased to attend or failed to begin attendance in a course he or she was scheduled to attend, was the student still attending any other courses?

If the answer is yes, this is not a withdrawal. (Note, however that other regulatory provisions concerning recalculation may apply. If the answer is no, go to question 3.

In Eli's case, the answer to Question 2 is **No**; you go on to Question 3.

3. Did the student confirm attendance in a course in a module beginning later in the period? For non-term and nonstandard term programs, this must be no later than 45 calendar days after the end of the module the student ceased attending.

If the answer is yes, this is not a withdrawal unless the student does not return. If the answer is no, this is a withdrawal, and the Return of Title IV Funds requirements apply.

Note: CFR 34 668.22(a)(2)(i)(C) provides that a student in a non-term or nonstandard term program is considered to have withdrawn for Title IV purposes if the student is not scheduled to begin another course within a payment period or period of enrollment for more than 45 calendar days, unless the student is on an approved leave of absence. 34 CFR 668.22(a)(2)(ii)(A)(2) provides that, for a non-term or nonstandard-term program, an institution must treat as a withdrawal a student who ceases attendance in a module, notwithstanding a student's confirmation of attendance in a future module in the payment period or period of enrollment if that module does not begin within 45 days of the end of the module the student ceased attending. (For additional information see *Withdrawals from programs offered in modules* in Chapter 2.)

The module in which Eli will be returning (module 4) does not start until October 24. That is 58 days from August 26, the end of the first module. Therefore, you must treat Eli as a withdrawal.

Because Eli failed to begin attendance in all of the classes on which his Title IV aid was based, before performing the required Return calculation GSSM must recalculate Eli's eligibility for Title IV funds based on his enrollment in just the one module he began—three credits, or less than half time.

Note: Pell Grant awards for students in clock-hour programs and programs without terms are always based on the *Payment Schedule for Determining Full-Time Awards*. Therefore a school does not have to recalculate a Pell Grant when a student attending a non-term program or clock-hour program withdraws.

The school does have to recalculate Eli's eligibility for Campus-Based aid (FSEOG and FWS), eliminating the costs attributable to the modules that he did not begin attending, to see whether a reduction of the Campus-Based aid was necessary. After eliminating the expenses associated with the period of non-attendance, the school determined that the COA (for Campus-Based purposes) associated with Eli's enrollment in the one module was \$2,600.00. The loan funds that Eli had already received (and for which his eligibility does not have to be recalculated—\$2,750.00) plus his Pell Grant (\$2,775.00), plus the \$500.00 in FWS Eli has earned to date equal \$6,025.00. Since \$6,025.00 exceeds Eli's revised COA of \$2,500.00, the aid officer determined that Eli was not eligible for any FSEOG funds, so the school had to reduce Eli's FSEOG award to \$0.00 and either award the \$2,000.00 in FSEOG funds to another eligible student or return them to ED. Note that Pell Grants and earned FWS funds are never reduced to address an overpayment.

Note: Any time a student enrolled in a clock-hour or non-term program changes his or her enrollment status, the school must recalculate the student's COA to determine if the student's eligibility for Campus-Based funds has changed. The school may not include in the COA costs associated with any classes the student failed to begin. Moreover, when a student enrolled in a clock-hour or non-term program withdraws, **a school that calculates Returns on a period of enrollment basis may not include costs associated with any future payment period for which the student has not confirmed attendance at the time of withdrawal and that does not start within 45 days in the student's COA.**

GSSM performed a return calculation using Eli's last day of attendance of August 26 as his withdrawal date; \$2,775.00 as the amount of Pell Grant disbursed; \$0.00 as the amount of FSEOG funds disbursed; and \$2,750.00 as the amount of Subsidized Direct Loan funds disbursed. On September 4, GSSM returned the funds for which it was responsible to the appropriate programs.

**Solution**

Eli's withdrawal date is his last day of attendance at an academically related activity as determined from the school's attendance records, August 26.

At the beginning of the payment period, the following awards were posted to Eli's account at GSSM.

Pell Grant	\$	2,775.00
FSEOG	\$	2,000.00
Subsidized Direct Loan	\$	2,750.00

**STEP 1: Student's Title IV Aid Information**

**Box A.** After recalculation, the Title IV grant aid disbursed was –

Pell Grant	\$	2,775.00
FSEOG	\$	0.00
<b>A. =</b>	\$	2,775.00

**Box B.** Net Title IV loans disbursed

Subsidized Stafford loan	\$	2,750.00
<b>B. =</b>	\$	2,750.00

**Box C.** Title IV grants that could have been disbursed = \$ 0.00.

**Box D.** Title IV loans that could have been disbursed = \$ 0.00.

**Box E.** Total Title IV aid disbursed for the payment period =  $A + B = 2,775.00 + 2,750.00 = \$ 5,525.00$ .

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the payment period =  $A + C = 2,775.00 + 0.00 = \$ 2,775.00$ .

**Box G.** Total Title IV aid disbursed and could have been disbursed for the payment period =  $A + B + C + D = 2,775.00 + 2,750.00 + 0.00 + 0.00 = \$ 5,525.00$ .



## STEP 2: Percentage of Title IV Aid Earned

For Title IV purposes, Eli’s withdrawal date is August 26, the day he dropped modules two and three and notified the school that he would not be returning until the start of module four. Note that because Eli didn’t drop modules two and three before withdrawing, the days in those modules are included in the number of days in the payment period.

1. Payment Period start date = August 1.
2. Payment Period end date = November 18.
3. Date of withdrawal = August 26.
4. Percentage of payment period completed
  - Number of calendar days completed = 26
  - Number of calendar days in the payment period = 110
  - $26 \text{ days} \div 110 \text{ days} = 0.2363$ . Percentage of payment period completed = 23.6%

**Box H.** Because this percentage is 60% or less, the Percentage of Title IV aid earned = 23.6%.

## STEP 3: Amount of Title IV Aid Earned by the Student

**Box I.**  $23.6\%$  (Percentage of Title IV aid earned from Box H) X  $\$5,525.00$  (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) =  $\$1,303.90$ . Amount of Title IV aid earned by the student =  $\$1,303.90$ .

**I.** = \$ 1,303.90

## STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

**Box K.** Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I) Title IV aid must be returned.

$\$5,525.00$  (Box E) –  $\$1,303.90$  (Box I) =  $\$4,221.10$ . Title IV Aid to be returned =  $\$4,221.10$ .

**K.** = \$ 4,221.10

**STEP 5: Amount of Title IV Aid Due from the School**

**Box L.** The institutional charges on Eli’s account are the charges initially assessed for the payment period. Note that books and supplies are not included because Eli had an opportunity to purchase them elsewhere, and did.

Tuition and fees	\$	3,200.00
Room	\$	1,600.00
Board	\$	1,600.00
Box L =	\$	6,400.00

**Box M.** Subtract the percentage of Title IV earned from Box H (23.6%) from 100.0%.  
 $100\% - 23.6\% = 76.4\%$ . Percentage of Title IV aid unearned = 76.4%.

$$M = 76.4\%$$

**Box N.** Calculate the amount of unearned charges. \$6,400.00 (institutional charges from Box L) X 76.4% (% of Title IV aid unearned from Box M) = \$4,889.60. Amount of unearned institutional charges = \$4,889.60.

$$N = \$ 4,889.60$$

**Box O.** Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	4,221.10
Box N =	\$	4,889.60

Amount of unearned Title IV aid due from the school = \$4,221.10.

**STEP 6: Return of Funds by the School**

**Box P.** The amount of unearned Title IV aid due from the school is \$4,221.10 (Box O), and Title IV loans are returned before Title IV grants. Since Eli received a Subsidized Direct Loan of \$2,750.00, the school returns the entire \$2,750.00 to the Direct Loan Program.

The school also returns \$1,471.10 ( $4,221.10 (O) - 2,750.00 (P)$ ) to the Pell Grant Program.

The school must return any unearned funds within 45 days from the date of the institution’s determination that Eli withdrew.

**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid the school must return (\$4,221.10 from Box O) from the total amount of Title IV aid that is to be returned (\$4,221.10 from Box K) to find the Initial amount of Title IV aid Due from the Student.  $\$4,221.10 - \$4,221.10 = \$0.00$ .

Box Q =                   \$       0.00

There is no unearned aid due from the student, so the Return calculation ends here. The only further action the school must take is to notify the loan holder that the student has ceased attendance.

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

Student's Name	Eli Kraut	Social Security Number	Example 8
Date form completed	/ /	Date of school's determination that student withdrew	08 / 26 /
Period used for calculation (check one)	<input checked="" type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment	

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,775.00		A. 2,775.00
2. Academic Competitiveness Grant			+ B. 2,750.00
3. National SMART Grant			E. \$ 5,525.00
4. FSEOG			
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b> Subtotal	2,775.00	<b>C.</b> Subtotal	0.00
			F. Total Title IV grant aid disbursed and that could have been disbursed for the period.
			A. 2,775.00
			+ C. 0.00
			= F. \$ 2,775.00
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could have been disbursed for the period.
7. Unsubsidized FFEL/Direct Stafford Loan			A. 2,775.00
8. Subsidized FFEL/Direct Stafford Loan	2,750.00		B. 2,750.00
9. Perkins Loan			C.
10. FFEL/Direct PLUS (Graduate Student)			+ D. 0.00
11. FFEL/Direct PLUS (Parent)			G. \$ 5,525.00
<b>B.</b> Subtotal	2,750.00	<b>D.</b> Subtotal	0.00

## STEP 2: Percentage of Title IV Aid Earned

08 / 01 /	11 / 18 /	08 / 26	
Start date	Scheduled end date	Date of withdrawal	

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

26	÷	110	=	23.6	%
<small>Completed days</small>		<small>Total days</small>			

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3.

**H.** 23.6 %

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

23.6 %	X	5,525.00		I. \$ 1,303.90
<small>Box H</small>		<small>Box G</small>		

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

[ ]	-	[ ]		J. \$ NA
<small>Box I</small>		<small>Box E</small>		

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal disbursement tracking sheet).

*Step 4 continued ▶*

Student's Name **Eli Kraut**

Social Security Number **Example 8**

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

$5,525.00 - 1303.90 = \mathbf{K.\$} \quad 4,221.10$   
Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

<b>L. Institutional charges for the period</b>	Tuition	3,200.00
	Room	1,600.00
	Board	1,600.00
	Other	
	Other	
	Other	

**Total Institutional Charges** = **L.\$** 6,400.00  
(Add all the charges together)

**M. Percentage of unearned Title IV aid**  
 $100\% - 23.6\% = \mathbf{M.} \quad 76.4\%$   
Box H

**N. Amount of unearned charges**  
 Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).  
 $6,400.00 \times 76.4\% = \mathbf{N.\$} \quad 4,889.60$   
Box L                      Box M

**O. Amount for school to return**  
 Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N).  
**O.\$** 4,221.10

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	
2. Subsidized FFEL/Direct Stafford Loan	2,750.00
3. Perkins Loan	
4. FFEL/Direct PLUS (Graduate Student)	
5. FFEL/Direct PLUS (Parent)	
<b>Total loans the school must return = P.\$ 2,750.00</b>	
6. Pell Grant	1,471.10
7. Academic Competitiveness Grant	
8. National SMART Grant	
9. FSEOG	
10. TEACH Grant	
11. Iraq Afghanistan Service Grant	

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

$4,221.10 - 4,221.10 = \mathbf{Q.\$} \quad 0.00$   
Box K                      Box O  
 ▶ If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

$\text{Box B} - \text{Box P} = \mathbf{R.\$} \quad .$   
 ▶ If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.  
 ▶ If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**  
 From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

$\text{Box Q} - \text{Box R} = \mathbf{S.\$} \quad .$

**T. Amount of Title IV grant protection**  
 Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

$\text{Box F} \times 50\% = \mathbf{T.\$} \quad .$

**U. Title IV grant funds for student to return**  
 From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

$\text{Box S} - \text{Box T} = \mathbf{U.\$} \quad .$   
 ▶ If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6. **Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	
2. Academic Competitiveness Grant	
3. National SMART Grant	
4. FSEOG	
5. TEACH Grant	
6. Iraq Afghanistan Service Grant	

## CASE STUDY 9: STEVE HENDERSON

*When a student receiving Title IV grants and loans at a school that utilizes a non-term modular course structure, measures academic progress in credit hours, and performs its Return calculations on a payment period basis, officially withdraws, returns within 180 days, and withdraws again.*

### Learning Objectives

Learn to complete Steps 1–8 of the Treatment of Title IV Funds when a Student Withdraws from a Credit-Hour Program worksheet and be able to:

- determine the total number of days the student was in attendance;
- determine the total number of days in the payment period;
- calculate the percentage of the payment period the student completed;
- calculate both the percentage and the amount of Title IV aid earned by the student;
- determine either that the student is due a post-withdrawal disbursement (PWD) of Title IV aid or that Title IV aid must be returned; and
- determine the amount to be offered to the student or returned.

#### School Profile

Chula University (CU) is a non-residential postsecondary institution that utilizes a non-term modular course structure and measures academic progress in credit hours.

Academic Year/ Period of Enrollment	24 credits/ 32 weeks
Payment Period	12 credit hours 4 modules (each of 4 weeks duration) 16 weeks
Period Start Date	January 9
Period End Date	April 27
Institutionally Scheduled Break	None
Required to Take Attendance	No
Period used in Return calculation	Payment Period



### School Profile, continued

Scheduled starting and ending dates for modules within the calendar year. At each starting point all modules are offered.

Start	End	Start	End
January 9	February 3	February 6	March 2
March 5	March 30	April 2	April 27
April 30	May 25	May 28	June 22
June 25	July 20	July 23	August 17
August 20	September 14	September 17	October 12
October 15	November 9	November 12	December 7

### Student Profile

Steve Henderson is an independent, fourth-year student enrolled at CU for 12 credits offered in four three-credit modules. CU anticipates that Steve, as do most of the students at CU, will complete each of the modules in four weeks, and the payment period in 16 weeks.

Charges to Steve's account for the payment period are as follows:

Tuition and fees	\$	6,000.00/12 credits
------------------	----	---------------------

School Authorized to Credit Account for Other Charges:	Yes (all charges)
--	-------------------

Steve's financial aid package is based on the following eight-month academic year cost of attendance (COA).

Tuition	\$	12,000.00
Room	\$	3,200.00
Board	\$	3,200.00
Books	\$	1,200.00
Personal Expenses	\$	3,200.00
Travel	\$	800.00
	\$	23,600.00

Steve's financial aid package included the following **annual** awards:

Pell Grant	\$	5,550.00
FSEOG	\$	4,000.00
Subsidized Direct Loan	\$	5,500.00
Unsubsidized Direct Loan	\$	4,050.00
Federal Work Study (FWS)	\$	4,500.00

### Discussion

On the first day of the period, January 9, Steve received disbursements totaling \$9,550.00 in Title IV assistance from the following programs to his student account:

Pell Grant	\$	2,775.00
FSEOG	\$	2,000.00
Subsidized Direct Loan	\$	2,750.00
Unsubsidized Direct Loan	\$	2,025.00

On January 27, you are notified by the registrar that Steve has dropped module 2. Then, on February 3, after completing the last class in module 1, Steve comes to see you. He tells you that he's been offered a job as a researcher on a project studying the terrapin species native to the brackish coastal swamps of Maryland and other southeastern states. Steve has decided to withdraw from school in order to accept the job.

When a student withdraws from one of a series of modules in a non-term-based program, a school must first determine whether or not the student must be treated as a withdrawal. In order to do so, the school must answer three questions:

1. After beginning attendance in the payment period or period of enrollment, did the student cease to attend or fail to begin attendance in a course he or she was scheduled to attend? If the answer is no, this is not a withdrawal. If the answer is yes, go to question 2.

In Steve's case, the answer to Question 1 is **Yes**; you go on to Question 2.

2. When the student ceased to attend or failed to begin attendance in a course he or she was scheduled to attend, was the student still attending any other courses? If the answer is yes, this is not a withdrawal. (Note, however that other regulatory provisions concerning recalculation may apply.) If the answer is no, go to question 3.

In Steve's case, the answer to Question 2 is **No**; you go on to Question 3.

3. Did the student confirm attendance in a course in a module beginning later in the period? For non-term and nonstandard term programs, this must be no later than 45 calendar days after the end of the module the student ceased attending. If the answer is yes, this is not a withdrawal, unless the student does not return. If the answer is no, this a withdrawal, and the Return of Title IV Funds requirements apply.

In Steve's case, the answer is **No**, and therefore you must consider Steve as a withdrawn student.

Because Steve failed to begin attendance in all of the classes on which his Title IV aid was based, before performing the required Return calculation, CU must recalculate Steve's eligibility for Title IV funds based on his enrollment in just the one module he began—three credits, or less than half time.

Note: Pell Grant awards for students in clock-hour programs, programs without terms, and nonstandard term programs with terms that are not substantially equal programs are always based on the *Payment Schedule for Determining Full-Time Awards*. Therefore a school does not have to recalculate a Pell Grant when a student attending a non-term program, clock-hour program or nonstandard term program with terms that are not substantially equal withdraws.

The school does have to recalculate Steve's eligibility for Campus-Based aid (FSEOG and FWS), eliminating the costs attributable to the modules that he did not begin attending, to see whether a reduction of the Campus-Based aid was necessary. After eliminating the expenses associated with the period of non-attendance, the school determined that the COA (for Campus-Based purposes) associated with Steve's enrollment in the one module was \$3,250.00.

The loan funds that Steve had already received (and for which his eligibility does not have to be recalculated—\$4,775.00) plus his Pell Grant (\$2,775.00), plus the \$400.00 in FWS Steve has earned to date equal \$7,950.00. Since \$7,950.00 exceeds Steve's revised COA of \$3,250.00, the aid officer determined that Steve was not eligible for any FSEOG funds, so the school had to reduce Steve's FSEOG award to \$0.00 and either award the \$2,000.00 in FSEOG funds to another eligible student or return them to ED. (Note that Pell Grants and earned FWS funds are never reduced to address an overpayment.)

Note: Any time a student enrolled in a clock-hour, non-term program, or nonstandard term program with terms that are not substantially equal changes his or her enrollment status, the school must recalculate the student's COA to determine if the student's eligibility for Campus-Based funds has changed. The school may not include in the student's COA costs associated with any classes the student failed to begin. Moreover, when a student enrolled in a clock-hour, non-term program, or nonstandard term program with terms that are not substantially equal withdraws, **a school that calculates Returns on a period of enrollment basis may not include costs associated with any future payment period for which the student has not confirmed attendance at the time of withdrawal and that does not start within 45 days in the student's COA.**

CU performed a return calculation using Steve's last day of attendance of February 3 as his withdrawal date; \$2,775.00 as the amount of Pell Grant disbursed; \$0.00 as the amount of FSEOG funds disbursed; \$2,750.00 as the amount of Subsidized Direct Loan funds disbursed; and \$2,025.00 as the amount of unsubsidized loan funds disbursed. On February 17, CU returned the funds for which it was responsible to the appropriate programs.

**Solution**

At the beginning of the semester, the following awards were posted to Steve’s account at CU.

Pell Grant	\$	2,775.00
FSEOG	\$	2,000.00
Subsidized Direct Loan	\$	2,750.00
Unsubsidized Direct Loan	\$	2,025.00

**STEP 1: Student’s Title IV Aid Information**

**Box A.** After recalculation, the Title IV grant aid disbursed was –

Pell Grant	\$	2,775.00
FSEOG	\$	0.00
<b>A. =</b>	\$	2,775.00

**Box B.** Net Title IV loans disbursed

Subsidized Direct loan	\$	2,750.00
Unsubsidized Direct	\$	2,025.00
<b>B. =</b>	\$	4,775.00

**Box C.** Title IV grants that could have been disbursed = \$ 0.00.

**Box D.** Title IV loans that could have been disbursed = \$ 0.00.

**Box E.** Total Title IV aid disbursed for the payment period =  $A + B = 2,775.00 + 4,775.00 = \$ 7,550.00$ .

**Box F.** Total Title IV grant aid disbursed and could have been disbursed for the payment period =  $A + C = 2,775.00 + 0.00 = \$ 2,775.00$ .

**Box G.** Total Title IV aid disbursed and could have been disbursed for the payment period =  $A + B + C + D = 2,775.00 + 4,775.00 + 0.00 + 0.00 = \$ 7,550.00$ .

## STEP 2: Percentage of Title IV Aid Earned

For Title IV purposes, Steve's withdrawal date is February 3, the day he informed the aid office that he was withdrawing.

1. Payment Period start date = January 9.
2. Payment Period end date = April 27.
3. Date of withdrawal = February 3.
4. Percentage of payment period completed

Note: Because Steve dropped one module (module 2) of the course before he withdrew, the days following the end of module 1 (February 4) through the day prior to the start of module 3 (March 4)—30 days—are excluded from the total days used in determining the percentage of the period completed.

- Number of calendar days completed = 26
- Number of calendar days in the payment period = 80 ( The 110 days in the original period less the 30 days from February 4 through March 4)
- $26 \text{ days} \div 80 \text{ days} = 0.3250$ . Percentage of payment period completed = 32.5%

**Box H.** Because this percentage is 60% or less, the Percentage of Title IV aid earned = 32.5%.

## STEP 3: Amount of Title IV Aid Earned by the Student

**Box I.**  $32.5\%$  (Percentage of Title IV aid earned from Box H) X  $\$7,550.00$  (Total of the Title IV aid disbursed and could have been disbursed for the payment period or period of enrollment from Box G) =  $\$2,453.75$ . Amount of Title IV aid earned by the student =  $\$2,453.75$ .

I. = \$ 2,453.75

## STEP 4: Total Title IV Aid to be Disbursed or Returned

**Box J.** Because the total Title IV aid earned (Box I) is less than the total Title IV aid disbursed (Box E), no post-withdrawal disbursement is due, and we proceed to Box K.

Post-withdrawal disbursement = NA.

**Box K.** Because the total Title IV aid disbursed (Box E) is greater than the total Title IV aid earned (Box I) Title IV aid must be returned.

$\$7,550.00$  (Box E) –  $\$2,453.75$  (Box I) =  $\$5,096.25$ . Title IV Aid to be returned =  $\$5,096.25$ .

K. = \$ 5,096.25

**STEP 5: Amount of Title IV Aid Due from the School**

**Box L.** The charges used in a Return calculation are always the charges initially assessed by the school adjusted only for any courses or module the student dropped prior to the date the student withdrew. Therefore, even though CU refunds the tuition Steve paid for the modules he did not start, the school must enter \$4,500.00 in Step 5 of the Return calculation. (The \$6,000.00 initially charged minus the \$1,500.00 for module 2 that Steve dropped before withdrawing.) A \$150.00 charge for books is included because Steve did not have the opportunity to purchase them elsewhere.

	Tuition and fees	\$	4,500.00
	Books	\$	150.00
<b>L =</b>		\$	<u>4,650.00</u>

**Box M.** Subtract the percentage of Title IV earned from Box H (40.6%) from 100.0%.  
 $100\% - 32.5\% = 67.5\%$ . Percentage of Title IV aid unearned = 67.5%.

**M =** 67.5%

**Box N.** Multiply the Institutional charges from Box L (\$4,650.00) by the Percentage of unearned Title IV aid from Box M (67.5%) to find the Amount of unearned charges \$4,650.00  
 $\times 67.5\% = \$3,138.75$ . Amount of unearned = \$3,138.75.

**N =** \$ 3,138.75

**Box O.** Compare the amount of Title IV aid to be returned (Box K) to unearned institutional charges (Box N), and enter the lesser amount in Box O.

Box K =	\$	5,096.25
Box N =	\$	3,138.75

Amount of unearned Title IV aid due from the school = \$3,138.75.

**STEP 6: Return of Funds by the School**

**Box P.** The amount of unearned Title IV aid due from the school is \$3,138.75 (Box O). Since Title IV loans are returned before Title IV grants, and Unsubsidized Direct Loans are returned before Subsidized Direct Loans loans, the school returns \$2,025.00 to the Direct Loan Program for crediting toward Steve's Unsubsidized Direct Loan and \$1,113.75 to the Direct Loan Program for crediting toward Steve's Subsidized Direct Loan. The school also cancels the second disbursement of both of his Direct Loans and notifies the appropriate servicer that Steve has withdrawn from school.

The school must return any unearned funds within 45 days from the date of the institution's determination that Steve withdrew.



**STEP 7: Initial Amount of Unearned Title IV Aid Due from Student**

**Box Q.** Subtract the amount of Title IV aid the school must return (\$3,138.75) from Box O from the total amount of Title IV aid that is to be returned (\$5,096.25) from Box K to find the Initial amount of Title IV aid Due from the Student.  $\$5,096.25 - \$3,138.75 = \$1,957.50$ .

$$\text{Box Q} = \quad \$ \quad 1,957.50$$

The initial amount of Title IV aid due from the student, is \$1,957.50.

**STEP 8: Repayment of the Student's Loans**

**Box R.** Subtract the Total Loans the school must return (\$3,138.75) from Box P from the Net Loans Disbursed to the Student (\$4,775.00) from Box B to find the total of the loans the student must repay  $\$4,775.00 - \$3,138.75 = \$1,636.25$ .

$$\text{Box R} = \quad \$ \quad 1,636.25$$

Since the amount from Box Q (\$1,957.50) is greater than the amount from Box R (\$1,636.25), you proceed to STEP 9.

**Remember,** you must notify the holder of Steve's loans that he has withdrawn from school.

**Box S.** Subtract the amount of loans to be repaid by the student in Box R (\$1,636.25) from the initial amount of unearned Title IV aid due from the student Box Q (\$1,957.50) to find the Initial amount of Title IV grants for the student to return  $\$1,957.50 - \$1,636.25 = \$321.25$ .

$$\text{Box S} = \quad \$ \quad 321.25$$

**Box T.** Multiply the total Title IV grant aid disbursed and could have been disbursed for the period in Box F (\$2,775.00) by 50% to find the Amount of grant protection  $\$2,775.00 \times 50\% = \$1,387.50$ .

$$\text{Box T} = \quad \$ \quad 1,387.50$$

**Box U** Subtract the Amount of grant protection in Box T (\$1,387.50) from the Initial amount of Title IV grants for the student to return in Box S (\$321.50) to find the Title IV grants for the student to return  $\$321.50 - \$1,387.50 = -\$1,066.25$ .

$$\text{Box U} = \quad \$ \quad -1066.25$$

Since the amount in Box U is less than or equal to zero, the student does not have to return any Title IV grant funds, and the calculation is complete.

# Treatment Of Title IV Funds When A Student Withdraws From A Credit-Hour Program

Student's Name <input style="width: 90%;" type="text" value="Steve Henderson"/>	Social Security Number <input style="width: 90%;" type="text" value="Case Study 9"/>
Date form completed <input style="width: 25%;" type="text" value=""/> / <input style="width: 25%;" type="text" value=""/> / <input style="width: 25%;" type="text" value=""/>	Date of school's determination that student withdrew <input style="width: 25%;" type="text" value=""/> / <input style="width: 25%;" type="text" value=""/> / <input style="width: 25%;" type="text" value=""/>
Period used for calculation (check one) <input checked="" type="checkbox"/> Payment period	<input type="checkbox"/> Period of enrollment

*Monetary amounts should be in dollars and cents (rounded to the nearest penny).  
When calculating percentages, round to three decimal places. (For example, .4486 = .449, or 44.9%)*

## STEP 1: Student's Title IV Aid Information

Title IV Grant Programs	Amount Disbursed	Amount that Could Have Been Disbursed	E. Total Title IV aid disbursed for the period.
1. Pell Grant	2,775.00		A. <input style="width: 80%;" type="text" value="2,775.00"/>
2. Academic Competitiveness Grant			+ B. <input style="width: 80%;" type="text" value="4,775.00"/>
3. National SMART Grant			= E. \$ <input style="width: 80%;" type="text" value="7,550.00"/>
4. FSEOG			
5. TEACH Grant			
6. Iraq Afghanistan Service Grant			
<b>A.</b> <input style="width: 80%;" type="text" value="2,775.00"/> Subtotal		<b>C.</b> <input style="width: 80%;" type="text" value="0.00"/> Subtotal	<b>F.</b> Total Title IV grant aid disbursed and that could have been disbursed for the period.
			A. <input style="width: 80%;" type="text" value="2,775.00"/>
			+ C. <input style="width: 80%;" type="text" value="0.00"/>
			= F. \$ <input style="width: 80%;" type="text" value="2,775.00"/>
Title IV Loan Programs	Net Amount Disbursed	Net Amount that Could Have Been Disbursed	G. Total Title IV aid disbursed and that could have been disbursed for the period.
7. Unsubsidized FFEL/Direct Stafford Loan	2,025.00		A. <input style="width: 80%;" type="text" value="2,775.00"/>
8. Subsidized FFEL/Direct Stafford Loan	2,750.00		B. <input style="width: 80%;" type="text" value="4,775.00"/>
9. Perkins Loan			C. <input style="width: 80%;" type="text" value="0.00"/>
10. FFEL/Direct PLUS (Graduate Student)			+ D. <input style="width: 80%;" type="text" value="0.00"/>
11. FFEL/Direct PLUS (Parent)			= G. \$ <input style="width: 80%;" type="text" value="7,550.00"/>
<b>B.</b> <input style="width: 80%;" type="text" value="4,775.00"/> Subtotal		<b>D.</b> <input style="width: 80%;" type="text" value="0.00"/> Subtotal	

## STEP 2: Percentage of Title IV Aid Earned

<input style="width: 90%;" type="text" value="1/9"/>	<input style="width: 90%;" type="text" value="4/27"/>	<input style="width: 90%;" type="text" value="2/3"/>
Start date	Scheduled end date	Date of withdrawal

A school that is not required to take attendance may, for a student who withdraws without notification, enter 50% in Box H and proceed to Step 3. Or, the school may enter the last date of attendance at an academically related activity for the "withdrawal date," and proceed with the calculation as instructed. For a student who officially withdraws, enter the withdrawal date.

**H. Percentage of payment period or period of enrollment completed**  
Divide the calendar days completed in the period by the total calendar days in the period (excluding scheduled breaks of five days or more **AND** days that the student was on an approved leave of absence).

<input style="width: 90%;" type="text" value="26"/>	÷	<input style="width: 90%;" type="text" value="80"/>	=	<input style="width: 90%;" type="text" value="32.5 %"/>
Completed days		Total days		

- ▶ If this percentage is greater than 60%, enter 100% in Box H and proceed to Step 3.
- ▶ If this percentage is less than or equal to 60%, enter that percentage in Box H, and proceed to Step 3. **H.**

## STEP 3: Amount of Title IV Aid Earned by the Student

Multiply the percentage of Title IV aid earned (Box H) by the Total Title IV aid disbursed and that could have been disbursed for the period (Box G).

<input style="width: 90%;" type="text" value="32.5 %"/>	X	<input style="width: 90%;" type="text" value="7,550.00"/>	=	<input style="width: 90%;" type="text" value="I. \$ 2,453.75"/>
Box H		Box G		

## STEP 4: Title IV Aid to be Disbursed or Returned

- ▶ If the amount in Box I is greater than the amount in Box E, go to Item J (Post-withdrawal disbursement).
- ▶ If the amount in Box I is less than the amount in Box E, go to Title IV aid to be returned (Item K).
- ▶ If the amounts in Box I and Box E are equal, **STOP**. No further action is necessary.

**J. Post-withdrawal disbursement**  
From the Amount of Title IV aid earned by the student (Box I) subtract the Total Title IV aid disbursed for the period (Box E). This is the amount of the post-withdrawal disbursement.

<input style="width: 90%;" type="text" value="2,453.75"/>	-	<input style="width: 90%;" type="text" value="7,550.00"/>	=	<input style="width: 90%;" type="text" value="J. \$ ."/>
Box I		Box E		

**Stop here**, and enter the amount in "J" in Box 1 on Page 3 (Post-withdrawal Disbursement Tracking Sheet). *Step 4 continued ▶*

**Student's Name** Steve Henderson

**Social Security Number** Case Study 9

**STEP 4: Aid to be Disbursed or Returned CONTINUED**

**K. Title IV aid to be returned**  
 From the Total Title IV aid disbursed for the period (Box E) subtract the amount of Title IV aid earned by the student (Box I). This is the amount of Title IV aid that must be returned.

7,550.00 - 2,453.75 = **K.\$** 5,096.25  
Box E                      Box I

**STEP 5: Amount of Unearned Title IV Aid Due from the School**

**L. Institutional charges for the period**

Tuition	4,500.00
Room	
Board	
Books	150.00
Other	
Other	

**Total Institutional Charges** = **L.\$** 4,650.00  
 (Add all the charges together)

**M. Percentage of unearned Title IV aid**  
 100% - 32.5 % = **M.** 67.5 %  
Box H

**N. Amount of unearned charges**  
 Multiply institutional charges for the period (Box L) by the percentage of unearned Title IV aid (Box M).

4,650.00 X 67.5 % = **N.\$** 3,138.75  
Box L                      Box M

**O. Amount for school to return**  
 Compare the amount of Title IV aid to be returned (Box K) to amount of unearned charges (Box N), and enter the lesser amount.

**O.\$** 3,138.75

**STEP 6: Return of Funds by the School**

The school must return the unearned aid for which the school is responsible (Box O) by repaying funds to the following sources, in order, up to the total net amount disbursed from each source.

Title IV Programs	Amount for School to Return
1. Unsubsidized FFEL/Direct Stafford Loan	2,025.00
2. Subsidized FFEL/Direct Stafford Loan	1,113.75
3. Perkins Loan	
4. FFEL/Direct PLUS (Graduate Student)	
5. FFEL/Direct PLUS (Parent)	
<b>Total loans the school must return = P.\$ 3,138.75</b>	
6. Pell Grant	
7. Academic Competitiveness Grant	
8. National SMART Grant	
9. FSEOG	
10. TEACH Grant	
11. Iraq Afghanistan Service Grant	

**STEP 7: Initial Amount of Unearned Title IV Aid Due from the Student**

From the amount of Title IV aid to be returned (Box K) subtract the Amount for the school to return (Box O).

5,096.25 - 3,138.75 = **Q.\$** 1,957.50  
Box K                      Box O

► If Box Q is ≤ zero, **STOP**. If greater than zero, go to Step 8

**STEP 8: Repayment of the Student's loans**

From the Net loans disbursed to the student (Box B) subtract the Total loans the school must return (Box P) to find the amount of Title IV loans the student is still responsible for repaying (Box R).

These loans consist of loans the student has earned, or unearned loan funds the school is not responsible for repaying. They are repaid to the loan holders according to the terms of the borrower's promissory note.

4,775.00 - 3,138.75 = **R.\$** 1,636.25  
Box B                      Box P

► If Box Q is less than or equal to Box R, **STOP**. The only action a school must take is to notify the holders of the loans of the student's withdrawal date.

► If Box Q is greater than Box R, proceed to Step 9.

**STEP 9: Grant Funds to be Returned**

**S. Initial amount of Title IV grants for student to return**  
 From the initial amount of unearned Title IV aid due from the student (Box Q) subtract the amount of loans to be repaid by the student (Box R).

1,957.50 - 1,636.25 = **S.\$** 321.25  
Box Q                      Box R

**T. Amount of Title IV grant protection**  
 Multiply the total of Title IV grant aid that was disbursed and that could have been disbursed for the period (Box F) by 50%.

2,775.00 X 50% = **T.\$** 1,387.50  
Box F

**U. Title IV grant funds for student to return**  
 From the Initial amount of Title IV grants for student to return (Box S) subtract the Amount of Title IV grant protection (Box T).

321.25 - 1,387.50 = **U.\$** -1,066.25  
Box S                      Box T

► If Box U is less than or equal to zero, **STOP**. If not, go to Step 10.

**STEP 10: Return of Grant Funds by the Student**

Except as noted below, the student must return the unearned grant funds for which he or she is responsible (Box U). The grant funds returned by the student are applied in order as indicated, up to the amount disbursed from that grant program minus any grant funds the school is responsible for returning to that program in Step 6.

**Note that the student is not responsible for returning funds to any program to which the student owes \$50.00 or less.**

Title IV Grant Programs	Amount To Return
1. Pell Grant	
2. Academic Competitiveness Grant	
3. National SMART Grant	
4. FSEOG	
5. TEACH Grant	
6. Iraq Afghanistan Service Grant	

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# Introduction to Volume 6

*The Campus-Based Programs include the Federal Work-Study Program (FWS), the Federal Supplemental Educational Grant Program (FSEOG), and the Federal Perkins Loan Program (Perkins Loans). This volume provides the information that schools need to administer those programs.*

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Here, we provide a summary of the changes and clarifications presented in greater detail in the chapters that follow. **Alone, the text herein does not provide schools with the guidance needed to satisfactorily administer the Title IV, HEA programs.** For more complete guidance, you should refer to the text in the chapters cited, the Code of Federal Regulations (CFR) and the Higher Education Assistance Act (HEA) as amended.

Throughout this volume, new information is indicated with the following symbol:



When the text represents a clarification rather than a change, it is indicated with this symbol:



When we believe that historically there might be some misunderstanding of a requirement, we indicate that with:



If we want to point out a bit of helpful information, we indicate it with:



Finally, if we want to emphasize an item, we indicate it with:



## **Major Changes**

### **Chapter 1—Campus-Based Programs Common Elements**

- ▶ We describe the new e-signature option for the FISAP.

### **Chapter 2—The Federal Work-Study Program**

No major changes.

### **Chapter 3—Participating in and Making Loans in the Perkins Loan Program**

- ▶ We have updated the contact information for the Department's Customer Service Center for borrowers seeking to make repayment after acceptance by the Department of their assigned Perkins Loans.
- ▶ We have updated the address to which to send payments from a borrower received by a school or its servicer after the borrower's account has been submitted to and accepted by the Department.

### **Chapter 4—Perkins Repayment Plans, Forbearance, Deferment, Discharge, and Cancellation**

- ▶ We have updated Income Protection Allowance (published annually by ED in the Federal Register, usually in May) used to determine whether a student is a low-income individual.
- ▶ We have updated the location for the current version of the TPD discharge application.

### **Chapter 5—Perkins Loan Billing, Collection, and Default**

- ▶ We have added a section on a borrower in default of a Perkins Loan regaining eligibility for federal student aid.

# Campus-Based Programs

## Common Elements



### CAMPUS-BASED PROGRAMS OVERVIEW

A school must first enter into a Program Participation Agreement (PPA) with the Department of Education (the Department/ED) before it can participate and make awards of FSA funds in the Campus-Based Programs.

#### *Federal Perkins Loan Program*

The Federal Perkins Loan Program (Perkins Loan) includes Federal Perkins Loans known previously as National Direct Student Loans (NDSL Loans), and National Defense Student Loans (Defense Loans). No new Defense Loans were made after July 1, 1972, but a few are still in repayment. Federal Perkins Loans and NDSLs are low interest (currently 5%), long-term loans made by school financial aid offices to help needy undergraduate and graduate students pay for postsecondary education.

#### *Federal Supplemental Educational Opportunity Grant Program (FSEOG)*

The Federal Supplemental Educational Opportunity Grant Program (FSEOG) provides assistance to exceptionally needy undergraduate students. Students are exceptionally needy if they have the lowest EFCs. A priority must be given to Pell Grant recipients. Schools selecting FSEOG recipients must use the selection criteria discussed in *Volume 3*.

#### *Federal Work-Study Program (FWS)*

The Federal Work-Study Program (FWS) provides part-time employment to undergraduate and graduate students who need the earnings to help meet their costs of postsecondary education. The FWS Program encourages students receiving FWS assistance to participate in community service activities.

#### Related information

The rules for awarding and packaging Campus-Based aid are discussed with the other FSA programs (*Volume 3*).

#### Program Purposes

Perkins  
34 CFR 674.1  
FWS  
34 CFR 675.1  
FSEOG  
34 CFR 676.4



## PROGRAM PARTICIPATION AGREEMENT (PPA)

### Program participation requirements

The basic list of Program Participation Agreement (PPA) requirements is found in 34 CFR 668.14. Under the PPA, the school agrees to use the funds it receives solely for the purposes specified in the regulations for that program and to administer each program in accordance with the Higher Education Act of 1965 (HEA), as amended, and the General Provisions regulations.

PPA requirements for Perkins

34 CFR 674.8

PPA requirements for Federal Work-Study

34 CFR 675.8

PPA requirements for FSEOG

34 CFR 676.8

When your school completed its Application to Participate (E-App) (and later during recertification), the school had the opportunity to elect participation in one or more of the Campus-Based Programs. When a school's application is approved (*Volume 2*), the Department will send an electronic notice to the president and financial aid officer notifying them that the school's PPA is available to print, review, sign, and return.

In addition to the requirements generally applicable to the FSA programs contained in the PPA, there are requirements unique to The Federal Perkins Loan and Federal Work-Study (FWS) programs.

### Perkins PPA requirements

The Program Participation Agreement requires the school to annually submit to the Department a report containing information that determines the school's Perkins default rate.

The agreement for the Federal Perkins Loan Program also requires the school to establish and maintain a fund and to deposit into the fund:

- ◆ any Federal Capital Contribution (FCC) the school receives as its federal allocation for the program for each award year (currently, no FCC is being allocated to schools in the Perkins Loan Program);
- ◆ the Institutional Capital Contribution (ICC), including any ICC to match transfer of funds from other Campus-Based Programs;
- ◆ payments the school receives for repayment of loan principal, interest, collection charges, and penalty or late charges on loans from the fund;
- ◆ payments the school receives from ED for cancellations, such as teacher service cancellations (see Chapter 4);
- ◆ any other earnings on fund assets, including net interest earnings on funds deposited in an interest-bearing account (total interest minus bank charges incurred on the account); and
- ◆ proceeds of any short-term, no interest loans made to the Fund by the school in anticipation of collections or receipt of FCC

### Short-term Loans

**TIP**

Schools may make short-term loans to the fund to cover shortfalls in their collections and then reimburse themselves from the fund.

Generally, short-term means not more than a year.

The institution shall use the money in the Fund only for—

- ◆ making loans to students;
- ◆ administrative expenses as provided for in 34 CFR 673.7;
- ◆ capital distributions provided for in section 466 of the Act;
- ◆ litigation costs (see § 674.47);
- ◆ other collection costs, agreed to by the Secretary in connection with the collection of principal, interest, and late charges on a loan made from the Fund (see § 674.47); and
- ◆ repayment of any short-term, no interest loans made to the Fund by the institution in anticipation of collections or receipt of FCC.

### ***Federal Work-Study PPA requirements***

Under the Program Participation Agreement, schools participating in the FWS Program must:

- ◆ make FWS employment reasonably available, to the extent of available funds, to all eligible students;
- ◆ award FWS employment, to the maximum extent practicable, that will complement and reinforce each recipient's educational program or career goals;
- ◆ assure that FWS employment may be used to support programs for supportive services to students with disabilities; and
- ◆ inform all eligible students of the opportunity to perform community services and consult with local nonprofit, government, and community-based organizations to identify those opportunities.

### *FSEOG PPA requirements*

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#### **FSEOG PPA requirements**

34 CFR 676

Agreement

34 CFR 676.8

Student eligibility

34 CFR 676.9

Under the Program Participation Agreement, schools participating in the FSEOG Program must use the funds it receives solely to award grants to financially needy students attending institutions of higher education to help those students pay their educational costs.

A student at an institution of higher education is eligible to receive an FSEOG for an award year if the student—

- ◆ meets the relevant eligibility requirements contained in 34 CFR 668.32;
- ◆ is enrolled or accepted for enrollment as an undergraduate student at the institution; and
- ◆ has financial need as determined in accordance with part F of title IV of the HEA.

## THE FUNDING PROCESS

### *Fiscal Operations Report — The Application to Participate*

The Fiscal Operations Report and Application to Participate (FISAP) is divided into three main parts:

1. Identifying Information, Certifications, and Warnings,
2. The Application to Participate in the three Campus-Based Programs in the upcoming award year, and
3. The Fiscal Operations Report, in which schools provide information on any Campus-Based expenditures made during the award year just completed.

Any school that wants to obtain Campus-Based Program funds for an upcoming year and all schools that have received Campus-Based Program funds for the reporting year must complete an electronic FISAP. All schools that complete a FISAP must provide the information requested in the *Identifying Information, Certifications, and Warning* section. A school that wishes to apply for Campus-Based Program funds for the coming year must complete *The Application to Participate*. A school that received Campus-Based Program funds for the award year that just ended must complete *The Fiscal Operations Report* portion of the FISAP.

The Department uses the information your school provides in the Application to Participate and Fiscal Operations Report to determine the amount of funds your school will receive for each program. The Department uses your Fiscal Operations Report data to manage the Federal Perkins Loan portfolio and monitor expenditures in the Campus-Based Programs.

For program review and audit purposes, you must retain accurate and verifiable records for three years following the end of the award year in which the FISAP is submitted. For example, the award year in which you will submit the FISAP due on October 1, 2014 ends on June 30, 2014 (Award year = July 1, 2013 – June 30, 2014). You must retain all records used in the creation of the FISAP due on October 1, 2014 until June 30, 2017 (three years from June 30, 2014 – the end of the award year in which the FISAP is submitted).

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### **Treatment of FWS in 90/10 calculation**

FWS funds recovered by the school are excluded from revenues in the 90/10 calculation, unless the school used those funds to pay for a student's institutional charges. (See *Volume 2* for discussion of the 90/10 calculation)

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### **First-time Campus-Based Program applicants**

A school that has applied to participate in the Campus-Based Programs for the first time should submit a FISAP by the deadline even if the school has not been certified to participate in the programs. The Department will calculate a funding level for the school and put the funding on "hold" status until the school has been approved to participate. See "Allocation of Campus-Based Funds" later in this chapter for more information.

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### **FISAP Documents**

The FISAP Desk Reference and FISAP instructions are available under **Processing Publications** at

[www.ifap.ed.gov/ifap/publications.jsp](http://www.ifap.ed.gov/ifap/publications.jsp)

In order to submit your FISAP on the Web, you must register and obtain a password on the eCampus-Based website at

<https://cbfisap.ed.gov/ecb/CBSWebApp>.

Once you have registered, you will receive your user ID via email.

The important dates in the FISAP award process are:

- ◆ *August 1*—ED must make the FISAP software available to all participating schools.
- ◆ *October 1*— the final deadline for submitting the FISAP to the Department; if it falls on a weekend, the deadline is the previous business day.
- ◆ *December 15* – all corrections to FISAP data and resolution of edits must be submitted to the Department, and you must update your Federal Perkins cash on hand.
- ◆ *February 1*— ED sends tentative award notifications to all schools.
- ◆ *April 1* – ED sends final award notifications to all eligible schools.

You will find additional information on the Fiscal Operations Report later in this chapter.

## Completing and Submitting the FISAP



### FISAP on the Web

Schools submit the FISAP through the FISAP on the Web, available at:  
**<https://cbfisap.ed.gov>**.

To submit the FISAP on the Web, your school must have a user ID and password, which can be obtained on the eCampus-Based website (select “Login,” and select the registration link). Once you have registered, you will receive your user ID via email.

The FISAP is available for completion on the Web by August 1 of each year. It must be completed no later than October 1 of the same year. (The deadline will be earlier if October 1st falls on a weekend.) A list of all Campus-Based submission dates is posted on the FISAP on the website.

Schools may also make corrections via the FISAP on the website. For more information on amending previous submissions, see *Volume 5*.

**Campus-Based Call Center** For assistance submitting corrections for closed years or for questions concerning the preparation of the FISAP, contact the Campus-Based Call Center at **877-801-7168** (8 a.m.–8 p.m. Eastern time); **[cbfob@ed.gov](mailto:cbfob@ed.gov)**.

### Certifications on the FISAP

Part I of the FISAP includes two required certifications:

1. Form 80-0013, Certifications Regarding Lobbying; Debarment, Suspension, and Other Responsibility Matters; and Drug-Free Workplace Requirements.
2. Standard Form LLL, Disclosure of Lobbying Activities (should only be completed if a school expends funds for lobbying activities).

See Volume 2 for more information on these requirements.

### Address for certification/signature pages

FISAP Administrator  
8405 Greensboro Drive  
Suite 1020  
McLean, Virginia 22102

**NEW**

## Signing and Mailing Your FISAP



With the submission of 2013–2014 data on the 2015–2016 FISAP, we are implementing an electronic signature (eSignature) process for all forms within eCampus-Based that require a signature.

### FISAP Signature Options

#### eSignature

The CEO is encouraged to sign the FISAP electronically through the eSignature tab within the eCB System at <https://cbfisap.ed.gov>. eSignature instructions are available through a link on the eCB Login page and through the Help tab within the eCB System.

Reminder: The FISAP form must be submitted before the FISAP eSignature may be submitted.

#### Authorization and Access to eCB eSignature

Access to the eCB system is provided by your school's Destination Point Administrator (DPA) through SAIG Enrollment at <https://fsawebenroll.ed.gov>. Read, Write, and Submit access to eCB are required for the CEO to be able to use the eCB eSignature functionality.

Reminder: Suspension and Deactivation of FSA User ID's applies to eCB eSignature authorizations. Please review the January 24, 2014 Electronic Announcement on the Information for Financial Professionals (IFAP) Web site (<http://ifap.ed.gov>), Subject: Federal Student Aid System Access Change—Upcoming Suspension and Deactivation of Inactive FSA User IDs and Password Reset Change.

#### Manual Signature

The Department will also continue accept the FISAP signature form manually. The manual process has not changed. To submit a manual signature for the FISAP, you must print the combined certification and signature pages for your FISAP submission, obtain the CEO's signature, and mail these documents (with the original signature) to the address above.

**TIP**

### Annual Campus-Based Deadlines

Each year the Department publishes the Federal Perkins Loan, Federal Work Study, and Federal Supplemental Educational Opportunity Grant programs; 2014–2015 Award Year Deadline Dates in the Federal Register. You can find the dates for the 2014–2015 Award Year Deadlines at

**[ifap.ed.gov/register/attachments/FR011514.pdf](http://ifap.ed.gov/register/attachments/FR011514.pdf)**



## Release of tentative and final funding levels

HEA 462(a)  
34 CFR 673.4

Your school's funding levels and corresponding worksheets will be posted in the "Self-Service" area on the eCB website at <https://cbfisap.ed.gov/ecb/CBSWebApp/> before your school's Campus-Based contact person will be notified by email when the tentative and the final funding levels are issued. Review your funding levels on the eCB website, and if you feel they are not correct, you may contact the Campus-Based Call Center at 877-801-7168.

### Tentative Funding

Note that for all schools that complete a FISAP, the Department is statutorily required to notify you of your tentative Campus-Based funding levels for the upcoming award year on or before February 1. This is done via email communication through the eCB system. If you either do not receive this communication or believe that, for whatever reason, the tentative funding levels may be incorrect, you should contact your School Participation Team representative at the nearest Regional Office to inquire about why this may have occurred. If an error has truly occurred in your Campus-Based funding calculation, the Department may be able to correct the error before funding is finalized.

## Withholding final allocation

In some cases, ED calculates a school's final allocation but does not issue the final allocation by April 1. We may withhold a school's final allocation if

- the school lost its eligibility to participate in FSA programs;
- the school is a new applicant for the FSA programs and/or for Campus-Based Programs and has not been approved yet; or
- we have not received the FISAP signature/certification form with the required original signature of the school's CEO.

When the reason for holding the school's final allocation is resolved, we will release the school's final allocation.

## Allocation of Campus-Based funds

The Department allocates funds for the Campus-Based Programs directly to schools each award year, indicating for each program the amount of funding the school is authorized to receive from the Department for the award year. Using the information on the FISAP, the Department calculates the allocation amount using statutory formulas and the amount of funds appropriated by Congress for the program(s). A school will not receive an allocation that is in excess of its request. A school can receive two types of Campus-Based fund allocations—initial and supplemental.

- ♦ **Initial Allocation**—the amount that the Department first allocates to each participating school for an award year from new funds appropriated by Congress, according to statutory allocation formulas. An eligible school receives an initial allocation for each Campus-Based Program in which the school participates. ED bases your school's initial allocation on the amount allocated to it for the 1999–2000 award year.
- ♦ **Supplemental Allocation**—an additional amount of Campus-Based funds from the Department that is reallocated from the amount of unused Campus-Based funds returned from the previous award year by participating schools. Criteria for distributing these funds for each program are established in accordance with the statute and regulation.

### Allocation schedule

If your school submits the FISAP by the deadline (October 1), the Department will provide your school with tentative allocation information and your worksheet in January of the following year and with final allocation information and worksheets by April 1 for the upcoming award year. In a Dear Colleague Letter, the Department notifies participating schools that they can view the methodology used for final award figures. The methodology can be examined at [www.ifap.ed.gov](http://www.ifap.ed.gov).

You can find the final funding worksheets for your school, your Electronic Statement of Account (ESOA), and your final award at

<https://cbfisap.ed.gov>.

To access your school's final funding level worksheets and individual school awards, log in to the eCB website, select the **Self-Service** link from the top navigation bar, and scroll to the *Campus-Based Notification Section*. Then, select **Final Awards** and **Statement of Account**.

The *Final Funding Worksheet* shows the data that was used to determine a school's allocation for each Campus-Based Program in which it participates and how each final allocation was determined.

If your school doesn't receive its final allocation by April 1, it may mean that:

- ◆ your school lost its eligibility to participate in FSA programs;
- ◆ your school is a new applicant for the FSA programs and/or for the Campus-Based Programs and its participation hasn't been approved yet; or
- ◆ the Department has not received the FISAP signature/certification form with the required original signature of the school's CEO.

If the reason(s) for holding the school's final allocation is/are resolved, the Department will release the school's final allocation.

The worksheet shows the actual numbers that were used to determine a school's allocation for each Campus-Based Program in which it participates and how each final allocation was determined.

If your school is awarded a Supplemental Allocation, the Department will inform you before the end of September of the award year.

### Releasing and reallocation of funds

If a school does not use its total allocation during an award year, it should return unexpended allocations of federal funds to the Department so that the money can be reallocated to schools that need additional funds (supplemental allocations). This return of unexpended funds is called *releasing Campus-Based funds*.

Each year in July, the Department posts an Electronic Announcement (EA) at <http://ifap.ed.gov> that asks schools to release any previous award year funds that they have not expended and offers schools the opportunity to request supplemental FWS funds for community service. The Reallocation Form for schools wishing to return funds or request supplemental FWS funds can be found in the Setup Section of the *e-CB* website (<https://cbfisap.gov>).

You must complete the Campus-Based Reallocation Form (on the *eCB* website) if you—

- ◆ do not intend to spend your entire allocation in any of the Campus-Based Programs, or
- ◆ want to request supplemental FWS funds to pay students in community service jobs (based on the criteria discussed later in this section).

#### Federal Capital Contribution (Perkins)

Congress has not authorized any Federal Capital Contribution (FCC) for the 2015-2016 application year.

#### TIP

It is important that schools review their tentative allocations and the supporting worksheets so they can address any concerns before the allocation becomes final.

#### Reduction and reallocation

34 CFR 673.4(d)(3)

#### Releasing unexpended funds

34 CFR 673.4(d)(3)

#### Waiver of Allocation Reduction

To request a waiver, a school must submit an explanation of the circumstances with its FISAP. ED explains the process a school must use to request a waiver in the FISAP instruction booklet.

ED may waive this provision for a specific school if the school returned more than 10% of its allocation due to circumstances that are beyond the school's control and are not expected to recur.

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**Reallocation of unexpended  
Campus-Based funds**

Unexpended FSEOG and FWS funds returned to ED will be reallocated to an eligible school in a manner that best carries out the purposes of the FSEOG program. In years in which the Department makes a Federal Capital Contribution, ED reallocates 80% of returned Perkins loan funds in accordance with 462(i) of the HEA and reallocates 20% in a manner that best carries out the purposes of the program. For more detail on reallocation for the current award year, please review the Campus-Based Electronic Announcements on IFAP at <http://ifap.ed.gov>.

A school may request supplemental FWS funds if it has—

- ◆ spent at least 5% of its total FWS funds for the award year to compensate students employed as reading tutors of children or in family literacy activities as part of its community service activities, and
- ◆ an FWS fair share shortfall as shown on the school's final funding worksheet, provided with the final allocation letter.

If a school returns more than 10% of its allocated funds for a given award year in any one of the Campus-Based Programs, the Department may reduce the school's allocation for the second succeeding award year by the dollar amount returned unless the Department waives this provision. For example, if the school returns more than 10% of its 2012-2013 allocation, its 2014-2015 allocation may be reduced by the dollar amount returned for 2012-2013. If the school can show just cause, the Department can waive this provision. The waiver must be requested in writing.

The Department may waive this penalty provision for a school if it finds that enforcement would be contrary to the interests of the program. To request a waiver, a school must submit an explanation with its FISAP by the deadline that shows that the school returned more than 10% of its allocation due to circumstances beyond its control and that are not expected to recur.

After schools release their unexpended allocations, ED reallocates the funds to schools that have met the criteria for receiving a supplemental allocation. Criteria for distributing these funds for each program are established in accordance with the HEA and the Campus-Based Program regulations.

## PAYMENT METHODS AND CONDITIONS

Before requesting and disbursing FSA program funds, schools must meet certain conditions. These conditions vary depending on the way ED provides funds to schools. For more detail about the methods and conditions through which ED provides funds, see *Volume 4*. In all cases, a school may not request funds in excess of the actual disbursements it has made or will make to students plus any Administrative Cost Allowance (ACA), if applicable.

## TRANSFER OF CAMPUS-BASED FUNDS

To help meet their students' need, schools may transfer funds from certain Campus-Based Programs into certain other Campus-Based Programs. The Department's permission is not required. Schools may also carry FWS or FSEOG funds back to the previous award year or forward to the next year.

Several general rules apply to the transfer of funds between Campus-Based Programs:

- ◆ You must award transferred funds according to the requirements of the program to which they are transferred.
- ◆ You must report the transfer of funds on the Fiscal Operations Report portion of the FISAP.
- ◆ Any transferred funds that are unexpended must be transferred back to the original program at the end of the award year.

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### Transfer

34 CFR 674.18(b)

34 CFR 675.18(e)

34 CFR 676.18(b)

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### FWS transfer to Perkins and FSEOG transfer to FWS

U.S.C. 1095 [HEA section 488]

If a school transfers Federal Perkins Loan funds to either FSEOG or FWS before depositing those funds in the school's Federal Perkins Loan fund, the school does not have to provide the ICC match for the transferred funds—only the match required by the FWS or FSEOG programs.



**You may not transfer funds from one program to another unless you have awarded funds to students in the program from which you are transferring in the same award year.** For example, you may not transfer FWS funds to another program in 2014–2015 if you are not also making FWS awards in 2014–2015.



Descriptions of individual program fund transfers follow. **In all cases, funds transferred that are unexpended at the end of the award year must be transferred back to the original program, and all transfers must be reported on the FISAP.**

A school's future allocations for the Campus-Based Programs are not affected by past transferring of funds between programs.

**G5 Entry Required** 


Any Campus-Based funds transferred to another program must be entered in G5 as a drawdown against the original program award, **NOT** the program to which the funds were transferred.

**FSEOG**

A school may transfer up to 25% of its FSEOG allocation to its FWS allocation. **(A school must have an FWS and FSEOG allocation for any year it wants to transfer funds from FSEOG to FWS.)** Also, you may not transfer FSEOG funds to FWS unless you have awarded FSEOG funds to students in the same award year that you intend make the transfer. **A school may not transfer funds carried forward or back from other award years.**

A school must match any FWS funds transferred to FSEOG at the matching rate of that FSEOG program, but the match doesn't have to be made until the transfer has occurred.

**FWS**

**You may not transfer FWS funds to FSEOG unless you have an allocation in both programs and have made awards to students from both programs for the award year. Your school must have a Perkins Loan Level of Expenditure from the Department for the award year in order to transfer funds to Perkins.** 

A school may transfer up to 25% of the sum of its initial and supplemental FWS allocations for an award year to its FSEOG or Perkins Loan Program. Funds carried forward to the next year or carried back to the previous year do not change the basis for the 25% maximum transfer. You must match any FWS funds transferred to FSEOG at the matching rate of the FSEOG Program, but the match doesn't have to occur until after the transfer has occurred.

If your school is actively advancing Perkins funds to students, you may transfer up to 25% of your total FWS allotment allocation (initial and supplemental) to your Perkins Loan fund, in addition to transfers made to the FSEOG Program. You must make the appropriate Institutional Capital Contribution as soon as you make the transfer.

Note: A school may not transfer funds from FWS to Perkins to resolve unexpended funds or avoid a penalty.

**Perkins**

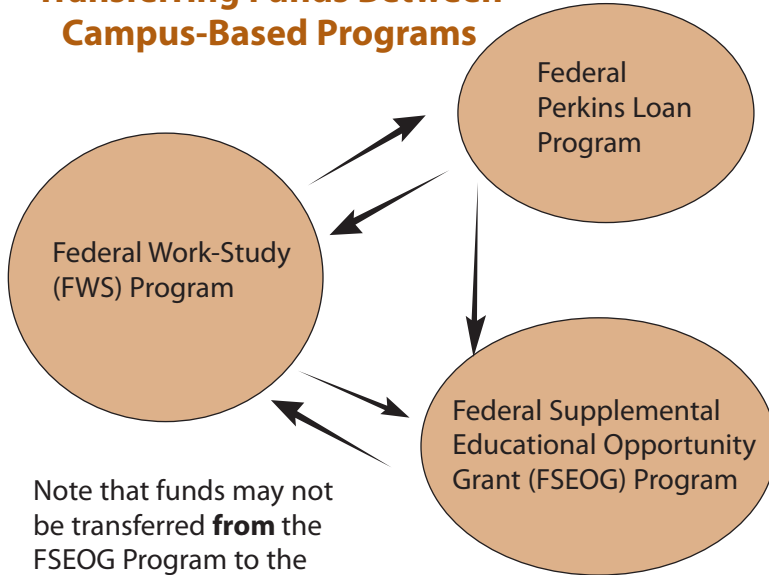
A school may transfer up to 25% of its annual Federal Perkins Loan allocation to FSEOG or FWS. If your school is a work-college, you may transfer up to 100% of your total Federal Perkins Loan allocation (initial plus supplemental) to the Work-Colleges Program. You must match any Federal Perkins funds transferred to FSEOG or FWS at the matching rate of that program. You must adjust the match as soon as you make the transfer. Except for work-colleges, the total transfer cannot exceed 25% of the Federal Perkins Loan allocation, whether the transfer is made only to one program or divided between FSEOG and FWS.

**School Must Have Perkins LOE for Award Year** 

Because a school maintains a revolving Perkins Loan fund, it does not need to receive a Perkins Loan FCC allocation for an award year to be able to transfer an allowable percentage of its FWS allocation for that award year to the Federal Perkins Loan Program. However, the school must have a Perkins Loan Level of Expenditure (LOE) from ED for that award year. The LOE is the authority from ED for the school to participate and spend monies from the Perkins Loan Fund for that award year, including making new loans to students. The official FWS allocation letter and the Perkins Loan LOE is the school's authority to exercise the FWS to Perkins Loan transfer option.



### Transferring Funds Between Campus-Based Programs



#### Questions about Transferring Funds or Carrying Them Forward or Back

If you have questions regarding Campus-Based Program fund adjustments, transferring funds between Campus-Based Programs, or the carry forward and carry back authority for Campus-Based funds, contact the Campus-Based Call Center at:

**877-801-7168**

Customer service representatives are available Monday through Friday from 8:00 a.m. until 8:00 p.m. (ET). You may also email

**CBFOB@ed.gov.**

### FSEOG AND FWS CARRY FORWARD/CARRY BACK

Your school may spend up to 10% of its current year’s FWS or FSEOG allocation (initial and supplemental) in the **following** award year (*carry forward*). Before a school may spend its current year’s allocation, it must spend any funds carried forward from the previous year.

Your school is also permitted to spend up to 10% of its current year’s FWS or FSEOG allocation (initial and supplemental) for expenses incurred in the **previous** award year (*carry back*).

Your school must match FWS or FSEOG funds carried forward or carried back in the award year that they are spent. A school’s future FWS or FSEOG program allocation is not affected by carrying forward or carrying back funds between award years.

#### Carry back funds for summer FWS employment and FSEOG awards

You may carry back FWS funds for summer employment; that is, you may use any portion of your school’s initial and supplemental FWS allocations for the current award year to pay student wages earned on or after May 1 of the previous award year but prior to the beginning of the current award year (July 1). This summer carry back authority is in addition to the authority to carry back 10% of the current year’s FWS allocation for use during the previous award year.

#### General Principles

The official allocation letter for a specific award period is the school’s authority to exercise these options. A school may not carry forward or carry back FWS funds to any award year in which there is no specific FWS allocation, and the same requirement holds for FSEOG funds.

#### G5: Funds Carried Forward/Back

Any FWS funds carried forward or carried back between award years must be entered in G5 as an expenditure against the FWS authorization for the award year from which the funds were taken—not the authorization for the award year in which the funds were used. The same requirement holds for FSEOG funds.

#### Carry forward/carry back

34 CFR 675.18(b)(c)(d)(e) & (f)  
34 CFR 676.18(b)(c)(d)(e) & (f)



Also, your school may spend any portion of its current award year’s initial and supplemental FSEOG allocations to make FSEOG awards to students for payment periods that began on or after May 1 of the prior award year but ended prior to the start of the current award year (*carry back for summer*). This carry-back authority for summer FSEOG awards is in addition to the authority to carry back 10% of the current award year’s FSEOG allocation for use during the previous award year.

### FWS limitations on use of funds carried forward or back

Schools are not permitted to add funds that are carried forward or back to the total FWS allocation for an award year when determining the maximum percentage of available funds that may be used in that award year for any of the following purposes:

- ◆ transferring FWS funds to FSEOG;
- ◆ providing the federal share of wages in private for-profit sector jobs; or
- ◆ the Job Location and Development (JLD) Program.

For example, if a school carries \$10,000 forward from 2012–2013 to 2013–2014, it may not include the \$10,000 in the total 2013–2014 FWS allocation for these three purposes. For these purposes, the 2013–2014 percentage is based on a school’s total 2013–2014 original FWS allocation plus any supplemental FWS allocation for the 2013–2014 year.

### Reporting funds carried forward and back

On the FISAP, you must report FWS or FSEOG funds that your school carries back and carries forward. For example, if a school carried forward 10% of its FWS 2013–2014 allocation to be spent in 2014–2015, the school must report this amount on the FISAP in Part V of the Fiscal Operations Report for 2014–2015 due September 30, 2015.

**! G5 Transactions**

The transfer provisions do **NOT** allow for moving funds between programs and between years within the G5 payment system. The transfer of Campus-Based funds is reported on the Fiscal Operations Report and Application to Participate (FISAP) only. (EA June 28, 2012.)

Adjustments are **NOT** made in the G5 payment system. All funds must remain in the G5 system in the original program award identifier (P033AxxXXXX for FWS and P007AxxXXXX for FSEOG) and in the year received.

**Carry forward/carry back**

**2013–2014  
Allocation**

**10%**

**2014–2015  
Allocation**

**2015–2016  
Allocation**

**10%**

Rule: for both the FWS and FSEOG programs: a school may transfer up to 10% of its current year allocation (initial and supplemental) *forward* to the next award year, or *back* to the previous award year.

## FEDERAL AND NONFEDERAL SHARES (MATCHING)

The amount that a school may spend in a Campus-Based Program is composed of both federal and nonfederal funds. With the exception of certain schools (see below), schools that participate in the Campus-Based Programs must provide nonfederal funds as a *match* for the federal funds they receive. The specific matching requirements for each Campus-Based Program are different. For more detail on the requirements of federal and nonfederal shares for each program, see the program-specific sections later in this chapter.

### Matching at Exempted Institutions

If you receive designation as one of the following types of schools, you are exempt from the matching requirement for students receiving FWS and FSEOG at your school. You must reapply annually for this designation. If you do not apply and receive certification that you have been designated as one of these types of institutions, your school is not exempted from the matching requirement. For more on applying for this designation, see the FISAP instructions at

<http://cbfisap.ed.gov>.

### Exempted Institutions

**Part 606 of 34 CFR:**  
Developing Hispanic-Serving Institutions Program

**Part 607 of 34 CFR:**  
Strengthening Institutions Program,  
American Indian Tribally-Controlled Colleges and  
Universities Program,  
Alaska Native and Native Hawaiian-Serving  
Institutions Program

**Part 608 of 34 CFR:**  
Strengthening Historically Black Colleges and Universities

**Part 609 of 34 CFR:**  
Strengthening Historically Black Graduate Institutions Programs

### Federal Share

34 CFR 674.8(a)  
34 CFR 675.26 & 675.33(b)  
34 CFR 676.21

### Applying for Title III Designation/Excepted School

Institutions must apply every five years for a Title III designation. If a school is unsure of its Title III eligibility for an award year, or if it needs to apply for Title III eligibility, the school should contact:

U.S. Department of Education  
Institutional Development  
Undergraduate Education Service  
Title III Eligibility Designation  
1990 K Street, NW, 6th Floor  
Washington, DC 20006-8512

Telephone: **202-502-7606**

### Waiver of the FSEOG Nonfederal Share Requirement

Your school is considered to have applied for a waiver of the nonfederal share requirement if your school is designated as an excepted school, and your school submits a complete FISAP by the established deadline. Such schools will receive a letter from the Department indicating that they have been granted a waiver of the nonfederal share requirement.

## Federal share of FWS

### Job Location & Development

A school may use up to 10% or \$75,000 of a school's FWS allocation for its Job Location and Development Program.

The federal share of allowable costs in carrying out the JLD Program may not exceed 80% of such costs. (See Chapter 2.)

### Wages from federal agency

The portion of the FWS wages contributed as the school share by a federal off-campus agency is not considered part of the "federal share." Thus, a federal agency may provide the required share of student compensation normally paid by off-campus agencies plus any other employer costs that they agree to pay.

### Separate FISAP for Locations Ineligible for Waiver

If your school files a FISAP on behalf of two or more separately eligible school locations but not all of these locations are eligible for a waiver of the nonfederal share requirement, you must file a separate FISAP for any locations that are not eligible for a waiver of the nonfederal share requirement. Only those locations that are eligible will receive a waiver of the nonfederal share requirement.

### Contributing Greater than Minimum Nonfederal Share of FWS

An employer can choose to contribute more than the minimum required nonfederal share. For example, if a school has a large demand for FWS jobs from its various departments, it may contribute more than the usual 25% to allow for additional employment. However, schools should not report any contributions over the 25% requirement on the FISAP.

In general, the federal share of FWS wages paid to a student may not exceed 75% of the student's total wages. However, there are some important exceptions to this rule.

If the student is working for a private for-profit organization, the federal share of the student's wages may not exceed 50%. On the other hand, a school may use the federal share to pay up to 100% of the FWS wages if the work performed by the student is for the school itself and the school is an excepted institution or a federal, state, or local public agency, or for a private nonprofit organization. The student must be:

- ◆ performing civic education and participation activities in community service projects;
- ◆ employed as a reading tutor for preschool-age children or elementary school children;
- ◆ employed as a mathematics tutor for children in elementary school through ninth grade; or
- ◆ performing family literacy activities in a family literacy project that provides services to families with preschool or elementary age children.

A school is not required to ask the Department for a waiver of the FWS nonfederal share requirement to receive the 100% federal share authorization for an FWS student employed in one of these jobs. Instead, the school should use 100% federal dollars to pay such a student and then show on its FISAP that it did so.

A school may use the federal share of FWS wages to pay up to 90% of a student's wages if:

- ◆ The student is employed at a private nonprofit organization or a federal, state, or local public agency. (Employment at the school itself is not eligible.)
- ◆ The school does not own, operate, or control the organization or agency. To satisfy this requirement, your school must keep a statement in the school's file, signed by both the agency and the school, stating that they have no such relationship.
- ◆ The school selects the organization or agency on a case-by-case basis. This requirement is satisfied when the school selects the agency through its normal process of selecting potential employers.
- ◆ The organization or agency must be unable to pay the regular nonfederal share. To satisfy this requirement, the school must keep in its file a signed letter from an official of the agency stating that the agency cannot afford to pay the regular nonfederal share.

- ◆ The 90% federal share is limited to no more than 10% of the students paid under the FWS Program. For purposes of this calculation, the school must use the total number of FWS students paid during the current award year. The 10% limit on the number of students paid with the 90% federal share does not include students whose FWS wages have been exempted from the full nonfederal share requirement due to being employed as a reading or mathematics tutor, performing family literacy activities, or performing civic education and participation activities in community service projects.

### *Federal share of Perkins*

The federal funds allocated to a school in an award year under the Federal Perkins Loan Program are called the Federal Capital Contribution (FCC), and the matching share is called the Institutional Capital Contribution (ICC). Congress has not authorized new Federal Capital Contribution for 2014–2015.

### *Federal share of FSEOG*

In general, the federal share of **Federal Supplemental Educational Opportunity Grant (FSEOG)** awards made to students may not exceed 75% of the total FSEOG awards made by the school.

The federal share can be 100% for a school designated as eligible under Title III or Title V of the HEA. Schools wanting a waiver of the institutional-share requirement under the FSEOG Program are no longer required to check a field on the FISAP to request this waiver. Your school will be considered to have applied for this waiver if you:

- ◆ submit a completed FISAP by October 1 of the previous year, and
- ◆ are designated as Title III eligible.

These schools will receive a letter from ED, addressed to the financial aid administrator, indicating that they have been granted a Title III waiver of the institutional-share requirement for the FSEOG program for the upcoming award year. A school that receives this waiver has the option to continue providing an institutional share and determining the amount of that share.

## NONFEDERAL SHARE

### *Nonfederal share of FWS*

#### **Nonfederal share of FWS**

FWS 34 CFR 675.27

The nonfederal share of a student's FWS wages must be at least 25% each award year, except as noted in the previous section. Your school may use any resource available to pay its share of FWS compensation except federal funds allocated under the FWS Program (or any other program funds where this use is prohibited). The school's share may come from its own funds, from outside funds (such as from an off-campus agency), or from both. However, if a student is employed by a private, for-profit organization, that organization must provide the nonfederal share.

Your school may also pay the institutional share with noncash contributions. If the school's noncash contribution is less than the remaining 25%, the school must make up the difference in cash.

Funds from programs sponsored by federal agencies (such as the National Science Foundation or the National Institutes of Health) may be used to pay the nonfederal share, as long as the programs have the authority to pay student wages. A school should contact the appropriate federal agency to see if the program in question does have this authority.

### *Nonfederal share of FSEOG*

#### **Nonfederal share of FSEOG**

34 CFR 676.21(c)

The school must ensure there is a nonfederal match of 25% of the total FSEOG awards. The nonfederal share of FSEOGs must be made from the school's own resources. These resources may include:

- ◆ institutional scholarships and grants;
- ◆ waivers of tuition or fees;
- ◆ the nonfederal portion of state scholarships and grants; and
- ◆ funds from foundations or other charitable organizations.

The nonfederal share requirement is 25% of awards to students (unless the school qualifies for a waiver as discussed under *Federal and Nonfederal Shares Matching* earlier in this chapter). In the following discussion of these methods, you should note that **for a student to meet the definition of an FSEOG recipient, some portion of the grant awarded the student must have come from the FSEOG federal dollars.**




All state scholarships and grants, except the Grants for Access and Persistence (GAP) awards are eligible funds that may be used to meet the nonfederal share requirement of FSEOGs. However, since the GAP programs are not funded for 2014–2015, the full amount (100%) of the state scholarships and grants an FSEOG eligible student received from a state are eligible funds that may be used to meet the FSEOG nonfederal share requirement for 2014–2015. For 2014–2015, the Department will

not publish an Electronic Announcement with a chart showing the different percentages of state scholarships and grants that may be used for each state as the nonfederal share of FSEOG awards.

By the time the FSEOGs are disbursed (regardless of when in the award period the disbursements are made), the required match must have been accomplished; that is, the school's own resources must have been disbursed before or at the time the federal dollars are disbursed. However, outside resources (such as state grants, foundation, or other charitable organization funds) can be used to match FSEOGs even if the funds are received at a later date, provided that the school has written information about funds that the noninstitutional agency or organization is awarding to the student involved. The written information must be kept on file at the school.

### Types of nonfederal FSEOG matching

#### Individual recipient basis

 The school ensures that the nonfederal match is made to each individual FSEOG recipient together with the federal share in such a way that **every student's FSEOG award consists of 75% federal funds and 25% qualified nonfederal funds**. A school using this method calculates and documents on a student-by-student basis what portion of the student's FSEOG award comes from federal funds and what portion comes from nonfederal funds. Note that for the purpose of a Return of Title IV Funds calculation, only 75% of the funds are considered federal funds when a school uses this method of matching.

#### Aggregate basis

The school ensures that the sum of all funds awarded to all FSEOG recipients in a given award year consists of 75% federal dollars and 25% qualified nonfederal funds. A school using this method calculates and documents on an aggregate basis what portion of total federal *and* qualified nonfederal funds awarded to all FSEOG recipients comes from federal funds and what portion comes from nonfederal funds.

For example, if a school awards a total of \$60,000 to all FSEOG recipients in an award year, it must ensure that \$45,000 comes from federally allocated funds and \$15,000 comes from nonfederal funds. The school may meet this requirement by awarding qualified nonfederal funds to FSEOG recipients on a student-specific basis. For example, if the school makes a total of \$60,000 in FSEOG awards to a total of 100 students, the entire nonfederal share may be met by awarding a total of \$15,000 in nonfederal resources to only five FSEOG recipients. **However, each of the 100 FSEOG recipients must receive some FSEOG federal funds**. Note that for the purpose of a Return of Title IV Funds calculation, only 75% of the funds are considered federal funds when a school uses this method of matching.



### Fund-specific basis

The school establishes an FSEOG account for federal program funds and deposits the required 25% qualified nonfederal matching share into the fund. The matching funds must be deposited at the same time the federal funds are deposited. Awards to FSEOG recipients are then made from this *mixed* fund. Schools using the fund-specific method must deposit their institutional match at the time they receive the federal share funds. **For the purpose of a Return of Title IV funds calculation, 100% of the funds are considered federal funds when a school uses this method of matching.**

### *Nonfederal share of Perkins*

The nonfederal share required from the school's own funds for the Federal Perkins Loan Program is called the Institutional Capital Contribution (ICC). Even though there will be no new FCC for 2014–2015, a school may elect to make its own contributions to the Perkins revolving fund through a short-term loan reported on the FISAP.

## ADMINISTRATIVE COST ALLOWANCE (ACA)

A school participating in the Campus-Based Programs is entitled to an Administrative Cost Allowance (ACA) for an award year if it advances funds under the Perkins Loan Program, provides employment under the FWS Program, or awards grants under the FSEOG Program to students in an award year. The ACA may be used to help offset administrative costs, such as salaries, furniture, travel, supplies, and equipment. The ACA can also be used for service fees that banks charge for maintaining accounts. Computer costs associated with Perkins Loan billing may also be paid from this allowance. Schools may use the allowance to help pay the costs of administering not only the Campus-Based Programs but the Federal Pell Grant Program as well. Administrative costs also cover expenses for carrying out the student consumer information services requirements.

The amount of the ACA is calculated as a percentage of the school's expenditures to students for an award year under the Campus-Based Programs.

$$\begin{array}{r}
 5\% \text{ of the first } \$2,750,000 \text{ of a school's} \\
 \text{Campus-Based expenditures to students} \\
 \\
 + \\
 \\
 4\% \text{ of Campus-Based expenditures} \\
 \text{greater than } \$2,750,000 \text{ but less than } \$5,500,000 \\
 \\
 + \\
 \\
 3\% \text{ of Campus-Based expenditures} \\
 \text{greater than } \$5,000,000
 \end{array}$$

When a school calculates its ACA for the award year, the school is to include in its calculation the full amount of its FSEOG awards—both the 75% federal share and the required 25% nonfederal share. However, a school that chooses to provide more than a 25% institutional share to FSEOG recipients may not include an FSEOG institutional share in excess of 25% in its FISAP or in the calculation of its ACA.

If a school makes no match after receiving a waiver of its required institutional share for the FSEOG Program or the FWS Program, that school's ACA may be calculated only on the full federal portion of its awards for those programs.



A school may not request a Perkins ACA if it has not made any Perkins Loans during the year.

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### Administrative Cost Allowance calculation

34 CFR 673.7

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### Using ACA to train FWS tutors

A school may use a portion of its Administrative Cost Allowance (ACA) to cover the costs of training an FWS tutor. A school may also use a portion of its ACA to cover expenses that are related to employing a student as a tutor with a local school district and that the school may not incur with another organization. If, for example, a school district requires all employees to undergo a background check and be fingerprinted at a cost of \$40 per employee, the postsecondary school may use a portion of its ACA to cover this cost. The FWS Program does not provide for any additional funds beyond the ACA for technical assistance and training of tutors.

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**Deadline for making ACA accounting entries**

Campus-Based Program ACA accounting entries must be posted no later than June 30 of the award year for which expenditures for those costs were made.

34 CFR 673.7(g), 673.4(f) and 673.4(g).

The school takes the ACA out of the annual authorizations the school receives for the FSEOG and FWS programs and from the available cash on hand in its Perkins Loan fund. It is not a separate allowance sent to the school. A school may draw its allowance from any combination of Campus-Based Programs, or it may take the total allowance from only one program, provided there are sufficient funds in that program. However, a school may not draw any part of its allowance from a Campus-Based Program unless the school has disbursed funds to students from that program during the award year. If a school charges any ACA against its Perkins Loan fund, it must charge these costs during the same award year in which the expenditures for these costs were made.

Your school may use up to 10% of the ACA, as calculated previously, as attributable to its expenditures under the FWS Program to pay the administrative costs of conducting its program of community service. These costs may include:

- ◆ developing mechanisms to assure the academic quality of a student's experience;
- ◆ assuring student access to educational resources, expertise, and supervision necessary to achieve community service objectives; and
- ◆ collaborating with public and private nonprofit agencies and programs assisted under the National and Community Service Act of 1990 in the planning, development, and administration of these programs.

Some schools do not claim an ACA so that all the funds can be used for student awards. This option is the school's decision.

## FUNDS AVAILABLE FOR AWARDS

The general principle for all Campus-Based Programs is that the amount of funds available for awards is the federal share, plus the institutional match, minus the ACA.

## PROJECTING NEED

The maximum amount of federal funds a school may draw down from each Campus-Based Program is based on the school's initial allocation and supplemental allocation for that program, as reported to the school in its Final Funding Authorization from ED.

Except at those schools qualifying for the waivers discussed previously, each Campus-Based Program requires that awards made to students be a combination of both federal and nonfederal funds. To accurately determine immediate cash need for Campus-Based Programs, you must calculate the portion of disbursements from each program that may be made up of federal funds, including funds carried forward. *The amount of funds drawn down represents the federal share only.* You must deposit institutional matching funds **at the time the federal funds are deposited** into the account from which Campus-Based awards will be made.

A school on the **advance payment method** must determine the amount of funds it needs before it transmits a request through G5 payment system. The amount requested must be limited to the minimum amount needed to make disbursements, so excess funds do not exist after disbursements are made. For the Campus-Based Programs, the amount must be enough to meet the federal share of Campus-Based disbursements and the ACA when applicable.

The following equation may be used to calculate projected immediate needs:

$$\begin{array}{l}
 \text{Anticipated Disbursements} \\
 \textit{minus} \text{ Balance of Cash on Hand} \\
 \textit{minus} \text{ Anticipated Recoveries} \\
 \textit{minus} \text{ ACH/EFT Cash in Transit} \\
 \hline
 \textit{equals} \text{ Projected, Immediate Need}
 \end{array}$$



**A school's request for funds should not exceed its immediate need.**

### Disbursing time frame

Your school must disburse as soon as possible but no later than three business days following the day your school receives those funds.

### *Program-specific considerations*

#### **Federal Perkins Loan Program**

A school must determine whether the cash available in its Federal Perkins Loan fund is sufficient to make loan advances to students. A school may draw down only that portion of the FCC it needs to cover disbursements for the next three business days.

#### **FSEOG**

In the FSEOG Program, a school must time its drawdowns to coincide with the date it expects to disburse FSEOG funds to students. A school may draw down only the federal share of the FSEOG awards it will disburse to students within three business days of receiving the funds.

#### **FWS**

A school must time its FWS drawdowns to coincide with its payroll dates. A school must calculate the amount of federal funds needed to meet payroll for a given pay period and draw down only the appropriate federal share of wages to be paid. Student wages must be paid within three business days of the date federal funds are received.

### *Timing issues*

When a school initiates a drawdown from G5, a school should consider that processing requests within G5 typically takes one to three business days and whether the school is using ACH/EFT or FEDWIRE. Schools should also be aware of system downtime, federal holidays, and other delays in processing cash requests when determining immediate need.

## DRAWING DOWN FUNDS

Schools use the G5 system to draw down Campus-Based funds. To begin drawing down funds, log into G5 using your user ID and password. Note that: The G5 user ID is the email address under which the user has registered. The password is a unique six- to eight-character string that may consist of letters, numbers, and special characters.

On the top panel, hover your cursor over the word *Payments*. From the options that appear, select *Create Payments*. The payment requests screen allows you to create, modify, and view payment requests.

Once you have selected Create Payments, you will see a list of awards.

The award(s) will populate with corresponding authorized and available balances from which drawdowns can be initiated. A school may use the *Recipient Reference Field* to identify the award type (i.e., FWS, FSEOG, etc.).

An important step in creating payment requests is setting the *Deposit Date*. The default deposit date displayed is based on the method the school has selected for receiving funds (ED's transmission method). The default date assumes that you are going to disburse the funds within three business days of the deposit date. However, you may set a deposit date that is up to 30 days after the current date.

For ACH payments, the default deposit date is the next business day if received prior to 3:00 p.m. Eastern time (ET). If the request is made after 3:00 p.m. ET, the Deposit Date is the current date plus two days.

For payments by FEDWIRE, the default deposit date is the current date if the request is submitted before 2 p.m. ET, or the next day if submitted after 2 p.m..

After entering the request amount, click *Continue*. If you agree to the certification statement on the next screen, you will click *Submit* on the next page to complete the payment request.

After you have created payment requests, G5 performs validations. If the G5 system encounters a problem, the payment will not post and you will be notified by email. If there's a problem with your request, you should contact the G5 Hotline for help in resolving the problem.

G5 website: **www.g5.gov**

G5 Hotline: **Phone: 888-336-8930**

Email: **edcaps.user@ed.gov**

### G5 Website, User ID and Password

**www.g5.gov**

The G5 user ID is a unique eight-character string that the Department issues to authorized users of the G5 system. The password is another unique six- to eight-character string that may consist of both letters and numbers.



Potential errors include but are not limited to:

- ◆ deposit date that is not in the required format (MM/DD/YY);
- ◆ deposit date that is more than 30 days from the current date;
- ◆ deposit date that is earlier than the default date for the method of transmission selected in Pay By field;
- ◆ deposit date that is earlier than the award start date, or later than the last date to draw funds;
- ◆ request that is non-numeric or negative;
- ◆ request in which all fields are zero; and
- ◆ request that exceeds the available balance displayed in the available balance field.

If no errors are encountered, G5 displays a confirmation window, to ensure that the user intends to submit the information. You must click Yes to certify that the funds will be expended within three business days for the purpose and condition of the grant. Once you have completed the process, you will receive an email confirming your payment request has been accepted.

## CAMPUS-BASED RECORD KEEPING

A school must follow the record keeping requirements in the General Provisions (discussed in *Volume 2*) and those specific to the Campus-Based Programs.

A school must keep financial records that reflect all Campus-Based Program transactions and must keep all records supporting the school's application for Campus-Based funds. This documentation includes the applications and records of all students who applied for Campus-Based assistance for a specific award year and were included on the school's FISAP for that award year.

The school must also retain applications and records of students who applied for but did not receive aid, either because the school had no more funds to award or because the school determined that the student did not need funds. The school must keep general ledger control accounts and related accounts that identify each program transaction and must separate those transactions from all other institutional financial activity. Fiscal records must be reconciled at least monthly.

The Campus-Based records a school must maintain include but are not limited to:

- ◆ the Student Aid Report (SAR) or Institutional Student Information Record (ISIR) used to determine a student's eligibility for Campus-Based Program funds;
- ◆ application data submitted to the Department or the school on behalf of the student;
- ◆ documentation of the payment of any return of Title IV funds or overpayment to the FSA program fund or the Department;
- ◆ documentation of the amount of a Perkins Loan, FSEOG or FWS award; its payment period; and the calculations used to determine the amount of the loan, grant, or FWS award;
- ◆ documentation of each FSEOG or Perkins Loan disbursement and the date and amount of each payment of FWS wages;
- ◆ documentation of the school's calculation of any refunds or overpayments due to, or on behalf of, the student and the amount, date, and basis of the school's calculation;
- ◆ information collected at initial and exit loan counseling required by Perkins Loan regulations; and
- ◆ reports and forms used by the school in its participation in a Campus-Based Program and any records needed to verify data that appear in those reports and forms.

### Retention of records

General Provisions  
34 CFR 668.24  
Perkins loans  
34 CFR 674.19  
FWS  
34 CFR 675.19  
FSEOG  
34 CFR 676.19

### Electronic Certification

A school that uses an electronic certification must adopt reasonable safeguards against possible fraud and abuse.

The school should provide a secure electronic certification through an electronic payroll system that includes:

- password protection;
- password changes at set intervals;
- access revocation for unsuccessful logins;
- user identification and entry-point tracking;
- random audit surveys with supervisors; and
- security tests of the code access.

See *Volume 2* for more information about record keeping, privacy safeguards, and information security.

**Perkins Recordkeeping**

Perkins recordkeeping requirements are covered in chapter 3 of this volume.

**FSEOG record keeping**

In addition to following the fiscal procedures and records requirements mentioned earlier and in *Volume 2*, a school must meet the following requirements, which are included in the FSEOG regulations:

- ◆ A school must establish and maintain an internal control system of checks and balances that ensures that no office can both authorize FSEOG payments and disburse FSEOG funds to students.
- ◆ A school must establish and maintain program and fiscal records that are reconciled at least monthly.
- ◆ Each year, a school must submit a FISAP and other information the Department requires. The information must be accurate and must be provided on the form and at the time specified by the Department.

**FWS record keeping**

For schools administering FWS, you must also follow the procedures established in 34 CFR 675.19 for documenting a student's FWS work, earnings, and payroll transactions. You must establish and maintain an internal control system of checks and balances that ensures that no office can both authorize FWS payments and disburse FWS funds to students. If you use a fiscal agent for FWS funds, that agent may perform only ministerial acts.

In school records, schools must distinguish expenditures for FWS compensation from other institutional expenditures. You should enter FWS compensation on a separate voucher or, if listed on the general payroll voucher, you should group FWS compensation separately from other compensation. If payrolls are handled on automatic data processing equipment, you should identify FWS with a special code.

You must establish and maintain program and fiscal records that are reconciled at least monthly. The records must include a:

- ◆ payroll voucher containing sufficient information to support all payroll disbursements;
- ◆ noncash contribution record to document any payment of the school's share of the student's earnings in the form of services and equipment; and
- ◆ certification by the student's supervisor, an official of the school (or off-campus agency) that each student has worked and earned the amount being paid. Your school may use an electronic certification process. The school may still continue to have the FWS student's supervisor sign a paper certification. If the students are paid on an hourly basis, the certification must include or be supported by a time record showing the hours each student worked in clock time sequence or the total hours worked per day.

## RECORD RETENTION AND FORMATS

### *Availability of records and period of retention*

Your school must make its records readily available for review by the Department or its authorized representative at an institutional location the Department or its representative designates. Generally, a school must keep records relating to the school's administration of a Campus-Based Program for three years after the end of an award year for which the aid was awarded and disbursed under that program.

There are some exceptions to this requirement:

- ◆ The school must retain the FISAP containing reported expenditures and any records necessary to support the data contained in the FISAP, including “income grid information,” for three years after the end of the award year in which the FISAP is submitted.
- ◆ The school must keep the original signed promissory note and repayment schedule *until all loans made on the promissory note or MPN are satisfied or until the original note or MPN is needed to enforce loan collection*. Only authorized personnel may have access to these records.
- ◆ If a promissory note or MPN was signed electronically, you must store it electronically for *at least* three years after all loans made on the promissory note or MPN are satisfied. (The Department recommends that the school maintain a certified copy of the signed promissory note, as well as a record of the full amount owed, in its records beyond the three-year record retention requirement.) You must ensure that the promissory note or MPN can be retrieved in a coherent format.
- ◆ The school must keep *repayment* records for Perkins Loans, including records relating to cancellation and deferment requests, for at least three years from the date a loan is repaid, cancelled, or assigned to the Department. If a loan is assigned to the Department due to total and permanent disability, the school must retain any loan-related documentation that it does not submit for at least three years from the date the loan is assigned (Electronic Announcements April 19, 2013; September 6, 2013; November 1, 2013).
- ◆ Records questioned in an audit or program review must be kept for three years after the end of the program year in which the program review or audit was finalized.

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### **Records readily available for review**

34 CFR 668.24(d)(2) & (f)

### *Record formats, storage, etc.*

A school must keep its Campus-Based Program records in one of the following formats:

- ◆ The school must retain the original signed promissory notes and signed repayment schedules for Perkins/NDSL loans in a locked fireproof container. If a loan is assigned to the Department, the school must keep the original promissory note or a certified copy of the note, as well as a copy of the original deferment or cancellation form(s). The school may not maintain only computer generated form(s) or microform(s).
- ◆ A school may keep other required records in hard copy or in microform, computer file, optical disk, CD-ROM, or other media formats, but all record information must be retrievable in a coherent hard copy format or in other media formats acceptable to the Department except that any document that contains a signature, seal, certification, or any other image or mark required to validate the authenticity of its information must be kept in its original hard copy or in an imaged media format.
- ◆ Any imaged media format used to keep required records must be capable of reproducing an accurate, legible, and complete copy of the original document, and, when printed, this copy must be approximately the same size as the original.

## THE FISCAL OPERATIONS REPORT

The Fiscal Operations Report is parts III, IV, V, and VI of the FISAP. You may sometimes hear these parts being referred to as the FISOP. If you participated in any Campus-Based Programs in an award year, by the following October, you must report on your activities for those programs by completing the appropriate portions of the FISAP.

You must complete—

- ◆ Part III, if your school is a continuing participant in the Federal Perkins Loan Program;

If your school made Federal Perkins Loans to students during the recent award year, you must fill in Part III of the FISAP, even if you did not receive an FCC.

You must also complete Part III if your school is liquidating its Federal Perkins Loan portfolio. (You must do so every year until your final report shows that all outstanding loans have been assigned, fully retired, or purchased and that the federal share of cash on hand has been returned to ED and you have received the official liquidation completion letter from ED.)

If you believe your school has completely liquidated its Federal Perkins Loan Fund and portfolio but in order to submit your FISAP, must enter data, e.g., 0 into Part III of the FISAP then your school must contact [perkinsliquid@ed.gov](mailto:perkinsliquid@ed.gov) to ensure it has successfully discontinued its participation in the program

- ◆ Part IV, if your school received FSEOG funds during the recent award year;
- ◆ Part V, if your school received FWS funds during the recent award year; and
- ◆ Part VI, if you participated in any of the three Campus-Based Programs during the recent award year.

### Important:



In each program section, you will report how much of your school's total federal allocation was used and how much remained unexpended at the end of the award year. (Your school's unexpended authorization is equal to its final adjusted authorization amount minus its total expended authorization.) If this amount is a positive dollar figure, the amount of unexpended funds will be deducted from your school's G5 grantee account. **Any calculation that results in a negative figure will not be accepted for transmission.**

### FISAP

Campus-Based Programs 34 CFR 673.3  
Perkins Loan Program 34 CFR 674.19(d)(2)  
FWS 34 CFR 675.19(b)(3)  
FSEOG 34 CFR 676.19(b)(3)



### Signature Requirement

The FISAP must be signed by the person designated as the CEO in your schools Program Participation Agreement (PPA). With their signature, they are certifying –

- the information submitted on the FISAP is true and accurate;
- no one managing the programs has been debarred or suspended;
- the school is a drug-free work place; and
- no federal funds are spent on any lobbying activities.

Electronic Signature (eSignature) is an option beginning with 2013-2014 data submitted on the 2015-2016 FISAP. See above. Detailed information is available in the 2015-2016 FISAP Instructions.

### FISAP Documents

The FISAP school link is at

<https://cbfisap.ed.gov>.

You can access all FISAP references from there.

### Signing and Mailing Your FISAP

Although most of the information on the FISAP is submitted electronically, you must print the combined certification and signature pages for your FISAP submission, obtain the required signatures, and mail these documents (with the original signatures) to the address provided earlier in *Completing and Submitting the FISAP*.



### *FISAP - Part III, the Federal Perkins Loan section*

The Federal Perkins Loan section of the FISAP consists of the following sections:

- ◆ *Section A*—is a historical/cumulative report of your school's Federal Perkins Loan fund activity from the inception of the program through the end of the award year. **It is the balance sheet for your Federal Perkins Loan fund, and it must balance.**
- ◆ *Section B*—is where you report Federal Perkins Loan activity that took place during the **recently completed award year**.

**Note:** Line 5 in Section B asks you to report the unexpended amount of final adjusted FCC for award year not drawn down from G5.

If the amount in this field is more than 10% of your allocation, your total award for next year will be reduced by the same amount. Many schools misread this field and report their authorization here. If you make this mistake, your award will be reduced to zero!



- ◆ *Section C*—is where you report **cumulative repayment information** as of the end of the reporting year. This summary includes all data from your school's initial participation in the program through the recently completed award year.

This section should represent the status of all borrowers as of June 30 for the reporting year. It also should correlate to what your school is reporting to the Department's NSLDS system.



Note: Schools are required to report new loans or updated data on existing loans to NSLDS once a month on a schedule established by ED.



- ◆ *Sections D and E* are used to calculate your school's **cohort default rate**. Use Section D if your school had 30 or more borrowers who entered repayment during the award year. Otherwise, use Section E.

Here, a cohort refers to a group of borrowers that went into repayment during a particular year. The cohort moves up one year with each FISAP. Of the borrowers that went into repayment during the relevant year, the school reports how many were in default at the end of the following year. Schools that had fewer than 30 borrowers going into repayment use a three-year cohort.

### FISAP—Part IV, the FSEOG section

Your school must complete Part IV if it received FSEOG Program funds for the award year. The five sections in this part of the FISAP summarize your school's use of FSEOG funds during the previous year. The data you report in this section is used to:

- ◆ determine underuse penalties in FSEOG;
- ◆ account for and close out funds awarded and transferred in FSEOG for the Fiscal Operations Report year; and
- ◆ monitor the program (e.g., validate expenditure and balance totals by using the G5 “Award History Report”).

*Matching Requirements*—Remember, unless your school has a matching waiver, it is required to contribute an additional amount equal to 25% of the awards to students from its own resources. So, unless you have a waiver, when reporting the total amount of FSEOG funds paid to recipients, the amount must consist **exactly** of the required 75% federal and 25% nonfederal shares. (See Electronic Announcement 2011-04-29 and the discussion earlier in this chapter under *Nonfederal Share of FSEOG*.)

**Note:** Any funds recovered on prior year awards should be returned to ED using existing G5 refund procedures. Refunds should be applied to the award corresponding to the funding year the recovered funds were awarded.

### FISAP—Part V, The FWS section

Your school must complete Part V if it received FWS Program funds for the award year. The nine sections in this part of the FISAP summarize your school's use of FWS funds during the previous year. The data you report in this section is used to:

- ◆ provide data for underuse penalties;
- ◆ account for and close out funds awarded in FWS for the Fiscal Operations Report year;
- ◆ monitor the program (e.g., validate expenditure and balance totals by using the G5 “Award History Report”);
- ◆ report program transfers made during the year; and
- ◆ provide data for community service requirements.

#### TIP

In field 17, your school reports the expended FSEOG authorization. This amount must agree with the final FSEOG expenditures reported in G5.

#### TIP

If the nonfederal share of student compensation was paid in kind (for example, as a tuition waiver or room and board), the in-kind compensation value must be converted to a cash amount and reported in this section of the FISAP as part of your matching funds.

When completing this section, it's important to remember that—

- ◆ The institutional share includes amounts contributed by off-campus employers in addition to amounts contributed by the school itself.
- ◆ If your school has a Title III/V waiver, you will report this share as zero.
- ◆ Any amount that your school spends for reading tutors of children/family literacy programs does not have to be matched.

**Note:** In section E of this part, you will report how much of your school's total federal FWS allocation was used and how much remained unexpended at the end of the award year. (Your school's unexpended FWS authorization is equal to its final adjusted FWS authorization amount minus its total expended FWS authorization.)

If this amount is a positive dollar figure, the amount of unexpended FWS funds will be deducted from your school's G5 grantee account. Any calculation that results in a negative figure will not be accepted for transmission.

### *FISAP—Part VI, the Program Summary*

Your school must complete Section A of the Part VI, if it made any awards to students from any Federal Campus-Based Program. This data is used to provide statistical data for analysis. In Section A, you will report these expenditures by income category and type of student. In Section B, an amount is calculated for the ACA your school can claim on the basis of its total Campus-Based Program expenditures, as reported in Parts III, IV, and V of the FISAP.

## FREQUENCY AND AMOUNT OF FSEOG DISBURSEMENTS

If a student is awarded an FSEOG, you must pay the student a portion of this award in each payment period, even if you do not use standard academic terms. Within a payment period, a school may advance funds in whatever installments it determines will best meet the student's need. To determine the amount of each payment period's FSEOG disbursement, divide the total FSEOG award amount by the number of payment periods you expect the student to be enrolled:

$$\frac{\text{FSEOG Total Award}}{\text{Number of Payment Periods}}$$

For a school that measures progress in credit hours and academic terms, a payment period is defined as a term (semester, trimester, quarter). The definition of a payment period for a school that does not have academic terms or a school that measures progress in clock hours is discussed in more detail in *Volume 3*.

### Uneven costs/unequal disbursements

If the student incurs uneven costs or receives uneven resources during the year and needs extra funds in a particular payment period, you may make unequal FSEOG disbursements.

## INTERNAL CONTROLS IN THE FSEOG PROGRAM—RECONCILIATION, FISCAL AND PROGRAM RECORDS



**Your school must reconcile, at least monthly, your FSEOG draws recorded in G5 to the funds received in the bank account your school has designated to receive electronic transfers. You must also reconcile monthly the amount drawn down and received to the amounts disbursed to students or returned to ED, and explain all discrepancies.**

In addition, you should examine your FSEOG program and fiscal records monthly. Did the fiscal records on which you based your anticipated need for FSEOG funds accurately predict your disbursements, or are you returning unused funds? Were your matching funds deposited at the same time you received your federal share?

### Payment of FSEOG

34 CFR 676.16(a)

### Uneven costs/uneven payments

34 CFR 676.16(b)

### Payment periods

34 CFR 668.4

### Single-Term FSEOG Awards Are not Prohibited

A single-term FSEOG award is permissible if a student will only be enrolled for one term or only one term remains in the award year when the award is made.

Moreover, the award would then be disbursed in a single disbursement.

When the regulations were revised to prohibit a single disbursement for an FSEOG award of \$501 or less, they did not prohibit single term awards.

### FSEOG Withdrawal and Return of Title IV Funds

If a student ceases attendance after receiving a lump sum FSEOG payment (of less than \$501, or after receiving a disbursement in a second payment period that includes funds for the previous period), only that portion of the FSEOG intended for the payment period in which the student was attending class should be included in the Return calculation.

### Fiscal procedures and records

34 CFR 676.19



# The Federal Work-Study Program

## CHAPTER 2

*This chapter covers issues specific to operating a Federal Work-Study (FWS) program, including Community Service, Job Location and Development, and Work-College programs. For student eligibility criteria relating to Campus-Based Programs, including FWS, refer to Volume 1. For information on selecting Campus-Based recipients, and calculating and packaging Campus-Based awards, see Volume 3.*

### FWS JOBS AND EMPLOYERS

A student may be employed under the Federal Work-Study (FWS) program by the school in which the student is enrolled (on campus). You may also arrange for your school's FWS recipients to be employed off campus by—

- ◆ federal, state, or local public agencies, or
- ◆ certain private nonprofit or for-profit organizations.

Off-campus FWS jobs with federal, state, or local public agencies or private nonprofit organizations must be in the public interest.

Off-campus FWS jobs with private, for-profit organizations must be academically relevant to the maximum extent possible. Also, your school *must* use at least seven percent of its FWS allocation to employ students in community service jobs with at least one FWS student employed as a reading tutor for children in a reading tutoring project or performing family literacy activities in a family literacy project.

A school must make FWS jobs reasonably available to all eligible students at the school. To the maximum extent practicable, a school must provide FWS jobs that complement and reinforce each recipient's educational program or career goals.

In assigning an FWS job, a school must consider the student's financial need, the number of hours per week the student can work, the period of employment, the anticipated wage rate, and the amount of other assistance available to the student. While there is no minimum or maximum award, the amount for each student should be determined based on these factors.

#### Student eligibility for FWS

34 CFR 675.9

#### Selecting students

34 CFR 675.10

#### Allocation

The term allocation always refers to the initial and supplemental allocation your school receives and never refers to an amount remaining after your school carries forward or carries back funds.



## FEDERAL AND NONFEDERAL SHARE OF WAGES

### FWS federal share

34 CFR 675.26

### Limitations

34 CFR 675.26(a)(2) & (b)

### Private for-profit organizations

34 CFR 675.26(a)(3)

When a 100% share is authorized

34 CFR 675.26(d)

### 90% federal share

34 CFR 675.26(a)(2)

### JLD

34 CFR 675.33(b)

### Timing of institutional share and noncash contributions

34 CFR 675.16(e)

In general, the federal share of Federal Work-Study (FWS) wages paid to a student may not exceed 75%. The 75% applies to expenditures for FWS wages and does not include any administrative cost allowance. Schools must provide at least 25% of a student's total FWS wages from nonfederal sources. For example, if a school wanted to spend \$45,000 of its FWS federal funds for student wages, it would be required to provide at least \$15,000 in nonfederal funds. A total of \$60,000 would then be available to pay student wages under the school's FWS Program.

There are situations when the ratio of federal share to nonfederal share of 75% to 25% does not apply:

- ◆ Any school may provide more than the required minimum 25% nonfederal share. For example, if a school received \$60,000 in federal funds and wished to spend a total of \$100,000 for student FWS wages, it could spend \$40,000 of nonfederal funds to do so. In this example, the federal share of students' total earned compensation under the FWS program expenditures would be 60%, while the nonfederal share would be 40%. **(On the FISAP, however, you never report more than the required match.)**
- ◆ For off-campus FWS jobs with private, for-profit organizations, the federal share of wages paid to students is limited to 50%. The for-profit organization must provide a nonfederal share of at least 50%. The employer may contribute a nonfederal share that exceeds the required 50%. However, **a school may use no more than 25% of its total current year initial and supplemental allocations to pay wages to students employed with private, for-profit organizations.**
- ◆ The federal share of compensation paid to students employed as reading tutors for children, mathematics tutors for children, or in a family literacy project performing family literacy activities may exceed 75% and may be as high as 100%, as documented in the school's accounting records.
- ◆ The federal share can be as much as 90% (and the nonfederal share can be as little as 10%) for students employed at a private, nonprofit organization or at a federal, state, or local public organization or agency under specific circumstances. Only organizations that are unable to afford the cost of this employment are eligible to pay a reduced nonfederal share. In addition, the school may not own, operate, or control the organization, and the school must select the organization or agency on a case-by-case basis. No more than 10% of a school's FWS students may benefit from this provision.

### TIP

#### Community Service vs. Reading Tutors

These are not necessarily the same thing. In order to be considered community service, the job has to be in an area that is open, accessible, and used by the community at large. Community service includes a whole host of jobs and is not limited to reading tutors. On the other hand, reading tutors may provide tutoring to some group that would not be considered part of the community. For example, a school population is not considered "open, accessible, and used by the community at large," and therefore, in this context, is not considered a community.

**TIP**

**TIP**

- ◆ The federal share of FWS wages paid to a student may be lower than 75% if the employer chooses to contribute more than the minimum required nonfederal share. For example, if a school has a large demand for FWS jobs from its various departments, it may contribute more than the usual 25% to allow for additional employment.
- ◆ The federal share can be 100% for a school designated as described under *Matching at Excepted Institutions* in Chapter 1.

The federal share may **not** be used to provide fringe benefits such as sick leave, vacation pay, or holiday pay, or employer's contributions to Social Security, workers' compensation, retirement, or any other welfare or insurance program. These restrictions on the federal share apply even when the Department authorizes a federal share of 100% of FWS wages.

**Note:** The federal share of allowable costs in carrying out the JLD Program described later in this chapter may not exceed 80% of such costs.

### *FWS nonfederal share sources*

A school can pay the nonfederal share from its own funds or other nonfederal sources such as outside funds from an off-campus employer. The school can also pay the nonfederal share in the form of documented noncash contributions of services and equipment such as tuition and fees, room and board, books, and supplies documented by accounting entries. **When matching with cash, the school must deposit its share at the same time it receives the federal share.**

Do not confuse making the match with services and/or equipment for which a school **doesn't** need permission with the situation where the school is paying in cash and crediting the student's account with a portion of the student's pay to cover institutional charges. **In the latter case, a school may not credit the student's account with FWS earnings without the student's permission.**

**TIP**

If a school receives more money under an employment agreement with an off-campus agency than **the sum of** (1) required employer costs, (2) the school's nonfederal share, and (3) any share of administrative costs the employer agreed to pay, the school must handle the excess in one of three ways:

1. use it to reduce the federal share on a dollar-for-dollar basis;
2. hold it in trust for off-campus employment during the next award year;
3. refund it to the off-campus employer.

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#### **Nature and source of Institutional share**

34 CFR 675.27

Funds from programs sponsored by federal agencies (such as the National Science Foundation or the National Institutes of Health) may be used to pay the nonfederal share, as long as the programs have the authority to pay student wages. A school should contact the appropriate federal agency to see if the program in question does have this authority.

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### Eligible employers

34 CFR 675.20(a)

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### Employment conditions and limitations

34 CFR 675.20(c)

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### Academic credit and work study

34 CFR 675.20(d)

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### Fees or commissions prohibited

34 CFR 675.27(b)

#### Working During Scheduled Class Time Is Prohibited



In general, students are not permitted to work in FWS positions during scheduled class times. Exceptions are permitted if an individual class is cancelled, if the instructor has excused the student from attending for a particular day, and if the student is receiving credit for employment in an internship, externship, or community work-study experience. Any such exemptions must be documented.

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### Replacement prohibited



Replacing a full-time employee whose position was eliminated (for any reason) with a student employee paid with FWS funds is prohibited.

This prohibition extends to instances where a school first replaces the full-time employee with a student position paid with college funds.

34 CFR 675.20(c)(2)(ii)

#### Paying Overtime in FWS

Although there is no outright prohibition on paying overtime in the FWS Program (for example, someone working on a stage crew may have to work overtime during a production), FWS is a program designed to provide part-time employment, and students should not often work in excess of 40 hours in a single week.

## FWS CONDITIONS OF EMPLOYMENT AND LIMITATIONS

All FWS work, whether on campus or off campus, has certain conditions and limitations. FWS employment must be governed by those employment conditions, including the rate of pay, that are appropriate and reasonable according to the type of work performed, the geographic region, the employee's proficiency, and any applicable federal, state, or local law.

FWS employment must not displace employees (including those on strike) or impair existing service contracts. Also, if the school has an employment agreement with an organization in the private sector, the organization's employees must not be replaced with FWS students.

**Replacement is interpreted as displacement.**

**FWS positions must not involve constructing, operating, or maintaining any part of a building used for religious worship or sectarian instruction.** In determining whether any FWS employment will violate this restriction, a school should consider the purpose of the part of the facility in which the work will take place and the nature of the work to be performed. For example, if the part of the facility in which the student will work is used for religious worship or sectarian instruction, the work cannot involve construction, operation, or maintenance responsibilities. If that part of the facility is not being used for religious worship or sectarian instruction, the school should make sure that any work the student will perform meets general employment conditions and that other limitations are not violated.

Neither a school nor an outside employer that has an agreement with the school to hire FWS students may solicit, accept, or permit the soliciting of any fee, commission, contribution, or gift as a condition for a student's FWS employment. However, a student may pay union dues to an employer if they are a condition of employment and if the employer's non-FWS employees must also pay dues.

The Fair Labor Standards Act of 1938, as amended, prohibits employers (including schools) from accepting voluntary services from any paid employee. Any student employed under FWS must be paid for all hours worked.

**TIP**

A student may earn academic credit as well as compensation for FWS jobs. Such jobs include but are not limited to internships, practica, or assistantships (e.g., research or teaching assistantships). However, a student employed in an FWS job and receiving academic credit for that job may not be:

- ◆ paid less than he or she would be if no academic credit were given;
- ◆ paid for receiving instruction in a classroom, laboratory, or other academic setting; and
- ◆ paid unless the employer would normally pay a person for the same job.

**No payments at less than Minimum Wage**

The Small Business Job Protection Act of 1996 established a sub-minimum or training wage that is lower than the minimum wage. However, **it is not permissible to pay the sub-minimum wage rate to students working FWS jobs.**

**FWS minimum wage**

Dear Colleague Letter CB-96-23

**FWS wage rates**

34 CFR 675.24

**TIP****Disasters—Flexible Use of Funds**

An eligible school located in any area affected by a major disaster may make FWS payments to disaster-affected students for the period of time (not to exceed the award period) in which the students were prevented from fulfilling their FWS obligations. The FWS payments:

- may be made to disaster-affected students\* for an amount equal to or less than the amount of FWS wages the students would have been paid had the students been able to complete the work obligation necessary to receive the funds; and
- must meet the FWS matching requirements described in Chapter 1, unless those requirements are waived by the Department.

FWS payments may not be made to a student who was ineligible for FWS, was not completing the work obligation necessary to receive the funds, or had already separated from the student's employment prior to the occurrence of the major disaster.

34 CFR 675.18(i)

\* **Disaster-affected student**—a student enrolled at an institution who 1) received an FWS award for the award period during which a major disaster occurred; 2) earned FWS wages from an institution for that award period; 3) was prevented from fulfilling his or her FWS obligation for all or part of the FWS award period because of the major disaster; and 4) was unable to be reassigned to another FWS job.

The term "major disaster" means: any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under this chapter to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

—Section 102(2) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5122(2))

## JOB DESCRIPTIONS

Job descriptions for all FWS positions should be a part of the control procedures included in your school's policies and procedures manual. A written job description will help you ensure that the position is one that qualifies under the FWS program regulations. In addition, a written job description provides students with the information they need to determine whether they qualify for the job, whether the job is related to their educational or career objectives, and whether the job is of interest to them. Moreover, by considering the rates of pay applicable to the position, the qualifications for each pay level, and the qualifications of a student applicant, a financial aid administrator can determine the hours a student will need to work in order to earn the funds specified in the student's FWS award. Finally, a written job description establishes a record to which all parties can refer. In addition, a written job description can help avoid disagreements and adjudication and provide a reference in such cases.

If a student is employed with an agency or organization that provides community services, the school should, as with any other FWS position, have a job description that includes the duties and the responsibilities. Schools should use the job description to verify that the job meets the definition of community services in the FWS regulations (see the discussion under *Community service jobs* later in this chapter). In addition, for students performing reading tutoring or family literacy activities, the job description should support those jobs.

Each FWS position should have a job description that includes the:

- ◆ name of the position;
- ◆ classification of the position (e.g., reading tutor 1, reading tutor 2, laboratory assistant, library technician 1 or 2, etc.);
- ◆ name and address of the student's employer (the school, public agency, nonprofit organization, etc.);
- ◆ department or office in which the student will be employed;
- ◆ location where the student will perform his/her duties;
- ◆ name of the student's supervisor;
- ◆ purpose/role of the position within the organization;
- ◆ duties and responsibilities associated with the position and how they relate to the purpose/role;
- ◆ rates of pay for the position (cross-referenced to the wage rates appearing in the school's policies and procedures manual);
- ◆ general qualifications for the position and the specific qualifications for the various levels/rates of pay associated with the position;



- ◆ the length of the student's employment (beginning and ending dates);
- ◆ procedures for determining a student's rate of pay when a position has multiple rates; and
- ◆ evaluation procedures and schedules.

## ESTABLISHING WAGE RATES

Undergraduate students are paid Federal Work-Study (FWS) wages on an **hourly basis only**. Graduate students may be paid by the hour or may be paid a salary. **Regardless of who employs the student, the school is responsible for making sure the student is paid for work performed.**

A school should determine the number of hours a student is allowed to work based on the student's financial need and on how the combination of work and study hours will affect the student's health and academic progress. There are no statutory or regulatory limits on the number of hours per week or per payment period a student may work, provided no overaward occurs.

FWS employers must pay students at least the federal minimum wage in effect at the time of employment. If a state or local law requires a higher minimum wage, the school must pay the FWS student that higher wage. (See sidebar for link to federal and state information.) In addition, a school may not count fringe benefits as part of the wage rate and may not pay a student commissions or fees. In determining an appropriate rate, the school must consider:

- ◆ the skills needed to perform the job;
- ◆ how much persons with those skills are paid in the local area for doing the same type of job;
- ◆ rates the school would normally pay similar non-FWS employees; and
- ◆ any applicable federal, state, or local laws that require a specific wage rate.

A student's need places a limit on the total FWS earnings permissible but has no bearing on his or her wage rate. It is not acceptable to base the wage rate on need or on any other factor not related to the student's skills or job description. **If a student's skill level depends on his or her academic advancement, the school may pay a student on that basis.** For example, a junior or third-year lab student may be paid a higher rate than a sophomore or second-year lab student. However, in most cases, students performing jobs comparable to those of other employees should be paid comparable wages, whether the other employees are students at different class levels or are regular employees.

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### Wage rates

34 CFR 675.24

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### Minimum wage information

The federal minimum wage is \$7.25 per hour, effective July 24, 2009. The Wage and Hour Division of the Department of Labor posts information about federal and state minimum wage laws at:

[www.dol.gov/whd](http://www.dol.gov/whd)

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### State & local minimum wage laws

The pay must meet the requirements of the state or local law. This means that when the state or local law requires a higher minimum wage, the school must pay the FWS student that higher wage. However, if the state or local law allows a wage that is less than the federal minimum wage, the FWS student must be paid at least the federal minimum wage.

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### Sub-minimum wages

The Small Business Job Protection Act of 1996 established a sub-minimum, or training wage, that is lower than the minimum wage. However, it is not permissible to pay the sub-minimum wage rate to students in FWS jobs.

### Wages from Federal Agency

The portion of the FWS wages contributed as the institutional share by a federal off-campus agency are not considered part of the "federal share." Thus, a federal agency may provide the required share of student compensation normally paid by off-campus agencies plus any other employer costs that they agree to pay.



### Federal share may not be used to provide fringe benefits

The federal share may *not* be used to provide fringe benefits such as sick leave, vacation pay, or holiday pay, or employer's contributions to Social Security, workers' compensation, retirement, or any other welfare or insurance program. These restrictions on the federal share apply even when the Department authorizes a federal share of 100% of FWS wages.

### TIMESHEETS

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#### FWS timesheets and payroll vouchers

34 CFR 675.19 (b)

You must maintain adequate timesheets or records of hours worked for FWS students. These timesheets must show, separately for each day worked, the hours a student worked, and the total hours worked during the job's payment cycle (i.e., twice a month, every week, every two weeks, etc., but not less than once a month). These amounts and hours recorded must match the hours for which the student is paid.

#### **FWS timesheets must be certified by the student's supervisor.**

Students working for your school must have their timesheet certified by either their supervisor or an official at the school. Students working in off-campus jobs must have their timesheets certified by an official at the off-campus site.

Off-campus employers may fax timesheets to the school, but they must also provide original copies. Original copies should be mailed or hand delivered to the school at the first opportunity. **The original copies of off-campus timesheets must be maintained by the school.**

Original records must be maintained since data from those records is submitted as part of the Fiscal Operations Report section of the FISAP.

## PAYROLL VOUCHERS

Your school must provide payroll vouchers that contain sufficient information to support all payroll disbursements. At a minimum, a school's payroll vouchers should—

- ◆ include the school's name and address;
- ◆ identify the starting and ending dates of the payroll period;
- ◆ include the student's name;
- ◆ identify the student's work-study position;
- ◆ include the number of hours the student worked during the pay period;
- ◆ for undergraduate students, specify the student's hourly rate of pay;
- ◆ for a graduate student, identify the student's hourly rate of pay or the student's salary;
- ◆ include the student's gross earnings;
- ◆ itemize any compensation withheld for federal, state, county, or city taxes, and other deductions;
- ◆ include identification of any noncash payments made to the student for work during the period, and point to an auditable record of that contribution;
- ◆ include the student's net earnings;
- ◆ include a check number, duplicate receipt, or other auditable payment identification; and
- ◆ identify and itemize any overtime earnings (a student may be paid overtime with FWS funds).

## PAYING STUDENTS

### Payments to students

34 CFR 675.16

#### Student Exception to FICA Tax

FICA (Social Security and Medicare, including OASDI) taxes do not apply to service performed by students employed by a school, college or university where the student is pursuing a course of study. Whether the organization is a school, college or university depends on the organization's primary function. In addition, whether employees are students for this purpose requires examining the individual's employment relationship with the employer to determine if employment or education is predominant in the relationship.

Treasury Decision 9167: Final regulations published December 21, 2004.

Revenue Procedure 2005-11: Safe harbor standards that colleges and universities can apply in determining if an employee is eligible for the student FICA exception.

Background Information: Background information on the final regulations and revenue procedure providing guidance on the student FICA exception (section 3121(b)(10) of the Internal Revenue Code).

[www.irs.gov/Charities-&-Non-Profits/Student-Exception-to-FICA-Tax](http://www.irs.gov/Charities-&-Non-Profits/Student-Exception-to-FICA-Tax)

A student's FWS compensation is earned when the student performs the work, and the school must pay the student that FWS compensation at least once a month. Regardless of who employs the student, the school is responsible for ensuring that the student is paid for work performed.

Before a school may make an initial disbursement of FWS compensation to a student for an award period, the school must notify the student of the total amount of FWS funds the student is authorized to earn, and how and when the FWS compensation will be paid.

Except when a school's institutional share is paid from noncash sources (tuition, services and equipment, room and board, and books), the school must pay the student its share of his or her FWS compensation at the same time it pays the federal share. If the school pays a student its FWS share for an award period in the form of these noncash sources, it must pay that share before the student's final payroll period.



If a school pays its FWS share in the form of *prepaid* tuition, fees, services, or equipment for a *forthcoming academic period*, it must give the student a statement before the close of his or her final payroll period listing the amount of tuition, fees, services, or equipment earned.

A school may pay a student after the student's last day of attendance for FWS compensation earned while he or she was in attendance at the school.

A school must pay FWS compensation to a student by:

- ◆ issuing a check or similar instrument that the student can cash on his or her own endorsement; or
- ◆ initiating an electronic funds transfer (EFT) to a bank account designated by the student **after obtaining authorization**; or
- ◆ crediting the student's account at the school (after **obtaining written authorization**).

### Records of noncash contributions

There are two cases under which students may not receive the net FWS earnings identified on their payroll voucher. In the first, a student who has FWS earnings at a school that provides its FWS institutional match with cash has provided written permission for the school to credit part of the student's earnings to the student's account. **A school must obtain a separate written authorization from a student before any part of the student's FWS cash earnings may be credited to the student's account.** The school must maintain that authorization in the student's file. In addition, the school must provide a clear audit trail showing that the student received credit on the student's account for any earnings not paid directly to the student.

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#### Earnings applied to cost of attendance

34 CFR 675.25



The second case involves schools that provide part (or all) of their FWS institutional match with credit for tuition, fees, services, or equipment. A school that provides its institutional match with tuition, fees, services, or equipment does **not** need to obtain a student's permission. However, **before employing a student**, this type of school must provide the student with a written explanation of this procedure, including the specific percentage of the student's earnings that the student will receive in credit for tuition, fees, services, or equipment. Moreover, **before the close of the student's final scheduled payroll period**, the school must give the student a statement that itemizes the total amount of tuition, fees, services, or equipment credited to the student's account from the student's FWS earnings. In addition **the school's records must provide a clear audit trail showing that the student received credit on the student's account for any earnings not paid directly to the student.**



### AUTHORIZATIONS



Except when a school's institutional share is paid with noncash sources (tuition, services and equipment, room and board, and books), a school must obtain a separate written authorization from the student if the student is paid FWS compensation by—

- ◆ crediting the student's account at the school; or
- ◆ initiating an EFT to a bank account designated by the student (**including accounts that are the basis for bank-issued debit cards**).

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#### Written authorization

34 CFR 675.16(b) & (d)

If a school obtains a written authorization from the student, the school may hold excess FWS funds on the student's account. In obtaining the student's written authorization, a school:

- ◆ may not require or coerce the student to provide that authorization;
- ◆ must allow the student to cancel or modify that authorization at any time; and
- ◆ must clearly explain to the student how it will carry out the activity authorized.

If a student modifies the written authorization, the modification takes effect on the date the school receives the modification notice. If a student cancels a written authorization, the school may use the FWS compensation to pay only those authorized charges incurred by the student before the school received the cancellation notice. See *Volume 4* for a complete discussion of authorizations to hold students' funds.

## CREDITING STUDENT ACCOUNTS

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### Payments to student's account and resulting credit balances

34 CFR 676.16(c)

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### Earnings applied to cost of attendance

34 CFR 676.25

With a student's permission, a school may credit the student's account at the school to satisfy current award year charges for:

- ◆ tuition and fees;
- ◆ board, if the student contracts with the school for board;
- ◆ room, if the student contracts with the school for room; and
- ◆ other institutionally provided educationally related goods and services.

In addition, a school may credit a student's account to pay **prior award year charges** if these charges are **not more than \$200**.



If a school pays a student FWS compensation by crediting the student's account, and the result is a credit balance, the school must pay the credit balance directly to the student as soon as possible but no later than 14 days after the balance occurred on the account.

## HOLDING FWS FUNDS

A school receiving funds under the reimbursement payment method (see *Volume 4*) may not hold FWS funds for students. Other schools may, if authorized by the student, hold FWS funds that would otherwise be paid directly to the student.

### Holding FWS funds

34 CFR 675.16(d)(5)



#### If a school holds excess FWS funds, the school must:

- ◆ identify the amount of FWS funds the school holds for each student in a subsidiary ledger account designated for that purpose;
- ◆ maintain, at all times, cash in its bank account in an amount at least equal to the amount of FWS funds the school holds for the student; and
- ◆ pay any remaining balance to the student by the end of the institution's final FWS payroll period for an award period.

If a student cancels the authorization to hold FWS funds, the school must pay those funds directly to the student as soon as possible but no later than 14 days after the school receives the cancellation.

## RECORDS AND REPORTING IN THE FWS PROGRAM

For reporting and accounting purposes, FWS expenditures must be distinguishable from other institutional expenditures. FWS compensation should either be entered in a separate sub-ledger, or, if listed on the general payroll ledger, should be grouped separately from other expenditures. If payroll records are maintained electronically, a special *cost center*, *object class*, or *program identifier* must be used for FWS payments to students.

## EARNINGS FOR THE NEXT PERIOD OF ENROLLMENT

Many FWS students must pay the bulk of their education costs before they have had a chance to earn FWS wages. To provide students with the opportunity to earn wages in time to pay more of their education costs, the Department allows students to earn FWS wages to cover expenses associated with the next period of enrollment offered by the school.

The student must be planning to enroll (or to reenroll) and must demonstrate financial need for that next period of enrollment. (The next period of enrollment is usually the next term, including a summer period, or in the case of summer earnings, the next full academic year.) A student may earn FWS funds for the next period of enrollment during any period of enrollment, including a period of enrollment that is comprised, in whole or in part, of mini-sessions. A student may also earn FWS wages towards the next period of enrollment during a period of nonattendance.



## EARNINGS FOR PERIODS OF NONATTENDANCE

### Earnings for periods of nonattendance

34 CFR 675.25(b)

A student may be employed through the FWS programs during a period of nonattendance, such as a summer term, an equivalent vacation period, the full-time work period of a cooperative education program, or an unattended fall or spring semester. A student must be planning to enroll (or to reenroll) and must have demonstrated financial need for the next period of enrollment. The student's FWS (net earnings minus taxes and job-related costs) during this period of nonattendance must be used to cover expenses associated with his or her financial need for the next period of enrollment.

A student whose eligibility for summer FWS employment during a period of nonattendance is based on his or her anticipated enrollment in the next period of enrollment may fail to attend the school. **When a student fails to attend for the next period of enrollment, the school that employed the student must be able to demonstrate that the student was eligible for employment and that the school had reason to believe the student intended to study at that school in the next period of enrollment.** At a minimum, the school that employed the student must keep a written record in its files showing that the student had either registered for classes or accepted the school's offer of admittance for the next period of enrollment.



A student in an eligible program of study abroad may be employed during a period of nonattendance preceding the study abroad if he or she will be continuously enrolled in his or her domestic school while abroad and if the student's courses abroad are part of the domestic school's program. In such a case, a student may be employed in a qualified position in the United States, at the home school's branch campus in a foreign country, at a U.S. government facility abroad, or in a U.S. company abroad.

#### Mini-session example

Bowen University has a summer term made up of three mini-sessions. Ted enrolls in classes for the June and August mini-sessions but does not enroll in any classes for the July mini-session. Ted has a financial need of \$500 for his attendance in two of the summer mini-sessions. Ted also plans to enroll in the following fall semester and has a remaining need of \$250 for that semester. Ted is given a \$750 FWS award in the summer (\$500 for the two summer mini-sessions and \$250 for the fall semester). Ted knows his June mini-session courses will be very demanding, and he will not have time to work. So, Ted earns \$500 during the July mini-session when he has no classes. Ted has classes again in August, but his academic workload is lighter. In August, Ted earns \$250 towards his education costs in the upcoming fall semester.

## EARNINGS DURING MINI-SESSIONS

If a school combines a series of mini-sessions or modules into one term (e.g., three summer mini-sessions into one summer semester), an FWS student attending any of the mini-sessions may earn FWS wages at any time throughout that term. The school may apply those earnings towards the student's financial need for the mini-session(s) attended and/or the next period of enrollment. The school must base the student's financial need for attending the summer term on the period of time for which the student is actually enrolled in the mini-sessions.

The amount of FWS wages a student may earn at any given point in time in the term does not depend on whether or not the student is enrolled in a mini-session at that point in time. The school or student may choose how to distribute the hours worked throughout the summer term.

## GARNISHMENT OF FSA FUNDS IS PROHIBITED



No FSA grant, loan, or work assistance (or property traceable to that assistance) is subject to garnishment or attachment except to satisfy a debt owed to the Department.

A student's FWS wages may be garnished only to pay any costs of attendance that the student owes the school or that will become due and payable during the period of the award. Schools must oppose any garnishment order they receive for any other type of debt.

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### Garnishment/attachment prohibited

HEA 488A(d)



By law, FSA funds may only be used for educational purposes. If your school is not the employer in an off-campus employment arrangement, it must have an effective procedure to notify off-campus employers that garnishment of FWS wages is not permissible.

## PAYMENT FOR FWS TRAINING AND/OR TRAVEL

A student may be paid for training for any FWS employment or for a reasonable amount of time for travel that is directly related to a community service job.

Because every job requires some type of training, whether formal or informal, ED allows FWS students to be paid wages during a training period that is conducted for a *reasonable* length of time. This applies regardless of the type of FWS job the student has. A reasonable training period is one that occurs immediately before the student begins the regular duties of the FWS employment and does not exceed approximately 20 hours. Students also may be compensated for a reasonable amount of time to perform ongoing activities (for example, preparation and evaluation time) needed to accomplish their FWS jobs.

Schools may pay students for a reasonable amount of time spent for travel that is directly related to employment in community service activities. Time spent for travel should be reported on the student's FWS time record in the same way hours actually worked are currently reported.



**Schools should provide their students with a form on which students can record travel time separately from time spent working.**

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### Training and Travel

34 CFR 675.18(h)

## INTERNAL CONTROLS IN THE FWS PROGRAM— RECONCILIATION, FISCAL AND PROGRAM RECORDS

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### Fiscal procedures and records

34 CFR 675.19

Your school must reconcile, at least monthly, your FWS draws recorded in G5 to the funds received in the bank account your school has designated to receive electronic transfers. You must also reconcile monthly the amount drawn down and received to the amounts disbursed to students or returned to ED, and explain all discrepancies.



In addition, you should examine your FWS program and fiscal records at the start of the year and monthly:

- ◆ Do you have a method for verifying that a student's rate of pay recorded in your payroll system matches that on which the award was calculated, and the rate assigned to the position and experience level in the school's policies and procedures?
- ◆ Do you have a system that records the maximum a student may earn in FWS wages and alerts you if a student approaches that amount?
- ◆ Do you periodically evaluate your rate of expenditures to determine, if that rate continues, whether you will expend less than, the same as, or more than the amount you have budgeted for FWS expenditures?
- ◆ Are your matching funds consistently deposited at the same time you received your federal share?
- ◆ In the FWS program, your requests for funds should always be for a payroll for which data has been entered. The only time your need for funds should be greater or less than your draw is when anticipated payments from an off-campus employer are early or late. Excepting those occasions, do you often find yourself requesting additional funds or returning unused funds?
- ◆ Do you have a process in place to ensure that students are actually working the hours reported—that timesheets are accurate?
- ◆ Do you frequently audit payrolls to test whether hours recorded in the payroll system match the hours reported on student timesheets?

## USE OF FWS ALLOCATED FUNDS

### *Private for-profit organizations*

Your school may use up to 25% of its FWS allocation and reallocation for an award year to pay the wages of FWS students employed by private for-profit organizations.

### *Work-Colleges*

An approved school may use part of its FWS allocation for the purpose of meeting the costs of the Work-Colleges Program.

### *Community service expenditures*



**There are two community service expenditure requirements that a school must meet.**

1. A school must use at least 7% of its FWS federal allocation for an award year to pay the federal share of wages to students employed in community service jobs for that year.
2. In meeting the 7% community service requirement, one or more of the school's FWS students must be employed as a reading tutor for children in a reading tutoring project or performing family literacy activities in a family literacy project.

A school that fails to meet one or both of these FWS community service requirements will be required to return FWS federal funds in an amount that represents the difference between the amount a school should have spent for community service and the amount it actually spent. Further, a school that is not compliant with the FWS community service requirements may be subject to a Limitation, Suspension, and Termination (L, S, and T) proceeding, through which the school could be denied future participation in the FWS Program and possibly other FSA programs and/or subject to a substantial fine.



A school may request a waiver of either of these requirements by the annual deadline. The school should include detailed information that demonstrates that the requirement would cause a hardship for students at the school. See the section later in this chapter for more information on waivers.

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### **Agreements between schools and organizations**

34 CFR 675.21(b)

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### **Working for private for-profit organizations**

34 CFR 675.23 (up to 25%)

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### **7% Community service requirement**

34 CFR 675.18(g)

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### **Employing students as tutors**

34 CFR 675.18(g)(1)(i) (3) & (4)

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### **Definition of community service**

The definition of community service has been extended to include the field of emergency preparedness and response.

HEOA 441(2)

Effective August 14, 2008.



\*Remember that in meeting the community service minimum requirement, one or more of the school's FWS students must be employed as a reading tutor for children in a reading tutoring project or performing family literacy activities in a family literacy project.

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### **Grants for off-campus community service**

The HEOA authorizes (but does not fund) grants to schools to supplement off-campus and community service employment. Grant funds would be used to recruit and compensate students performing off-campus community service (including compensation for time spent in training and for travel directly related to the community service). This program is not currently funded and cannot be implemented until funding is provided by Congress.

HEOA section 446 HEA section 447(b)

## FWS community service waiver request

Electronic Announcement March 26, 2014

[www.ifap.ed.gov/eannouncements/032614FWSCommunitySvcWaiver1415.html](http://www.ifap.ed.gov/eannouncements/032614FWSCommunitySvcWaiver1415.html)

### TIP

#### Submissions Requirements for a FWS Community Service Waiver Request

A school must submit its waiver request to the Department of Education (the Department) electronically via the eCampus-Based (eCB) Web site at the “Community Service Waiver” link at the top of the “Setup - Change Years/Schools” page.

The school’s waiver request must specify whether the school is requesting a waiver of the seven percent community service requirement, the reading tutors of children or family literacy project requirement, or both. It must also include detailed information to demonstrate that complying with the requirement(s) would cause hardship for the school’s students.

The deadline for electronic submission of a school’s waiver request is 11:59 P.M. (ET) on Monday, April 27, 2015. Transmissions must be completed and accepted by 12:00 midnight.

A waiver request that is received after Monday, April 27, 2015 will not be considered.

#### More information

- Community service DCL CB-07-08
- Family literacy project DCL CB-98-6
- Community Service 34 CFR 675.18(g)

## Waivers of the community service and/or math and reading tutor requirements

A school may request a waiver of the community service and tutor requirements; the request must be in writing. The fact that it may be difficult for the school to comply with these requirements is not, in and of itself, a basis for granting a waiver.

To request a waiver for an award year, a school must send a waiver request and any supporting information or documentation to the Department by the established deadline date of that award year. If a school has any questions about the community service expenditure requirements or waiver procedures, the school can contact ED’s Campus-Based Call Center at 1-877-801-7168.

See the graphic *Community Service Waivers* later in this chapter for more information.

## Effect of reallocation on minimum community service expenditures

When a school receives reallocated FWS funds, the minimum amount of FWS federal funds the school must expend on community service jobs for an award year is one of the following two amounts, whichever is greater:

7% of the sum of:

- your original FWS allocation, plus
- your FWS supplemental allocation (if any), minus
- any amount of FWS federal funds you returned through the reallocation process or earlier

OR

100% of your FWS supplemental allocation (if any).

## COMMUNITY SERVICE JOBS

**Your school must use at least 7% of its FWS allocation to employ students in community service jobs.** Community Service jobs can be either on campus or off campus. *Nonprofit agencies* can qualify as community service employers if the work performed meets the definition of community services in the regulations. See the list of programs and activities that are recognized as appropriate work in community services in the graphic the end of this section. (Note that *private, for-profit organizations* do not qualify as employers for community service under the FWS Program.)



At least one of the FWS students your school employs to fulfill this requirement must:

- ◆ perform family literacy activities in a family literacy project that provides services to families with preschool age children or elementary school children; or
- ◆ serve as a reading tutor for children who are preschool age or are in elementary school.

To further encourage schools to employ FWS students in these positions and as mathematics tutors, FWS regulations authorize a 100% federal share of FWS wages.

Employing an FWS student in these positions serves the needs of the community and gives the FWS student an enriching and rewarding experience.

**Schools must inform students of FWS community service opportunities available in the local community.** The Program Participation Agreement also requires your school to work with local nonprofit, governmental, and community-based organizations to identify community service opportunities, including those that assist supportive services to students with disabilities. Schools should promote these opportunities to students by notifying each student individually or via general means such as campus websites or publications.

### Community service jobs eligible for FWS



*Community services* are defined as services that are identified by an institution of higher education through formal or informal consultation with local nonprofit, government, and community-based organizations, as designed to improve the quality of life for community residents, particularly low-income individuals, or to solve particular problems related to their needs. These services include:

- ◆ such fields as health care, child care, literacy training, education (including tutorial services), welfare, social services, transportation, housing and neighborhood improvement, public safety, crime prevention and control, recreation, rural development, community improvement, and emergency preparedness and response;
- ◆ work in service opportunities or youth corps under AmeriCorps, and service in the agencies, institutions, and activities described later;
- ◆ support services for students with disabilities (including students with disabilities who are enrolled at the school<sup>1</sup>); and

1. This is the only statutory exception to the requirement that community service be open and accessible to the community.

### Civics, emergency response, and other teaching projects

In meeting the 7% community service expenditure requirement, students may be employed to perform civic education and participation activities in projects that teach civics in schools, raise awareness of government functions or resources, or increase civic participation.

To the extent practicable, a school must:

- give priority to the employment of students in projects that educate or train the public about evacuation, emergency response, and injury prevention strategies relating to natural disasters, acts of terrorism, and other emergency situations; and
- ensure that the students receive appropriate training to carry out the educational services required.

34 CFR 675.18 (g)(4)(i)

#### Indirect Services

The Department does not intend to indicate that certain activities are more important than others or that only jobs that have direct contact with community members are acceptable. For example, an FWS student working for the Meals on Wheels Program is performing community service when conducting research on where the program is needed, when recruiting or coordinating volunteers to distribute the meals, or when preparing meals for the program, despite having no contact with the community residents. Such indirect services are very important in meeting community needs.



- ◆ activities in which an FWS student serves as a mentor for such purposes as tutoring (see *Employing FWS students as tutors* later in this chapter), supporting educational and recreational activities, and counseling, including career counseling.

To be considered employed in a community service job for FWS purposes, an FWS student does not have to provide a “direct” service. The student must provide services that are designed to improve the quality of life for community residents or to solve particular problems related to those residents’ needs. A school may use its discretion to determine what jobs provide service to the community, within the guidelines provided by the statute, regulations, and this Volume. Note that there is a model need assessment at the end of this chapter that can be used with community service agencies.

There is no restriction as to whether these jobs must be on or off campus. However, a university or college is not considered a community for the purposes of the FWS community service requirements. On-campus jobs can meet the definition of community services, provided the services are designed to improve the quality of life for community residents, or to solve problems related to their needs and that they meet the regulatory and statutory provisions pertaining to the applicable FWS employment limitations and conditions.

### *Employing FWS students as tutors*

In an effort to increase the reading and math proficiency of our nation’s children, tutoring in these areas has become a federal priority. **The FWS regulations authorize a 100% federal share of FWS wages earned by a student who is employed—**



- ◆ as a reading tutor for preschool-age through elementary school-age children;
- ◆ as a mathematics tutor for children in elementary school through ninth grade; *or*
- ◆ performing family literacy activities in a family literacy project that provides services to families with preschool-age children or children who are in elementary school. Many schools employ FWS students as reading or mathematics tutors. This type of employment allows students to help children develop reading or mathematics skills necessary for their education and future employment.

When employing students as reading tutors, schools must, to the maximum extent possible, give placement priority to schools that are participating in a reading reform project that: (1) is designed to train teachers how to teach reading on the basis of scientific research on reading; and (2) is funded under the Elementary and Secondary Education Act of 1965. **The school must further ensure that reading tutors receive training from the employing school in the instructional practices used by the school.**




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#### **Reading and math tutors**

DCL CB-97-12, July 1999

DCL CB-99-12, July 1997

## Community Service Opportunities, Youth Corps Programs, Other Programs and Activities

The definition of community services for FWS includes work in “service opportunities” or “youth corps,” as defined in Section 101 of the National and Community Service Act of 1990:

**Service opportunity.** A program or project, including a service learning program or project, that enables students or out-of-school youth to perform meaningful and constructive service in agencies, institutions, and situations where the application of human talent and dedication may help meet human, educational, linguistic, and environmental community needs, especially those relating to poverty.

**Youth corps program.** A program, such as a conservation corps or youth service program, that offers full-time, productive work (to be financed through stipends) with visible community benefits in a natural resource or human service setting and that gives participants a mix of work experience, basic and life skills, education, training, and support services.

The definition of “community services” also includes service in agencies, institutions, and activities that are designated in Section 124(a) of the National and Community Service Act of 1990. These include the following conservation corps and human services corps programs, as well as programs that encompass the focus and services of both.

### Conservation corps programs

Conservation corps programs that focus on:

- conservation, rehabilitation, and the improvement of wildlife habitat, rangelands, parks, and recreation areas;
- urban and rural revitalization, historical and site preservation, and reforestation of both urban and rural areas;
- fish culture, wildlife habitat maintenance and improvement, and other fishery assistance;
- road and trail maintenance and improvement;
- erosion, flood, drought, and storm damage assistance and controls;
- stream, lake, waterfront harbor, and port improvement;
- wetlands protection and pollution control;
- insect, disease, rodent, and fire prevention and control;
- the improvement of abandoned railroad beds and rights-of-way;
- energy conservation projects, renewable resource enhancement, and recovery of biomass;
- reclamation and improvement of strip-mined land;
- forestry, nursery, and cultural operations; and
- making public facilities accessible to individuals with disabilities.

### Human services corps programs

Human services corps programs that include service in:

- state, local, and regional government agencies;
- nursing homes, hospices, senior centers, hospitals, local libraries, parks, recreational facilities, child and adult daycare centers, programs serving individuals with disabilities, and schools;
- law enforcement agencies and penal and probation systems;
- private nonprofit organizations that primarily focus on social service such as community action agencies;
- activities that focus on the rehabilitation or improvement of public facilities; neighborhood improvements; literacy training that benefits educationally disadvantaged individuals; weatherization of and basic repairs to low-income housing, including housing occupied by older adults; energy conservation (including solar energy techniques); removal of architectural barriers to access by individuals with disabilities to public facilities; activities that focus on drug and alcohol abuse education, prevention, and treatment; and conservation, maintenance, or restoration of natural resources on publicly held lands; and
- any other nonpartisan civic activities and services that the commission determines to be of a substantial social benefit in meeting unmet human, educational, or environmental needs (particularly needs related to poverty) in the community where volunteer service is to be performed.

See 34 CFR 675.2 Definitions; “Community Service”

## Community Service Waivers

E-Announcement March 26, 2014  
HEA Sec 443(b)(2)(A)  
34 CFR 675.18(g)

The Department, in the past, has approved a limited number of waivers of the community service requirements for schools that have demonstrated that enforcing these requirements would have caused a hardship for their students. Examples of waiver requests include:

### Case Study #1—Small FWS allocation

The school had a very small FWS allocation. The supporting information submitted by the school noted that seven percent of the school's allocation only provided enough funds for a student to work for a short period of time. Therefore, the school was unable to find placement for a student in community service.

### Case Study #2—Rural area

The school was in a rural area that was located far away from the types of organizations that would normally provide community service jobs. The school provided information that showed its students lacked the means of transportation to get to the town where the community jobs were located. In a similar waiver request in which transportation did exist, a school provided documentation that showed that the transportation costs were extremely high for the students.

### Case Study #3—Specialized program

The school offered only a single program of specialized study that required its students to participate in extensive curriculum and classroom workloads. The school provided information that demonstrated this specialized educational program prevented the students from performing community service jobs at the time those work opportunities were available.

These examples are not the only circumstances that may result in approval of a waiver request; however, you must always submit a justification of your request.

The Department posts an annual announcement to the IFAP website describing the electronic waiver process and giving the deadline date for that year.

A school must submit its waiver request to the Department electronically via the eCampus-Based (eCB) website at: <https://cbfisap.ed.gov/ecb/CBSWebApp/>. For more detail, see the E-Announcement referenced at the beginning of this section.

## Establishing FWS Community Service Jobs

In contacting potential community service agencies, schools should place a priority on jobs that will meet the human, educational, environmental, and public safety needs of low-income individuals.\*

### Step #1: Identify Potential Jobs and Employers

#### Identify jobs

- Brainstorm types of jobs that would meet the community service requirement. What jobs do your students currently hold, on campus or off campus, that meet the community service definition?
- Communicate the community service requirements to your school's student employment office.
- Identify employers.
- Which local community service organizations might be interested in employing your FWS students?
- Contact local nonprofit, government, and community-based organizations to assess their needs and determine what interest exists for employing FWS students.

#### Talk to colleagues

Talk to colleagues at other schools to get ideas on implementing, locating, and developing the community service jobs.

### Step #2: Research Your Students' Interest in Community Service

Research your FWS students' degrees or certificate programs, interests, and skills to determine which recipients might find community service jobs appealing.

### Step #3: Promote Community Service Jobs

- Devise a plan to market community services under the FWS Program to eligible student employers and the community.
- Obtain a listing of potential community service agencies.
- Ask to be a presenter at various organizations' meetings.
- Engage in networking activities.
- Hold and attend job fairs.
- Host a financial aid office "open house."
- Visit local agencies.

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\* There is no formal definition of "low-income individuals" for this purpose, and there is no statutory requirement that a particular number or proportion of the individuals must be low-income persons. Some examples of jobs that provide services to persons in the community who may not necessarily be low-income individuals are jobs that provide supportive services to individuals with disabilities or that prevent or control crime in the community.

### **What is a Family Literacy Project? How are Family Literacy Activities Defined?**

Research shows that children whose parents work with them on literacy skills during early childhood have a better chance of reading well and independently. The family literacy concept recognizes the family as an institution for education and learning and the role of parents as their children's first teachers.

A family literacy program integrates four components. It provides:

- literacy or pre-literacy education to children,
- literacy training for parents or other caregivers of children in the program,
- a means of equipping parents or other caregivers with the skills needed to partner with their children in learning, and
- literacy activities between parents or other caregivers and their children.

This definition is consistent with the Even Start and Head Start definitions of Family Literacy programs.

The Department does not define "family literacy activities" for purposes of the community service expenditure requirement or the waiver of the institutional share requirement. The Department gives schools reasonable flexibility to determine the job description and duties for an FWS student performing family literacy activities.

**Family literacy activities are not limited to just tutoring positions.** For example, family literacy activities may include training tutors, performing administrative tasks such as coordinating the tutors, or working as an instructional aide who prepares the materials for the project. However, it would not be reasonable to include janitorial or building repair jobs as family literacy activities.

## WORK ON CAMPUS (SCHOOL IS EMPLOYER)

A student may be employed on campus at any type of postsecondary institution, including at a proprietary school.

A school, other than a proprietary school, may employ a student to work for the school itself, including certain services for which the school may contract, such as food service, cleaning, maintenance, and security. Work for the school's contractors is acceptable as long as the contract specifies the number of students to be employed and specifies that the school selects the students and determines their pay rates.

A proprietary school also may employ a student to work for the school itself with certain restrictions (discussed under "Work for a Proprietary School").

At any type of postsecondary institution, including proprietary schools, an FWS student may be assigned to assist a professor if the student is doing work the school would normally support under its own employment program. Having a student serve as a research assistant to a professor is appropriate, as long as the work is in line with the professor's official duties and is considered work for the school itself.

## WORK FOR A PROPRIETARY SCHOOL

A proprietary school may employ a student to work for the school itself, but only in jobs that meet certain criteria.



If the jobs are in community service, they may be either on or off campus. **Students employed by a proprietary school and performing community service do not have to furnish student services that are directly related to their education.**

**If the jobs are not in community service, they must be on campus and must provide student services that are directly related to the FWS student's training or education.** To the maximum extent possible, the job must complement and reinforce the FWS student's educational program or vocational goals. The job *may not* involve soliciting potential students to enroll at the proprietary school.



**In general, jobs that primarily benefit the proprietary school are not student services.** For example, jobs in facility maintenance or cleaning are never student services. See the sidebar on the next page for examples of jobs that do not provide student services. Again, this list is not exhaustive. Jobs in the admissions or recruitment area of a school are not acceptable student services because such jobs are considered to involve soliciting potential students to enroll at the school.

### On-campus employment

34 CFR 675.21

#### Employment in a Foreign Country

Normally, employment in a foreign country is not permissible under the law. However, a school with an additional location in a foreign country may employ students under FWS if the branch has its own facilities, administrative staff, and faculty. Students may also be employed by a U.S. government facility such as an embassy or a military base. A student may not be employed for a nonprofit organization in a foreign country.

### Definition of institution of higher education

The FWS regulations define institution of higher education as—  
A public or private nonprofit institution of higher education, a proprietary institution of higher education, or a postsecondary vocational institution.  
34 CFR 675.2(b)

### Proprietary school employment

34 CFR 675.21(b)

A proprietary school also may employ a student to work for the school itself with certain restrictions (see "Work for a Proprietary School" in this section).



The non-community service job must provide student services that are directly related to the FWS student's training or education. This does not mean that the FWS student must be enrolled in an academic program for that field. Instead, it means that the FWS student must be receiving work experiences that are directly applicable to the skills needed for his or her career path. For example, an FWS student enrolled in an air-conditioning repair program wants to work in the school's library. Although the student is not pursuing a career as a librarian, the student would still be able to work in the library. The job is directly related to his or her training because he or she is learning customer service and basic office functions that are applicable to work in an air-conditioning repair shop or dealership. Similarly, a job in another student service office such as financial aid, registrar, and job placement would also be considered directly related to the FWS student's training.



### Student Services

Student services may include:

- jobs in financial aid
- jobs in a library
- peer guidance counseling
- job placement
- assisting an instructor with curriculum-related activities (e.g., teaching assistant)
- security
- social and health services
- tutoring

Student services never include:

- facility maintenance
- cleaning
- purchasing
- public relations

34 CFR 675.2(b)

Student services are services that are offered to students. Students are persons enrolled or accepted for enrollment at the school. An FWS student who provides services only to the school's former students is not providing student services because the services are not offered to currently enrolled students. However, an FWS student who provides services to both current students and former students is providing student services because the services are offered to currently enrolled students. For example, an FWS student provides job placement assistance to current students and alumni of the school. The FWS student is considered to be providing student services because his or her services are offered to current students and alumni.

Student services do not have to be direct services or involve personal interaction with other students. Services are considered student services if the services provide a benefit either directly or indirectly to students. For example, an FWS student may work in assisting an instructor in the lab or in other work related to the instructor's official academic duties at the school. See the sidebar for an expanded list of examples of jobs that provide student services. The list is not exhaustive. The fact that a job has some operational functions does not preclude it from being an acceptable FWS job as long as it furnishes student services.

## WORK OFF CAMPUS

A postsecondary school (including a proprietary school) may use FWS funds to pay a portion of the wages of a student who is employed off campus by certain nonprofit agencies or private employers.

### *Work off campus for nonprofit or government agency*



If a student is employed off campus by a federal, state, or local public agency or by a private nonprofit organization, providing jobs related to the student's academic or vocational goals is encouraged but not required.

A private nonprofit organization is one in which no part of the net earnings of the agency benefits any private shareholder or individual. An organization must be incorporated as nonprofit under federal or state law. A school classified as a tax-exempt organization by either the federal or state Internal Revenue Service meets this requirement. Examples of private nonprofit organizations generally include hospitals, day care centers, halfway houses, crisis centers, and summer camps.

### *Work must be “in the public interest”*

Work performed off campus *must be in the public interest*. Work in the public interest is defined as work performed for the welfare of the nation or community rather than work performed for a particular interest or group.

Work is not “in the public interest” if it:

- ◆ primarily benefits the members of an organization that has membership limits, such as a credit union, a fraternal or religious order, or a cooperative;
- ◆ involves any partisan or nonpartisan political activity or is associated with a faction in an election for public or party office;
- ◆ is for an elected official unless the official is responsible for the **regular** administration of federal, state, or local government;
- ◆ is work as a political aide for any elected official;
- ◆ takes into account a student's political support or party affiliation in hiring him or her; or
- ◆ involves lobbying on the federal, state, or local level.

### Off-Campus Community Service Program

This program supports innovative projects that recruit and compensate students for work assignments in off-campus community service jobs. Institutions of higher education participating in FWS may apply for funds to design or arrange off-campus work-study placements for enrolled undergraduate students.

Funds may only be used to make payments to students participating in work-study programs. These awards may include compensation for time spent in training and in traveling to work site(s) or training.

### Employment by a federal, state, or local public agency, or a private nonprofit organization

34 CFR 675.23

**Work for private for-profits**

34 CFR 675.23

**Off-campus agreements**

34 CFR 675.20(b)

**Treatment of excess funds from an off-campus agreement**

If a school receives more money under an employment agreement with an off-campus agency than the sum of

1. required employer costs,
2. the school's nonfederal share, and
3. any share of administrative costs the employer agreed to pay,

the school must handle the excess in one of three ways:

- use it to reduce the federal share on a dollar-for-dollar basis;
- hold it in trust for off-campus employment during the next award year; or
- refund it to the off-campus employer.

**Political activity, whether partisan or nonpartisan, does not qualify as work in the public interest.** For example, a student is not considered to be working in the public interest if working at voting polls—even if he or she only checks off the names of those who came to vote and does not pass out flyers supporting a particular candidate. Also, a student is not considered to be working in the public interest if working to support an independent candidate. Another example of nonpartisan political activity is work for a city political debate.

**Working for an elected official as a political aide also does not qualify as work in the public interest.** For example, a student could not represent a member of Congress on a committee. However, a student could be assigned to the staff of a standing committee of a legislative body or could work on a special committee, as long as the student would be selected on a nonpartisan basis and the work performed would be nonpartisan.

Under certain circumstances, work for an elected official responsible for the *regular administration* of federal, state, or local government may be considered to be in the public interest. “Regular administration” means the official is directly responsible for administering a particular function. Such a person would not create, abolish, or fund any programs but would run them. Working for a sheriff would be acceptable, as would working for an elected judge (because he or she has direct responsibility for the judicial system).



As stated previously, any *political* activity would not be acceptable—raising funds for the official's re-election, for example. An FWS position that involves lobbying at the federal, state, or local level is not work in the public interest. FWS students are prohibited from working for the U.S. Department of Education due to the potential appearance of conflict of interest.

**Work off campus for private for-profit companies**

Schools also may enter into agreements with private for-profit companies to provide off-campus jobs for students; however, these jobs must be academically relevant, to the maximum extent practicable, to the student's program of study. (A student studying for a business administration degree could work in a bank handling customer transactions, for example.) Private for-profit organizations do not qualify as employers for community service under the FWS Program.

**Reading tutors**

34 CFR 675.18(g)(3)

**Reading and math tutors**

Dear Colleague Letter CB-97-12, dated July 1999

Dear Partner Letter CB-99-12, dated July 1997

## Off-campus agreements



If your school would like an off-campus organization to employ FWS students, your school must enter into a written agreement—a contract—with the off-campus organization. A written agreement is required with the off-campus organization even if your school is considered the employer of the FWS student. The school must make sure the off-campus organization is a reliable agency with professional direction and staff and that the work to be performed is consistent with the purpose of the FWS Program. Note that there is a model off-campus agreement at the end of this chapter. The model need not be followed exactly but serves as a guide.

The agreement should specify what share of student compensation and other costs will be paid by the off-campus organization. For-profit organizations **must** pay the nonfederal share of student earnings. Any off-campus organization **may** pay:

- ◆ the nonfederal share of student earnings;
- ◆ required employer costs, such as the employer's share of Social Security or workers' compensation; and
- ◆ the school's administrative costs not already paid from its Administrative Cost Allowance (ACA).

The agreement sets forth the FWS work conditions and establishes whether the school or the off-campus organization will be the employer for such purposes as hiring, firing, and paying the student. The employer is generally considered to be the entity that will control and direct the work of the FWS students—supervising them at the work site, regulating their hours of work, and generally ensuring that they perform their duties properly. However, the school is ultimately responsible for making sure that payment for work performed is properly documented and that each student's work is properly supervised.

The agreement should define whether the off-campus organization will assume payroll responsibility and bill the school for the federal share of the students' wages, or whether the school will pay the students and bill the off-campus organization for its contribution. The school must make up any payments the off-campus organization does not make. **It is the school's responsibility to ensure that FWS payments are properly documented, even if the off-campus organization does the payroll.** To fulfill that responsibility, the school must keep copies of time sheets and payroll vouchers and keep evidence that the students were actually paid (usually copies of the canceled checks or receipts signed by the students).



The school is also responsible for ensuring that each student's work is properly supervised. School officials should periodically visit each off-campus organization with which they have an off-campus agreement to determine whether students are doing appropriate work and whether the terms of the agreement are being fulfilled.

### Rules for Private For-Profit Organizations

Private for-profit organizations may not hire FWS employees to replace regular employees. Also note that the federal share of FWS wages paid to a student working for a private for-profit organization may not exceed 50%.

### Work in the Public Interest: Examples

In deciding whether work is in the public interest, schools must consider the nature of the work as well as that of the organization. For example, a private nonprofit civic club may employ a student if the student's work is for the club's community drive to aid handicapped children. If the student's work is confined to the internal interests of the club, such as a campaign for membership, the work would benefit a particular group and would not be in the public interest. As another example, a student may work for a private nonprofit membership organization, such as a golf club or swimming pool, if the general public may use the organization's facilities on the same basis as its members. If only members may use the facilities, FWS employment is not in the public interest.

The agreement must state whether the school or off-campus organization is liable for any on-the-job injuries to the student. The employer is not automatically liable. Federal FWS funds cannot be used to pay an injured student's hospital expenses.

In determining whether to continue an off-campus agreement, many schools have found it helpful to require that students submit a formal evaluation of their work experience at the end of the assignment. The school may also use the evaluation to help off-campus agencies improve their work programs.

Staff members of the off-campus organization must become acquainted with a school's financial aid and student employment programs to better understand the school's educational objectives. The school must supply the off-campus organization with this information.

### *Providing the federal share and billing for the employer's share*

If an off-campus agreement specifies that the off-campus organization will assume payroll responsibility and bill the school for the federal share of the students' wages, the school will be sending federal funds to the off-campus organization. The agreement with the school should include the procedures the off-campus organization must follow and the documents it must provide in order to be reimbursed for the federal portion of a student's salary.



Your school should have written policies that describe the aforementioned procedures, the documentation the off-campus organization must provide, and how the reimbursement process will be handled. **Your accounting entries must completely track the payment of the federal share to the off-campus organization and must be backed by the original documents specified in your policies. Your school is liable for federal funds expended for which it does not have proper records or documentation.**



If your agreement with the off-campus organization specifies that the school will pay the students and bill the off-campus organization for its share, the agreement should include the steps the school will take, the documentation the school will provide, and the time frame within which the off-campus employer will pay the school its share of the FWS compensation.

Your school should have a system for ensuring that off-campus employers are billed for their share of FWS wages in a timely manner. In addition, you should have a system for following up if bills remain unpaid after a reasonable period of time. Your accounting entries must completely track the billing and receipt of the employer's share and must be backed by any original documents required (e.g., detail of the wages paid to students and calculation of the employer's share).

## Employing FWS Students as Tutors

### What are the requirements for a “reading tutor” or “math tutor?”

The Department does not define “tutor” for the FWS Program. This gives schools flexibility in determining the job description and duties of a tutor. For example, a reading tutor could be an FWS student who reads to a group of preschoolers in a public library.

An FWS student employed as a tutor does not have to meet certain statutory (for reading tutors) or regulatory (for reading and mathematics tutors) educational standards or qualifications for the school to receive an institutional-share waiver. However, an FWS reading or math tutor must have adequate reading or math skills, as appropriate, and the Department strongly recommends that the tutors be well trained before they tutor.

The Department does not require background checks of FWS tutors. However, some state and local jurisdictions may require such checks. The requirements will vary according to the agency or organization involved.

### What is a preschool-age child?

A preschool-age child is a child from infancy to the age at which his or her state provides elementary education.

### What is the definition of an elementary school?

The definition of an elementary school varies from state to state. Because the Department does not wish to interfere with a state’s determination of what constitutes children who are in elementary school, we will not provide guidance on the maximum grade level for elementary school for purposes of the institutional-share waiver for tutoring.

### In what setting must tutoring take place?

Tutoring may be one-on-one or in a group. Tutoring sessions can take place in a school setting or another location, such as a public library or community center. Tutoring sessions can be held during regular school hours, after school, on weekends, or in the summer.

### Can FWS students tutor children in parochial schools?

An FWS student can tutor a child in a parochial school under certain conditions:

- The parochial school must be classified as a private, nonprofit school by the Internal Revenue Service or a state taxing body;
- The work may not involve constructing, operating, or maintaining any part of a building used for religious worship or sectarian instruction; and
- The FWS tutor may not use religious material to tutor the child.

### Should tutors be trained?

The Department strongly recommends that the tutors be well trained before they tutor. When an FWS student receives training from a specialist or expert for sufficient duration and intensity, he or she is more likely to be successful with the child he or she is tutoring. Tutor training should emphasize the importance of the tutor’s communication with the regular classroom teacher to maximize effectiveness. The amount and type of training will often vary, depending on the needs of the child being tutored and the subject being studied. (See *Chapter 1* for information on using the administrative cost allowance to pay for the cost of training tutors.)



**Can students be paid while in training?**

Under limited circumstances, an FWS tutor can receive FWS wages while being trained, and these wages can qualify for a waiver of the institutional share. This training period must be only for a reasonable and limited length of time. The Department would not consider a training period of an academic term to be reasonable. The Department would consider a reasonable training period to be one that occurs before the student begins tutoring and that does not exceed approximately 20 hours. A school may not pay an FWS student to take an academic course the school developed to provide classroom training on tutoring children. An FWS student may take such a course as long as he or she is not paid for taking the course (34 CFR 675.18(h)).

**Can students be paid during preparation and evaluation activities?**

The preparation time and evaluation time worked by an FWS tutor qualify for a 100% federal share as long as the time spent for this purpose is reasonable. For example, the Department would consider attending evaluation and preparation meetings once a week for approximately one hour to be reasonable. The Department wants to give some flexibility because of the value of evaluation and preparation time. However, the goal is to spend funds for FWS students to interact with the children in family literacy programs, not for other activities.

**Will a tutoring job always satisfy the community service requirement?**

An FWS tutor job might qualify for a waiver of the institutional share (100% federal share) but not qualify as part of the 7% community service requirement. If, for example, a postsecondary school employs FWS students to tutor young children in its daycare center and the center is not open and accessible to the community, the job would qualify for the waiver but would not qualify as part of the 7% community service requirement.

**What if the FWS student is training tutors, performing related administrative tasks, or works another FWS job?**

The wages of an FWS student who is training tutors or who is performing administrative tasks related to supporting other people who are actually providing the reading or mathematics tutoring do not qualify for a federal share of up to 100%; rather, an institutional share is required.

Remember that it is the FWS reading or mathematics tutor job, not the student working in the job, that qualifies for the institutional-share waiver. Thus, an FWS student who is working another FWS job in addition to the tutor job can be paid with 100% federal funds only for the time he or she is working as a tutor, not for time spent on the other job. If, for example, an FWS student spends only half of his or her time working as a reading tutor (including preparation and evaluation time) and the other half on non-tutoring tasks, the student may be paid 100% federal funds only for half the time, and the other half must be paid with a maximum of 75% federal funds and a minimum of 25% nonfederal funds.

**How can my school start placing FWS students as tutors?**

Your school may construct its own reading tutor program or join existing community programs.

You may use the Job Location and Development (JLD) Program to locate or develop jobs for FWS students as tutors of children. However, you may not use JLD funds exclusively for this purpose because you would be in violation of the JLD statutory requirement to expand off-campus jobs for currently enrolled students who want jobs regardless of their financial need.

## JOB LOCATION AND DEVELOPMENT PROGRAM

The Job Location and Development (JLD) Program is a part of the FWS Program. An institution is allowed to use part of the federal funds it receives under the FWS Program to establish or expand a JLD Program.

The JLD Program locates and develops off-campus job opportunities for students who are currently enrolled in eligible institutions of higher education and who want jobs regardless of financial need. This means that jobs may be located and developed under the JLD Program for FWS and non-FWS eligible students.

Under the JLD Program, your school must locate and develop off-campus jobs that are suitable to the scheduling and other needs of the employed student and must, to the maximum extent practicable, complement and reinforce the educational program or vocational goal of the student.

JLD jobs may be part-time or full-time, for either a for-profit or non-profit employer.

### *JLD Program participation*

A school that participates in the FWS Program is also eligible to participate in the JLD Program. A school that has an executed Program Participation Agreement (PPA) for the FWS Program may participate in the JLD Program without any prior contact with the Department and without any revision to its PPA. Under the PPA, the school agrees to administer the JLD Program according to the appropriate statutory and regulatory provisions.

If the Department terminates or suspends a school's eligibility to participate in the FWS Program, that action also applies to the school's JLD Program.

### *Student eligibility*

**Any student employed in a job developed under the JLD Program must be currently enrolled at the school placing him or her in a job.** A school may place in JLD jobs both students who do not meet FWS student eligibility criteria and those who do meet those criteria. However, using JLD funds to find jobs only for FWS students would not satisfy the program purpose of expanding off-campus jobs for students who want jobs regardless of financial need.

#### **JLD Program**

34 CFR 675 Subpart B

#### **JLD purpose and description**

34 CFR 675.31 & 34 CFR 675.32

#### **JLD and Community Service**

The JLD Program encourages students to participate in community service activities. Your school must inform all eligible students of the opportunity to perform community services and must develop and make available information about community service opportunities. The JLD Program uses the same definition of community services that the FWS Program employs. However, the JLD Program does not have a specific minimum community service requirement, as does the FWS Program.

**TIP**

**Use of JLD funds**

34 CFR 675.35(b)(3)

**Federal and institutional shares**

34 CFR 675.33(b) &amp; (c)

**Prohibition on using funds on campus**

34 CFR 675.35(a)(3)(i)

**Maximum federal funds for JLD Programs cite**

34 CFR 675.32

**Increase in JLD limits**

Effective August 14, 2008, the amount of FWS funds institutions of higher education may use for Job Location and Development programs increases to not more than 10% or \$75,000 of their Federal Work-Study allocations, up from not more than 10% or \$50,000.

HEOA section 445

HEA section 445(a)(1)

Effective date: August 14, 2008

**Use of FWS allocation for JLD Program**

When establishing or expanding a program to locate and develop off-campus jobs, including community service jobs, a school may use up to the lesser of:

- ◆ 10% of its FWS allocation and reallocation, or
- ◆ \$75,000.

**Use of JLD Program funds**

Your school may use federal JLD funds to pay for the cost of establishing and administering the JLD Program. You may not use JLD funds to:

- ◆ pay students whose jobs were located and developed through the JLD Program;
- ◆ locate and develop jobs at your school or other eligible schools;
- ◆ place students upon graduation; and
- ◆ displace employees or impair existing service contracts.

A school is expected to generate total student wages exceeding the total amount of the federal funds spent under JLD.

**Federal share limitation**

You may use federal FWS funds to pay up to 80% of the allowable costs in the JLD program (listed under *Allowable program costs*). **Your school must provide the remaining 20% of allowable costs either in cash or in services. This requirement, unlike the institutional-share requirement for FWS earnings, cannot be waived.**



Your school's 20% share may be either (1) 20% of each allowable cost, or (2) varying percentages of allowable costs, as long as its total expenditures of institutional funds and/or provision of services equals at least 20% of the total allowable costs for the JLD Program.

You must maintain records that indicate the amount and sources of your school's matching share. Procedures and records requirements for JLD are the same as those for all Campus-Based Programs.



## Allowable program costs

Allowable costs of carrying out the JLD Program include:

- ◆ staff salaries (and fringe benefits, if they are the same as those paid to other institutional employees in comparable positions and are not paid to a student employed through the FWS Program);
- ◆ travel expenses related to JLD activities;
- ◆ printing and mailing costs for brochures about the JLD Program;
- ◆ JLD telephone charges, including installation of a separate line for off-campus employers;
- ◆ JLD costs for supplies, equipment, and furniture;
- ◆ newspaper or other types of advertising that inform potential employers of the services JLD offers; and
- ◆ JLD workshops for students and employers.

Costs that are not allowable are costs related to purchasing, constructing, or altering the facilities that house a JLD project. Indirect administrative costs also are **not** allowable. One example of an indirect administrative cost is a portion of the salary of someone who is not directly involved in the program, such as the JLD director's supervisor. Other examples of indirect administrative costs are lighting, heating, or custodial costs incurred as part of the normal operations of the facility in which the JLD program is administered, such as the financial aid or placement offices.

### Students as staff in the JLD Program office



The prohibition against using JLD funds to locate and develop jobs at any school *does not* mean that your school is also prohibited from employing FWS and non-FWS students as staff in the JLD Program office. Your school may employ FWS and non-FWS students as staff in the JLD Program office as long as you do not use JLD funds to locate and develop these jobs. For example, your school could use the FWS Program to employ an FWS student as a staff member in the JLD Program office.

If your school places an FWS student as staff in the JLD Program office, there are some important points to note. The statute and the FWS regulations prohibit the use of any funds allocated under the FWS Program from being used to pay the institutional share of FWS compensation to its students. Hence, your school may not use federal JLD funds to pay the institutional share of FWS wages earned by an FWS student working as staff in the JLD Program office. Instead, you must use your school's funds to pay the institutional share of these wages.

### Allowable costs

34 CFR 675.33(a)

#### JLD Reporting on the FISAP

If your school participates in the JLD Program during an award year, you must provide information about its JLD activities on the *Fiscal Operations Report and Application to Participate* (FISAP). You must report the total JLD expenditures, federal expenditures for JLD, institutional expenditures for JLD, number of students for whom jobs were located or developed, and total earnings for those students.

Your school **may not** include student staff jobs in the JLD office on the FISAP in the JLD section for reporting the count of students and the earnings of students for whom jobs were located or developed through the JLD Program. However, if your school used its own funds to pay the institutional share of wages for student staff jobs, you may count those funds in meeting the minimum 20% institutional-share requirement for the JLD Program.

**Multi-institutional programs**

34 CFR 675.34

**Multi-institutional JLD Programs**

Your school may enter a written agreement with other eligible schools for those schools to establish and operate a JLD Program for its students. The agreement must designate the administrator of the program and must specify the terms, conditions, and performance standards of the program. **Each school that is part of the agreement retains responsibility for properly disbursing and accounting for the federal funds it contributes under the agreement.**



For example, each school must show that its own students have earned wages that exceed the amount of federal funds the school contributed to locate and develop those jobs. This fiscal information must be reported on each school's FISAP.

If your school uses federal funds to contract with another school, suitable performance standards must be part of that contract. Performance standards should reflect each school's philosophy, policies, and goals for the JLD Program. You may not develop performance standards, conditions, or terms that are inconsistent with the statute or regulations. In all cases, the performance standards should be clearly understandable, because they will be included in the formal written agreement that each party must observe as part of its responsibility within the particular arrangement.

**Comprehensive Work-Colleges Program**

The Higher Education Amendments of 1992 authorized the Work-Colleges Program.

The Work-Colleges Program recognizes, encourages, and promotes the use of comprehensive work-learning-service programs as a valuable educational approach when used as an integral part of the school's educational program and as a part of a financial plan that decreases reliance on grants and loans. The program also encourages students to participate in community service activities.

**Work-Colleges Program**

34 CFR 675 Subpart C

**Purpose**

34 CFR 675.43

**Definition**

34 CFR 675.41

**Application to participate in the Work-Colleges Program**

E-Announcement 02-01-2012

**Additional citations**

The Higher Education Opportunity Act of 2008 introduced the term "work-learning-service" and revised the definition of "Work-College."

HEOA section 447

HEA section 448

**WORK-COLLEGES PROGRAM**

Schools that satisfy the definition of "work-college" may apply to the Department to participate in the program. A work-college may transfer funds from its FWS and/or Perkins Loan allocations to fund its Work-Colleges Program.

The term "work-college" is defined as an eligible school that:

- ◆ has been a public or private nonprofit, four-year, degree-granting institution with a commitment to community service;
- ◆ has operated a *comprehensive work-learning-service program* (see sidebar for definition) for at least two years;
- ◆ requires resident students, including at least one-half of all students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least five hours each week, or at least 80 hours during each period of enrollment (except summer school), unless the student is engaged in a school-organized or approved study abroad or externship program; and
- ◆ provides students participating in the comprehensive work-learning-service program with the opportunity to contribute to their education and to the welfare of the community as a whole.

A Comprehensive student work-learning-service program is a student work/service program that:

- ◆ is an integral and stated part of the institution's educational philosophy and program;
- ◆ requires participation of all resident students for enrollment and graduation;
- ◆ includes learning objectives, evaluation, and a record of work performance as part of the student's college record;
- ◆ provides programmatic leadership by college personnel at levels comparable to traditional academic programs;
- ◆ recognizes the educational role of work-learning-service supervisors; and
- ◆ includes consequences for nonperformance or failure in the work-learning-service program similar to the consequences for failure in the regular academic program.

### *Allowable program costs*

Allocated program funds may be used to:

- ◆ support the educational costs of students through self-help provided under the work-learning-service program within the limits of their demonstrated financial need;
- ◆ promote the work-learning-service experience as a tool of education and community service;
- ◆ carry out FWS and JLD program activities;
- ◆ administer, develop, and assess comprehensive work-learning-service programs;
- ◆ coordinate and carry out joint projects and activities to promote learning through work-service; and
- ◆ conduct a comprehensive longitudinal study of academic progress and academic and career outcomes.

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### **Comprehensive student work-learning-service program**

42 U.S.C. 2756b [HEA Section 448]  
34 CFR 675.41(b)

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### **Allowable costs**

34 CFR 675.45

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### **Unallowable costs**

34 CFR 675.46

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### **Multi-institutional programs**

34 CFR 675.47



## Crediting FWS Funds to Students' Accounts and Paying Credit Balances

### 34 CFR 675.16(b) Crediting a student's account at the institution.

(1) If the institution obtains the student's authorization described in paragraph (d) of this section, the institution may use the FWS funds to credit a student's account at the institution to satisfy—

- (i) Current year charges for—
  - (A) Tuition and fees;
  - (B) Board, if the student contracts with the institution for board;
  - (C) Room, if the student contracts with the institution for room; and
  - (D) Other educationally related charges incurred by the student at the institution; and
- (ii) Prior award year charges with the restriction provided in paragraph (b)(2) of this section for a total of not more than \$200 for—
  - (A) Tuition and fees, room, or board; and
  - (B) Other institutionally related charges incurred by the student at the institution.

(2) If the institution is using FWS funds in combination with other Title IV, HEA program funds to credit a student's account at the institution to satisfy prior award year charges, a single \$200 total prior award year charge limit applies to the use of all the Title IV, HEA program funds for that purpose.

#### (c) Credit balances.

Whenever an institution disburses FWS funds by crediting a student's account and the result is a credit balance, the institution must pay the credit balance directly to the student as soon as possible, but no later than 14 days after the credit balance occurred on the account.

#### (d) Student authorizations.

(1) Except for the noncash contributions allowed under paragraph (e)(2) and (3) of this section [see previous page], if an institution obtains written authorization from a student, the institution may—

- (i) Use the student's FWS compensation to pay for charges described in paragraph (b) of this section that are included in that authorization; and
- (ii) Except if prohibited by the Secretary under the reimbursement or cash monitoring payment method, hold on behalf of the student any FWS compensation that would otherwise be paid directly to the student under paragraph (c) of this section.

(2) In obtaining the student's authorization to perform an activity described in paragraph (d)(1) of this section, an institution—

- (i) May not require or coerce the student to provide that authorization;
  - (ii) Must allow the student to cancel or modify that authorization at any time; and
  - (iii) Must clearly explain how it will carry out that activity.
- (3) A student may authorize an institution to carry out the activities described in paragraph (d)(1) of this section for the period during which the student is enrolled at the institution.
- (4) (i) If a student modifies an authorization, the modification takes effect on the date the institution receives the modification notice.

(ii) If a student cancels an authorization to use his or her FWS compensation to pay for authorized charges under paragraph (b) of this section, the institution may use those funds to pay only those authorized charges incurred by the student before the institution received the notice.

(iii) If a student cancels an authorization to hold his or her FWS compensation under paragraph (d)(1)(ii) of this section, the institution must pay those funds directly to the student as soon as possible, but no later than 14 days after the institution receives that notice.

(5) If an institution holds excess FWS compensation under paragraph (d)(1)(ii) of this section, the institution must—

- (i) Identify the amount of funds the institution holds for each student in a subsidiary ledger account designed for that purpose;
- (ii) Maintain, at all times, cash in its bank account in an amount at least equal to the amount of FWS compensation the institution holds for the student; and
- (iii) Notwithstanding any authorization obtained by the institution under this paragraph, pay any remaining balances by the end of the institution's final FWS payroll period for an award year.

# Model Off-Campus Agreement

*The paragraphs below are suggested as models for the development of a written agreement between a school and a federal, state, or local public agency or a private nonprofit organization that employs students who are attending that school and who are participating in the Federal Work-Study (FWS) Program. Institutions and agencies or organizations may devise additional or substitute paragraphs as long as they are not inconsistent with the statute or regulations.*

This agreement is entered into between \_\_\_\_\_, hereinafter known as the “Institution,” and \_\_\_\_\_, hereinafter known as the “Organization,” a (federal, state, or local public agency), (private nonprofit organization), (strike one), for the purpose of providing work to students eligible for the Federal Work-Study [FWS] Program.

Schedules to be attached to this agreement from time to time must be signed by an authorized official of the institution and the organization and must set forth—

1. brief descriptions of the work to be performed by students under this agreement;
2. the total number of students to be employed;
3. the hourly rates of pay; and
4. the average number of hours per week each student will work.

These schedules will also state the total length of time the project is expected to run, the total percent, if any, of student compensation that the organization will pay to the institution, and the total percent, if any, of the cost of employer’s payroll contribution to be borne by the organization. The institution will inform the organization of the maximum number of hours per week a student may work.

Students will be made available to the organization by the institution to perform specific work assignments. Students may be removed from work on a particular assignment or from the organization by the institution, either on its own initiative or at the request of the organization. The organization agrees that no student will be denied work or subjected to different treatment under this agreement on the grounds of race, color, national origin, or sex. It further agrees that it will comply with the provisions of the Civil Rights Act of 1964 (Pub. L. 88-352; 78 Stat. 252) and Title IX of the Education Amendments of 1972 (Pub. L. 92-318) and the Regulations of the Department of Education that implement those acts. Two examples of off-campus agreements are included to provide additional guidance.

**Where appropriate, any of the following three paragraphs or other provisions may be included.**

1. Transportation for students to and from their work assignments will be provided by the organization at its own expense and in a manner acceptable to the institution.
2. Transportation for students to and from their work assignments will be provided by the institution at its own expense.
3. Transportation for students to and from their work assignments will not be provided by either the institution or the organization.

## Sample language to specify employer

Whether the institution or the organization will be considered the employer of the students covered under the agreement depends upon the specific arrangement as to the type of supervision exercised by the organization. It is advisable to include some provision to indicate the intent of the parties as to who is considered the employer. As appropriate, one of the two paragraphs below may be included.

Although the following paragraphs attempt to fix the identity of the employer, they will not necessarily be determinative if the actual facts indicate otherwise. Additional wording that specifies the employer's responsibility in case of injury on the job may also be advisable, since federal funds are not available to pay for hospital expenses or claims in case of injury on the job. In this connection, it may be of interest that one or more insurance firms in at least one state have, in the past, been willing to write a workers' compensation insurance policy that covers a student's injury on the job, regardless of whether it is the institution or the organization that is ultimately determined to have been the student's employer when the student was injured.

1. The institution is considered the employer for purposes of this agreement. It has the ultimate right to control and direct the services of the students for the organization. It also has the responsibility to determine whether the students meet the eligibility requirements for employment under the Federal Work-Study Program, to assign students to work for the organization, and to determine that the students do, in fact, perform their work. The organization's right is limited to direction of the details and means by which the result is to be accomplished.
2. The organization is considered the employer for purposes of this agreement. It has the right to control and direct the services of the students, not only as to the result to be accomplished, but also as to the means by which the result is to be accomplished. The institution is limited to determining whether the students meet the eligibility requirements for employment under the Federal Work-Study Program, to assigning students to work for the organization, and to determining that the students do perform their work.

## Sample language to specify responsibility for payroll disbursements and payment of employers' payroll contributions

Compensation of students for work performed on a project under this agreement will be disbursed—and all payments due as an employer's contribution under state or local workers' compensation laws, under federal or state Social Security laws, or under other applicable laws, will be made—by the (organization) (institution) (strike one).

## If appropriate, any of the following paragraphs may be included

1. At times agreed upon in writing, the organization will pay to the institution an amount calculated to cover the organization's share of the compensation of students employed under this agreement.
2. In addition to the payment specified in paragraph (1) above, at times agreed upon in writing, the organization will pay, by way of reimbursement to the institution, or in advance, an amount equal to any and all payments required to be made by the institution under state or local workers' compensation laws, or under federal or state Social Security laws, or under any other applicable laws, on account of students participating in projects under this agreement.
3. At times agreed upon in writing, the institution will pay to the organization an amount calculated to cover the federal share of the compensation of students employed under this agreement and paid by the organization. Under this arrangement, the organization will furnish to the institution for each payroll period the following records for review and retention:
  - a) Time reports indicating the total hours worked each week in clock time sequence and containing the supervisor's certification as to the accuracy of the hours reported;
  - b) A payroll form identifying the period of work, the name of each student, each student's hourly wage rate, the number of hours each student worked, each student's gross pay, all deductions and net earnings, and the total federal share applicable to each payroll; and
  - c) Documentary evidence that students received payment for their work, such as photographic copies of canceled checks.

\* These forms, when accepted, must be countersigned by the institution as to hours worked and the accuracy of the total federal share to be reimbursed to the organization or agency.

# Model Need Assessment for FWS Community Service Program

Agency Name: \_\_\_\_\_

Date: \_\_\_\_\_

Contact Name: \_\_\_\_\_

Phone: \_\_\_\_\_

Address: \_\_\_\_\_

1. \_\_\_\_\_ Nonprofit \_\_\_\_\_ For-profit

2. Agency Mission Statement and Description of Clients Served:

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3. Agency Funding Sources (check all that apply):

\_\_\_\_\_ Federal

\_\_\_\_\_ State

\_\_\_\_\_ County/City

\_\_\_\_\_ United Way

\_\_\_\_\_ Other (explain)

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4. Agency's Fiscal Year: \_\_\_\_\_ to \_\_\_\_\_

**5. Agency's Staffing (number of positions):**

\_\_\_\_ Full-time paid staff

\_\_\_\_ Part-time paid staff

\_\_\_\_ Student employees

\_\_\_\_ Volunteers

**6. How many student jobs may be available at your agency during:**

Summer 20xx \_\_\_\_\_

20xx-20xx Academic Year \_\_\_\_\_

Summer 20xx \_\_\_\_\_

**7. For each student job expected to be available as indicated in #6, provide the following information, attaching a separate sheet for each position.**

Job Title \_\_\_\_\_

Rate or Range of Pay per Hour \_\_\_\_\_

Begin and End Dates \_\_\_\_\_ to \_\_\_\_\_

Work Schedule-Days and Hours \_\_\_\_\_

Total Hours/Week \_\_\_\_\_

Description of Duties \_\_\_\_\_

Qualifications and Experience (indicate preferred or required) \_\_\_\_\_

**8. Has your agency hired students through the Federal Work-Study Program in the past?**

\_\_\_\_ YES \_\_\_\_ NO

If YES:

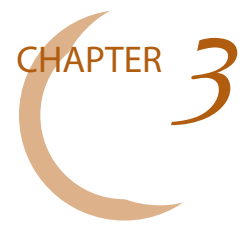
Number of students: \_\_\_\_\_

Dates employed: \_\_\_\_\_

Average length employed: \_\_\_\_\_

**9. Additional Comments:**

# Participating in and Making Loans in the Perkins Loan Program



*The Federal Perkins Loan Program includes Federal Perkins Loans, National Direct Student Loans (NDSLs), and National Defense Student Loans (Defense Loans). Perkins Loans are low-interest, long-term loans made through school financial aid offices to help needy undergraduate and graduate students pay for postsecondary education. For complete Perkins Loan disbursement rules, see Volume 3.*

## THE FEDERAL PERKINS LOAN PROGRAM

The Federal Perkins Loan (Perkins) Program includes Federal Perkins Loans, National Direct Student Loans (NDSLs), and National Defense Student Loans (Defense Loans). No new Defense Loans were made after July 1, 1972, but a few are still in repayment. Federal Perkins Loans and NDSLs are low-interest, long-term loans made through school financial aid offices to help needy undergraduate and graduate students pay for postsecondary education.

Before a student may be given a Federal Perkins Loan, your school's business/bursar's office and financial aid office must coordinate to ensure that the student in question is eligible by both the general student eligibility and Federal Perkins Loan eligibility regulations, has financial need, has attended entrance counseling, and has signed a Perkins Master Promissory Note (MPN). (See *Volume 3* for information about selecting students for Perkins Loans.)

### Perkins federal share

The amount of new Federal Perkins Loan Program funds provided to a school for an award year by the federal government is called the *Federal Capital Contribution* (FCC). The FCC funds to be used for the Federal Perkins Loan Program must be deposited into the school's Perkins revolving fund. The FCC deposited into the school's Perkins revolving fund must not exceed 75% of the combined FCC and required nonfederal share.

Unlike the FWS and FSEOG programs, the Department is not able to authorize a federal share of 100% for the FCC funds deposited into the school's Perkins revolving fund. **If you transfer new FCC funds to either the FWS or FSEOG programs, do not deposit the FCC funds into your Perkins revolving fund.**

### The Federal Perkins Loan Program

34 CFR Part 674

#### PPA

34 CFR 674.8

#### ICC

34 CFR 674.8(a)(2)(i) & (ii) & (a)(3)

#### Student eligibility

34 CFR 674.9

#### Selecting students

34 CFR 674.10

#### Federal capital contribution

34 CFR 674.2



Congress has not authorized or appropriated a Federal Capital Contribution for 2014–2015.





### *Perkins nonfederal share*

**In the Federal Perkins Loan Program, every student's loan must be comprised of federal funds and school funds.**



A school must provide a share of each student's Federal Perkins loan from the school's funds, the Institutional Capital Contribution (ICC). The ICC must equal or exceed:

- ◆ one-third (33.33%) of the FCC, *or*
- ◆ one-quarter (25%) of the combined FCC and ICC.

For example, if a school received an FCC of \$30,000, it would be required to provide an ICC of at least \$10,000, for a combined amount of \$40,000. The FCC (\$30,000) *divided by* .3333 *equals* \$40,000 *minus* \$30,000 *equals* \$10,000. The Department is not able to grant a waiver of the ICC.

The ICC must be comprised exclusively of institutional funds, and you must deposit the ICC prior to or at the same time as you deposit the FCC. The ICC must be deposited every year regardless of any overmatch a school may have made during the previous award year. The school makes its contribution through a short-term loan to the fund and reports that loan on its FISAP.

When you transfer new FCC to either the FWS or FSEOG programs, the FCC is not deposited into your Perkins revolving fund, and you do not have to provide an ICC share. Instead, you must provide a nonfederal share for those FCC funds at the level required by the program to which it was transferred and spent by your school.



### *Level of expenditure (LOE)*

The *level of expenditure (LOE)* is the maximum dollar amount that ED allows a school to expend from the school's Federal Perkins loan fund in a given award year. **The LOE includes all authorized expenditures for the program, such as all loans to students, administrative cost allowance, and collection costs.** The LOE equals the total of FCC, ICC, funds available from the school's projected collection of Federal Perkins Loans in repayment, estimated Federal Perkins Loan cancellation reimbursements, and anticipated cash on hand (FCC + ICC + collections + cancellation reimbursements + cash on hand = LOE).



To request an increase in their LOE, schools make the request through the School Participation Team (SPT) serving their state. You can find contact information for the regional offices of the School Participation Division at

**[ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division](http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division).**

## Excess cash



The legislative requirement included in Section 466 of the Higher Education Act of 1965, as amended (HEA), requires the return of excess Federal Perkins Loan funds when available resources exceed a school's needs in the foreseeable future. A school has excess liquid capital in its Federal Perkins Loan fund if the funds available (cash on hand, plus projected collections, plus Federal Capital Contribution [FCC] and Institutional Capital Contribution [ICC], and cancellation repayments) for the current award year significantly exceed the award year's total expenditures from the fund. Regardless of whether a school has received FCC or not, if a school has more cash than it plans to spend, the school should disburse any excess cash during the award year or return it to the Department.

Federal Perkins cash on hand recorded on the school's general ledger annually as of June 30 and October 31 must be reported on the Fiscal Operations Report. Note that the overall cash on hand reported must include payments to the fund by the school for any loans the school has purchased.

## MAKING A PERKINS LOAN

A Perkins Loan (or NDSL) is made when the borrower has signed the Perkins Master Promissory Note (MPN), and the school makes the first disbursement of loan funds under that promissory note for that award year. The student is required to sign the MPN only once. Additional Perkins Loans may be disbursed to a student for up to 10 years after the date the MPN is signed. Although the borrower is only required to sign the MPN once, a school may choose to require a borrower to sign a new MPN for each award year. A student may also make a written request to sign a separate MPN for each award year.

After a student files a FAFSA and the Department determines an official Expected Family Contribution (EFC) for the student, the school must award financial aid based on the student's loan eligibility and the maximum amounts for each FSA program. For a complete explanation of awarding Perkins funds, see *Volume 3*. As with the other Campus-Based Programs, funds from the Perkins Loan Program must be "packaged" with other expected financial assistance to ensure that the student's total aid does not exceed his or her cost of attendance. The packaging process is discussed in *Volume 3*.



### Perkins LOE required

To make loans, a school must have a Perkins Loan Level of Expenditure (LOE) from ED for that award year. The LOE is the authority from ED for the school to participate and spend monies from the Perkins Loan Fund for that award year, including making new loans to students. The official FWS allocation letter and the Perkins Loan LOE is the school's authority to exercise the FWS to Perkins Loan transfer option.

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### Making a loan

The *making of a loan* occurs when the school makes the first disbursement of a loan to a student for an award year.  
34 CFR 674.2

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### Loan maximums

34 CFR 674.12

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### Making and disbursing loans

34 CFR 674.16

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### Use of funds

34 CFR 674.18

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### Compliance with equal opportunity credit requirements

34 CFR 674.20

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### NDSL loans

If a Perkins borrower has an outstanding balance on a National Defense Student Loan or National Direct Student Loan when the new loan is obtained, the new loan is treated under the same terms as the earlier loan.

→ Loans made before July 1, 1972, were National Defense Student Loans.

→ Loans made from July 1, 1972 through June 30, 1987, were National Direct Student Loans.



### Perkins Loan limits

Annual maximum loan:		Aggregate maximum loan:	
Undergraduate	\$5,500	Undergraduate:	
		Grade levels 1 & 2	\$11,000
Graduate	\$8,000	Grade levels 3 & 4	\$27,500
		Graduate	\$60,000

### FTC “Red Flags Rule” on Identity Theft and Perkins Loans

#### E-Announcement June 14, 2010

The Federal Trade Commission (FTC), in concert with other federal agencies, has issued regulations that require financial institutions and creditors to develop and implement a written identity theft prevention program to detect, prevent, and respond to patterns, practices, or specific activities that may indicate identity theft and are known as “red flags.”

The “Red Flags Rule” applies to institutions participating in the Federal Perkins Loan Program and may apply to other credit programs administered by an institution. Although the “Red Flags Rule” is not issued by the Department of Education, the Department has issued a series of announcements to make schools in the Perkins Loan Program aware of the requirement, and ED encourages Perkins schools to review these regulations with their attorneys to ensure compliance.

The rule became effective on January 1, 2008, with full compliance for all covered entities originally required by November 1, 2008. The FTC has issued several Enforcement Policies delaying enforcement of the rule. The most recent Enforcement Policy delayed enforcement of the “Red Flags Rule” through December 31, 2010. As of January 1, 2011, the FTC is enforcing the rule.

The FTC noted in a press release (May 28, 2010) that it has published a compliance guide for business, and created a template that enables low-risk entities to create an identity theft program with an easy-to-use online form ([www.ftc.gov/bcp/edu/microsites/redflagsrule/get-started.shtm](http://www.ftc.gov/bcp/edu/microsites/redflagsrule/get-started.shtm)).

The regulations covering the “Red Flags Rule” were published in the Federal Register on November 9, 2007, by the FTC. The federal bank regulatory agencies and the National Credit Union Administration jointly issued regulations (72 FR 63718).

Further information about the “Red Flags Rule” and the actual text of the regulations is available on the FTC website at

<http://www.ftc.gov/opa/2007/10/redflag.shtm>.

## PERKINS PROMISSORY NOTE

The promissory note is the legally binding document that is evidence of a borrower's indebtedness to a school. The note includes information about the loan's interest rate, repayment terms, and minimum rates of repayment; deferment, forbearance, and cancellation provisions; credit bureau reporting; and late charges, attorney fees, collections costs, and consequences of default.

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### MPN Promissory Note

34 CFR 674.31  
DC GEN 12-23

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### Retention of records

34 CFR 674.19(d) & (e)



**You must ensure that each Perkins Loan is supported by a legally enforceable promissory note.** If the school does not have a valid note or other written evidence that would be upheld in a court of law, the school has no recourse against a borrower who defaults. Two examples of invalid notes are notes that have been changed after they were signed and notes without proper signatures or dates. If a school does not have a valid promissory note, it would have to repay to its Perkins Loan Fund any amounts loaned, as well as any Administrative Cost Allowance (ACA) claimed on those amounts. The school can seek to recover the amount repaid from the borrower.

If an error is discovered in a promissory note, the school should obtain legal advice about what action it should take. The appropriate school official and the student should sign by or initial all approved changes in the note.

When the borrower has fully repaid the Perkins Loan, your school must either notify the borrower in writing, or mark the original note “paid in full” and return it to the borrower. **Your school must keep a copy of the note for at least three years after the date the loan was paid in full.**



Schools are required to report to the National Student Loan Data System when the loan has been repaid.

### Single vs. multiyear use of the MPN

The *Master Promissory Note* (MPN) for the Perkins Loan Program is a promissory note under which the borrower may receive loans for a single award year or multiple award years.

Because the MPN can be used to award Federal Perkins Loans on a multiyear basis, there is no box for loan amount or loan period on the note. If you choose to use the Federal Perkins MPN as a single award year promissory note, the borrower must sign a new MPN each award year. When used as a multiyear note, the borrower signs the MPN only once, before the first disbursement of the borrower's first Federal Perkins Loan.

#### Limits on Multiyear Use of the MPN

You can no longer make a loan under an MPN if:

- more than 10 years from the date the borrower signed the MPN or the date you received the MPN (schools can still disburse a remaining portion of a loan after this date);
- more than 12 months after the date the borrower signed the MPN, if you make no disbursement under that MPN;
- after the date you are notified by the borrower to stop using the MPN.

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## Implementing an electronic Perkins MPN

A school that offers an electronic Perkins MPN must ensure the text of its electronic version is updated to exactly match the text of the revised Perkins MPN with the September 30, 2015, expiration date. No changes may be made to the text of the MPN except as provided in Dear Colleague Letter GEN-12-19. Schools using an electronic Perkins MPN should review the Department's standards for electronic signatures as provided in Dear Partner Letter GEN-01-06 before implementing an electronic Perkins MPN. Schools wishing to obtain an electronic version (HTML) of the revised Perkins MPN should send a request to Neil.Sattler@ed.gov.

Also see DC GEN 12-23

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## Perkins websites

[ifap.ed.gov/dpclletters/gen0106.html](http://ifap.ed.gov/dpclletters/gen0106.html)

[www.ifap.ed.gov/dpclletters/GEN1219.html](http://www.ifap.ed.gov/dpclletters/GEN1219.html)

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## Perkins paper MPN mailing address

Department of Education  
P.O. Box 5692  
Montgomery, AL 36104

You may make Perkins Loans under an MPN for up to 10 years from the date the borrower signed the MPN. However, the first disbursement must be made within 12 months of the date the borrower signed the MPN. If no disbursements are made within that 12-month period, the borrower must sign another MPN before receiving a Perkins Loan. In addition, no further loans may be made under an MPN after the school receives written notice from the borrower requesting that the MPN no longer be used as the basis for additional loans.

## Retaining the electronic MPN

If the student completes an electronic MPN (eMPN), your school must maintain the original electronic promissory note, plus a certification and other supporting information regarding the creation and maintenance of any electronically-signed Perkins Loan promissory note or Master Promissory Note (MPN), and provide this certification to the Department, upon request, should it be needed to enforce an assigned loan. Schools and lenders are required to maintain the electronic promissory note and supporting documentation for at least three years after all loan obligations evidenced by the note are satisfied.

## Using ED-approved MPN and customizing the MPN

You must use the ED-approved MPN. You may not make changes to, deletions from, or additions to the prescribed language on the MPN. You may not alter the presentation of the Perkins MPN. However, a school has the option of deleting the bracketed sentence relating to minimum monthly payment. As stated in past guidance, the addition of coding is permitted as well. For more information, see the following:



- ◆ CB-09-05
- ◆ CB-09-06
- ◆ CB-09-07
- ◆ CB-06-10
- ◆ DPL GEN-01-06
- ◆ DCL GEN-12-19

Coding identifiers cannot alter the general layout of the Perkins MPN provided in DCL ID: GEN-12-19. The Perkins MPN must be printed in black ink on white paper. It is preferable to print the Perkins MPN on two sheets of paper, front and back. However, you may print the MPN on four single-sided pages as well.



## Master Promissory Note—Questions and Answers

### Loan amount and payment period

**Q.** Why are there no boxes for the loan amount and loan period on the MPN?

**A.** Since the MPN can be used as either an annual or multiyear promissory note, it does not contain specific reference to the dollar amount of the loan to be disbursed, the disbursement dates, or the enrollment or award period covered by the loan.

**Q.** If a school chooses to use the MPN on an annual basis, can the school put boxes on the MPN for the award amount and the loan period?

**A.** No. The MPN is a federal form approved by the Office of Management and Budget (OMB). Schools may not add data elements to an OMB-approved form. Schools may only make minimal modifications to the MPN, as described in Dear Colleague Letter DCL GEN-12-19 and elsewhere in this chapter.

### Record retention

**Q.** Should a school retain a record of the date and amount of each disbursement in the borrower's file to document that the borrower received the loan?

**A.** Yes. Since this information is not shown on the MPN, the school should maintain documentation of the loan amount, award period, and disbursement dates as part of the borrower's records. Disbursement records or student account records showing a Perkins Loan credit would serve this purpose.

**Q.** Are third party servicers' records sufficient to satisfy a school's need to retain supporting records showing loan amount, award period, and disbursement dates?

**A.** Unless the servicer is performing loan origination and disbursement functions for the school, only school records definitively show that the borrower was enrolled, the borrower's account was credited from Perkins loan funds, and the date and amount of disbursements. With certain borrower challenges, third party servicer records may not be sufficient.



## Standards for Electronic Signatures: Highlights for Perkins eMPNs

Before implementing the eMPN, your school should review the *Standards for Electronic Signatures in Electronic Loan Transactions* published in Dear Colleague Letter GEN-01-06.

The standards are voluntary; however, adherence to the standards will provide your school some protection should a court find a loan unenforceable due to the processing of an electronic signature or related records.

### Why apply these standards?

If your school's system for processing Perkins eMPNs adheres to the standards and a court finds the loan legally unenforceable based solely on the processing of the electronic signature or related records, the Department will not consider your school liable for the loan and will not require your school to reimburse its Perkins Loan Fund.

If your school's system for processing Perkins eMPNs does not adhere to the standards and a court finds the loan legally unenforceable based solely on the processing of the electronic signature or related records, the Department has the option to require your school to reimburse its Perkins Loan Fund.

### Verify the borrower's identity. Verify the borrower's electronic signature.

Collect at least the following identifying information: name, Social Security number, driver's license number, and date of birth. Verify the borrower's identity by authenticating this data with an independent source such as a national commercial credit bureau, a commercial data service, a state motor vehicle agency, or a government database.

The electronic signature may be a PIN, a password, another unique credential, a biometric value unique to the borrower, such as a fingerprint or retinal pattern, or a signature image. A typed name must be paired with a pin, password, or biometric to constitute an electronic signature.

Ensure that the electronic signature is secure.

### Get the borrower's consent. Make sure the borrower understands.

Obtain consent from the borrower to use an electronic record. It must be clear that the borrower has consented to use a Perkins eMPN in place of a paper MPN. Require the borrower to confirm that he or she has the necessary hardware and software to view, print, download, or otherwise complete the electronic signature process. Keep a record showing that the borrower gave this consent prior to electronically signing the Perkins eMPNs.

Ensure that the borrower understands he or she is signing a promissory note. The borrower must click through all terms and conditions of the Perkins eMPNs and acknowledge that he or she has read the terms and conditions.

Notify the borrower when his or her electronic signature is about to be applied to the Perkins eMPNs. Give the borrower an opportunity to cancel the signature process.

After the borrower signs the Perkins eMPNs, provide the borrower with reasonable access to the full electronic record of the eMPNs.

### Minimum monthly payment option

The optional provision regarding a minimum monthly repayment amount is included as a single optional sentence at the end of the repayment paragraph on page 1 of the MPN. You would include this sentence in the MPN if your school is exercising the minimum monthly payment amount provision. Page 2 of the MPN includes a summary of this provision. If the optional provision is included in the school's note, a minimum monthly payment of \$40.00 is required for a loan made on or after October 1, 1992, to a borrower who had no outstanding balance on a Perkins Loan, NDSL, or Defense Loan on the date the loan was made. (For other borrowers, the monthly minimum amount remains \$30.00.)

## DISBURSING FEDERAL PERKINS LOAN FUNDS

### Pre-disbursement activities

There are several tasks you must complete prior to disbursing Federal Perkins Loans.

You must have a process for confirming that the student understands the terms of the loan and accepts the loan by signing the MPN. For more on active and passive confirmation, see *Volume 4*.

You must confirm the student's enrollment status, because a student who is enrolled less than half time is not eligible for an in-school deferment. Also you should have a system that checks students' enrollment status periodically throughout an award year, as their status may change due to withdrawal from classes, expulsion, or unforeseen circumstance. (See *Loans to borrowers enrolled less than half time* later in this chapter.)

### Disclosures required prior to first disbursement

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#### Perkins disbursements

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**Payment by payment period**  
34 CFR 674.16(b)

**Uneven costs/uneven payments**  
34 CFR 674.16(c)

**Paying prior to student beginning attendance**  
34 CFR 674.16(f)

**Reporting Perkins Loans to credit bureaus**  
34 CFR 674.16(h)

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**Disclosure**  
34 CFR 674.16(a)



Before making the first Perkins Loan disbursement for an award year, the school must inform the student of his or her rights and responsibilities under the Federal Perkins Loan Program. The school must also remind the student that the loan may be used only for educational expenses and that the loan must be repaid. The school should also inform the student that the *school* holds the MPN.



The school must disclose all information to the student *in writing*—as part of the application material, as part of the promissory note, or on a separate form. Although the information can be mailed to a student, it is preferable for the aid administrator to meet with the student to answer any questions and to emphasize his or her responsibility to repay the loan.



The school must review all of the repayment terms in the promissory note. In addition, each year the school must give the following information to the student:

- ◆ the name and address of the school to which the debt is owed and the name and address of the official or servicing agent to whom communications should be sent;
- ◆ the maximum annual and aggregate amounts the student may borrow;
- ◆ the effect that accepting the loan will have on the borrower's eligibility for other types of student aid;
- ◆ a statement of the total cumulative balance owed by the student to that school and an estimate of the monthly payment amount needed to repay that balance;
- ◆ options the borrower may have for consolidation or refinancing or cancellation;



#### Improper Disbursements

Your school is liable for any incorrect payments made to students due to school error.

**Collecting Additional Contact Information**

A school should also attempt to collect the following contact information at the time of disclosure:

- the name, address, and telephone numbers of the borrower’s parents and spouse;
- the spouse’s employer;
- the names and addresses of two or three of the student’s personal acquaintances.

A school may not require a borrower to provide this additional contact information as a condition for receiving a subsequent Perkins Loan. However, the additional contact information gained during loan counseling could be valuable later for use in collection procedures or to locate a student who leaves school without notice or who does not attend the exit interview. This counseling may not be used to satisfy the requirement for an exit interview.

**Notification of Disbursement**

You must notify the borrower of each disbursement of a Perkins Loan made under the MPN. This notification should inform the borrower of the amount disbursed and provide the borrower with an opportunity to cancel the disbursement or cancel the Perkins Loan.

**Disbursing Federal Perkins Loans**

34 CFR 674.16(b)(c)(d)(e) & (g)

**Single-term Perkins Loans**

Single-term loans are permissible. The Department expects schools to make Perkins award for the full academic year in accordance with 674.16(b). However, where there is a reason for making a single-term loan, it is allowed.

- ♦ a brief notice about the Department of Defense program for repaying loans based on certain military service;
- ♦ a complete list of charges connected with making the loan, including whether those charges are deducted from the loan or whether the student must pay them separately; and
- ♦ a notice that the school will report the outstanding balance of the loan to a national credit bureau *at least annually*.

The school should also update the identification and contact information (see sidebar).

Your school must provide the disclosure information annually before the first disbursement of each Perkins Loan made under the MPN.

**Notifications**

**When a school credits a Perkins Loan disbursement to a borrower’s account, the school must notify the borrower of the date and amount of the disbursement, the borrower’s right to cancel all or part of the disbursement, and the procedures for notifying the institution that the borrower wishes to cancel the loan or the loan disbursement.**

The school must send this notification to the borrower no earlier than 30 days before, and no later than 30 days after, crediting the borrower’s account.

**You will need to retain subsidiary records of disbursements and adjustment to ensure that each Perkins Loan is legally enforceable.**

Actual disbursement records or student account records would serve this purpose.

Since a change in loan amount will not be reflected on the MPN, the school should notify the borrower in writing of any increase or decrease.

**Disbursing Federal Perkins Loans**

During each payment period, you will disburse a portion of the student’s total Federal Perkins Loan awarded for the academic year. In most cases, the payment for each payment period will be the following:

Loan Amount

Number of payment periods you expect the student will attend

A school may advance funds within each payment period at such time and in such amounts as it determines best meets the student’s needs. If a student incurs an uneven level of expenses or resources and needs more funds in a certain payment period, you may advance the student a larger portion of their total Federal Perkins Loan to pay for those uneven costs or lack of resources. You must document the reason for the unequal disbursement and maintain that documentation in the student’s file.



If an educational program does not use terms to measure academic progress for FSA purposes, the school may not make the second loan disbursement until the student successfully completes the weeks of instructional time and the credit or clock hours in the payment period. These coursework completion requirements apply to clock-hour and non-term programs and to programs with nonstandard terms that are not substantially equal in length.

### *Loans to borrowers enrolled less than half time*

You can disburse a Federal Perkins loan to a student enrolled less than half time, as long as the student is not enrolled in a program leading to a professional credential as a teacher. **A student who is less than half time when he or she receives the proceeds of his or her Federal Perkins loan is not eligible for an in-school deferment.** Therefore, the MPN states that for borrowers enrolled on a less than half-time basis, the borrower's repayment period begins at a time that is different than for borrowers who are enrolled at least half time.



Specifically, the MPN states that for borrowers enrolled on a less than half-time basis, the borrower's repayment period begins:

1. if the borrower has a Federal Perkins Loan in repayment, on the date of the next scheduled installment payment of that loan; or
2. if the borrower has no outstanding loan, at the earlier of—
  - nine months from the date the loan was made; or
  - the end of a nine-month period that began on the date the borrower ceased to be enrolled as at least a half-time regular student and includes the date the loan was made.

### **Credit bureau reporting**



**You must report each Federal Perkins Loan to at least one of the three national credit bureaus (see sidebar) with which the Department has an agreement or to a local credit bureau that is affiliated with one of those three credit bureaus.** The following information must be reported:

- ◆ the amount and date of each disbursement;
- ◆ repayment information and collection of the loan until the loan is paid in full; and
- ◆ the date the loan was repaid, canceled, or discharged for any reason.

Any changes to information previously reported on a loan must be reported to the same credit bureau(s) to which the information was originally reported.

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#### **Disbursements to borrowers enrolled less than half time**

34 CFR 674.32

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#### **Credit bureau reporting**

34 CFR 674.16(h)

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#### **National credit bureaus**

TransUnion Corporation 1-800-888-4213  
Experian 1-888-397-3742  
Equifax 1-800-685-1111

## Post-disbursement NSLDS reporting

After a Federal Perkins Loan disbursement has been made, schools with active Federal Perkins Loans (including National Direct Student Loans and National Defense Student Loans) are required to report new loans or updated data on existing loans to NSLDS once a month on a schedule established by ED.



Data providers must meet all NSLDS reporting requirements as detailed in the NSLDS Federal Perkins Data Provider Instructions (Version 4) at

<http://ifap.ed.gov/nsldsmaterials/attachments/102307PerkinsDPIV4.pdf>.

## Return of funds

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### Return of funds

34 CFR 674.16(f)  
34 CFR 668.22

There are circumstances under which you must return funds to the Department's Federal Perkins Loan Fund.

A student who withdraws before beginning attendance is not entitled to any FSA program funds. Though ED's regulations allow a school to credit a student's accounts before the first day of classes, schools have a fiduciary responsibility to safeguard federal funds. Therefore, if your school disburses Federal Perkins funds to a student before the start of classes and the student fails to begin attendance, the school will have to return the funds.

If a student who begins classes, officially or unofficially withdraws, or is administratively withdrawn by the school before completing the period for which the student received Federal Perkins funds, you will have to perform a Return calculation as described in *Volume 5* in order to determine whether or not you must put money back in your Federal Perkins fund.

## When a student ceases to be enrolled at least half time

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### Coordinating official

34 CFR 668.16(b)(1)

**Required coordination process**—When a student ceases to be enrolled at least half time, he or she immediately enters grace or repayment as described previously under *Loans to borrowers enrolled less than half time*. Your school must have a process for coordinating between the office that tracks enrollment status, the financial aid office, and the office that manages or coordinates the servicing of your Federal Perkins Loan portfolio.



You must have a *coordinating official* who is responsible for ensuring that such information is shared among the offices that need it. For example, the office that tracks enrollment status must alert the coordinating official when a student's enrollment status drops below half time. The coordinating official then notifies the financial aid and business office. For a more detailed discussion of the *coordinating official*, see *Volume 2*.



### Subsequent disclosures and notifications



Schools must provide loan amount and loan period information to the borrower through a means other than the MPN. Schools may provide this information in any number of formats, such as award letters or other written notifications and disclosures that schools are required to provide to the borrower.

Each Perkins Loan received under an MPN is a separate and distinct loan. **The disclosure information must be provided to the borrower annually, before the first disbursement of each new Perkins Loan awarded under the MPN.** The disclosure information must include a statement of the total cumulative balance owed by the borrower to the school and an estimate of the monthly payment amount needed to repay the balance. In the case of a borrower who makes payments on the loan while still in school, the statement of cumulative balance owed by the borrower should be adjusted to reflect those payments.

### RECOMMENDED ENTRANCE COUNSELING

Schools making Perkins Loans are not required to conduct entrance counseling. However, entrance counseling can help increase student financial literacy and reduce defaults. Suggested topics for inclusion in entrance counseling are:

- ◆ **Emphasize to the borrower the seriousness and importance of the repayment obligation** the borrower is assuming by signing the MPN and accepting a Federal Perkins Loan.
- ◆ **Review the terms and conditions of the loan**, including the current interest rate, the applicable grace period, and the approximate date the first installment payment will be due. Often a student loan is the borrower's first experience in obtaining a loan of any kind, so it helps to clearly explain basic loan terminology to ensure the borrower understands the process and knows who holds his or her loan. For example, you should define such terms as loan servicer (a corporation that administers and collects loan payments for the loan holder) and the use of contractors that may service the loan.
- ◆ **Stress that repayment is required** regardless of educational outcome or subsequent employment or lack thereof. You must explain that the student borrower is obligated to repay the full loan even if he/she doesn't finish the program, can't get a job after graduating, or is dissatisfied with the school's educational program or other services.
- ◆ **Review Borrower's Rights and Responsibilities.** The student must receive a statement of your school's Borrower's Rights and Responsibilities (BRR). (See the sample BRR following *Exit Counseling* later in this chapter.)

### Providing Repayment Information

Your school must disclose the following information in a written statement provided to the borrower either shortly before the borrower ceases at least half-time study at your school or during exit counseling. If the borrower enters the repayment period without the institution's knowledge, your school must provide the required disclosures to the borrower in writing immediately upon discovering that the borrower has entered the repayment period. The repayment information must include:

- the name and address of the school to which the debt is owed and the name and address of the official or servicing agent to whom communications should be sent;
- the name and address of the party to which payments should be sent;
- the current balance owed by the borrower;
- the stated interest rate on the loan;
- the total interest charges the borrower will pay on the loan pursuant to the projected repayment schedule;
- the total amount the borrower will repay if the borrower follows the repayment schedule provided;
- the date on which the repayment period is scheduled to begin;
- a repayment schedule for all loans covered by the disclosure, including the date the first installment payment is due and the number, amount, and frequency of required payments;
- the available repayment options (including special options for forbearance, deferment, consolidation, and refinancing);
- the consequences of consolidating a Federal Perkins Loan;
- a statement that the borrower has the right to prepay all or part of the loan at any time without penalty;
- a description of the charges imposed for failure of the borrower to pay all or part of an installment when due; and
- a description of any charges that may be imposed as a consequence of default, such as liability for expenses reasonably incurred in attempts by the Department or the school to collect on the loan.

34 CFR 674.42(a)



- ◆ **Describe the consequences of default**, including adverse credit reports, federal offset program, and litigation. We also recommend that you tell the borrower of the charges that might be imposed for delinquency or default, such as the school's collection expenses, late charges, and attorney's fees. Defaulters often find that repayment schedules for loans that have been accelerated are more stringent than the original repayment schedule. A defaulter is no longer eligible for any deferment provisions, even if he or she would otherwise qualify. Finally, a defaulter's federal and state tax refunds may be seized and wages garnished, and the borrower loses eligibility for any further funding from the FSA programs.
- ◆ **Explain the effect of accepting the loan** on the eligibility of the borrower for other forms of student assistance. There are program-specific rules for this, and you may wish to coordinate with your school's financial aid office.
- ◆ **Explain the use of the Master Promissory Note**, the use of the multiyear feature of the MPN, and the borrower confirmation process (including the possibility of passive confirmation in subsequent award years, if applicable). You should advise students to carefully read the MPN and the BRR statement before signing the MPN. In addition, you should inform borrowers of their right to sign a new promissory note for each loan and to opt out of the multiyear feature of the MPN.
- ◆ **Inform the borrower of the availability of FSA loan information** in the National Student Loan Data System (NSLDS at [www.nsls.ed.gov](http://www.nsls.ed.gov)).
- ◆ **Discuss how to manage expenses (budgeting)**. Include general information for the student about budgeting of living expenses and personal financial management. Financial planning includes decisions by the borrower about the amount that he or she can afford to borrow. Budgeting information can be combined with an assessment of the student's earning potential in his or her chosen career and with required information about anticipated monthly payments and overall indebtedness.
- ◆ **Reinforce the importance of communicating to the school all changes to personal information or enrollment status**. Counseling should stress the student's obligation to keep the financial aid and business offices informed about address changes, or changes in enrollment. (Failure to tell borrowers about their responsibility to keep the school informed is one of the most common reasons why a loan goes into default.) The student should also be reminded of the importance of notifying the school in the event of a name change (including the change of a last name through marriage) or a change in Social Security number.

- ◆ **Describe the school's refund policy and other policies affecting withdrawals.** The borrower should be made aware of the school's satisfactory academic progress policy and refund policy and how the return of FSA funds will affect loan repayment.
- ◆ **Emphasize the importance of keeping loan records.** This would be a good time, if your school has the resources, to provide a student with a folder or other aids to encourage him or her to keep all financial aid materials in one place. The student should keep copies of all records relating to the loan, beginning with the Master Promissory Note and notices showing when the student received loan payments or his or her account was credited. The student should keep any loan repayment schedules provided by the school as well as records of loan payments—including canceled checks and money order receipts. The student should keep copies of any requests for deferment or forbearance, or any other correspondence with the school.
- ◆ **Inform the student of the exit counseling requirement.** Because many students leave school before the scheduled end of their academic programs, it's helpful to remind students during entrance counseling that they are obligated to attend exit counseling before they cease to be enrolled at least half time.

### Entrance Counseling Overview

Before a borrower takes out a loan, you must make certain disclosures to the student. You can elect to conduct a thorough entrance interview or counseling session with borrowers. Entrance interviews may be conducted individually or in a group with other borrowers. Entrance interviews are important because new students often have little or no experience with loan repayment or managing debt.

If you choose to conduct entrance counseling rather than merely providing the required information, the session may be given by a consultant or servicer or conducted online. If the information/materials are provided electronically, you'll need to make sure that the student receives written materials for any required information that is not provided in the electronic presentation. It is also helpful if someone with expertise in the FSA programs is available shortly after the interview or session to answer borrowers' questions about those programs.

You have an opportunity at the time of each disbursement to remind students about the importance of satisfactory academic progress (see *Volume 1*), planning for future employment, and staying in touch with the office responsible for managing your school's Federal Perkins portfolio.

If your staff are conducting in-person counseling session, charts, handouts, audiovisual materials, and question-and-answer sessions can help convey the information in a more dynamic manner. We also recommend the use of written tests. **Regardless of the methods your school uses to disclose the required information, you must document that the student received it.**



## EXIT COUNSELING

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### Exit counseling requirements

34 CFR 674.42(b)

HEA section 485(b)(1)(A)

Schools making Perkins Loans are required to conduct exit counseling. As with entrance counseling, it is helpful if someone with expertise in the FSA programs is available shortly after the counseling to answer borrowers' questions about those programs.

If you elect to conduct exit counseling through interactive electronic means, the school must take reasonable steps to ensure that each student borrower receives the required materials and participates in and completes the exit counseling. Some of the material presented at the entrance counseling session will again be presented during exit counseling. The suggested emphasis for exit counseling shifts, however, to more specific information about loan repayment and debt-management strategies.

### *Required elements of exit counseling*

- ◆ **Review terms and conditions of the loan** including the current interest rate, the applicable grace period, and the approximate date the first installment payment will be due.
- ◆ **Inform the student as to the average anticipated monthly repayment amount** based on the student's indebtedness or on the average indebtedness of students who have obtained Federal Perkins Loans for attendance at the school or in the borrower's program of study. We recommend giving the borrower a sample loan repayment schedule based on his or her total indebtedness. A loan repayment schedule usually will provide more information than just the expected monthly payment—for instance, it would show the varying monthly amounts expected in a graduated repayment plan.
- ◆ **Suggest debt-management strategies that would facilitate repayment.** Stress the importance of developing a realistic budget based on the student's minimum salary requirements. It's helpful to have the student compare these costs with the estimated monthly loan payments and to emphasize that the loan payment is a fixed cost, like rent or utilities.
- ◆ **Emphasize to the borrower the seriousness and importance of the repayment obligation** the borrower is assuming.
- ◆ **Provide a general description of the types of tax benefits** that might be available to borrowers.
- ◆ **Explain options the borrower has to change repayment plans.**
- ◆ **Explain the use of an MPN.**
- ◆ **Explain options the borrower has to prepay** a loan without penalty.

- ◆ **Provide information on forbearance provisions** and a general description of terms and conditions under which the borrower may defer repayment of principal or interest or be granted an extension of the repayment period.
- ◆ **Provide information on loan forgiveness and cancellation** and the conditions under which the borrower may obtain full or partial forgiveness or cancellation of principal and interest.
- ◆ **Describe the consequences of default**, including adverse credit reports, federal offset, and litigation. We also recommend that you tell the borrower of the charges that might be imposed for delinquency or default, such as the school's collection expenses, late charges, and attorney's fees. Defaulters often find that repayment schedules for loans that have been accelerated are more stringent than the original repayment schedule. A defaulter is no longer eligible for any deferment provisions, even if he or she would otherwise qualify. Finally, a defaulter's federal and state tax refunds may be seized and wages garnished, and the borrower loses eligibility for any further funding from the FSA programs.
- ◆ **Emphasize that the borrower is obligated to repay the full amount of the loan** even if the borrower has not completed the program, is unable to obtain employment upon completion, or is otherwise dissatisfied with or does not receive the educational or other services that the borrower purchased from the school.
- ◆ **Require the borrower to provide current information** concerning name, address, Social Security number, references, and driver's license number; and the borrower's expected permanent address, the address of the borrower's next of kin, and the name and address of the borrower's expected employer.
- ◆ **Remind the borrower that, in a timely manner, he or she must inform the school of any changes to the aforementioned information.**
- ◆ **Remind the borrower of the existence and purpose of the Student Loan Ombudsman's office.** The Ombudsman's office is a resource for borrowers when other approaches to resolving student loan problems have failed.
- ◆ **Inform the borrower of the availability of FSA loan information in the National Student Loan Data System (NSLDS at [www.nsls.ed.gov](http://www.nsls.ed.gov)).**
- ◆ **Review the opportunity for and effects of loan consolidation.**

#### Information on Consolidating Perkins Loans

Consolidation offers a Perkins borrower options the borrower does not have under the Perkins regulations alone.

During exit counseling, a school must also include information on the consequences of consolidating a Perkins Loan, including:

- the effects of the consolidation on total interest to be paid, fees, and length of repayment;
- the effect on a borrower's underlying loan benefits, which includes grace periods, loan forgiveness, cancellation, and deferment; and
- the option the borrower has to prepay the loan or to select a different repayment plan.

## Sample Summary of the Rights and Responsibilities of a Federal Perkins Loan Borrower

*This is only a summary of your rights and responsibilities. For more detailed information, consult your Federal Perkins Loan promissory note or the holder of your loan.*

You have the right to cancel all or part of your Federal Perkins Loan.

If your Federal Perkins Loan is placed in deferment, you will not have to make payments, and interest will not accrue.

You have the right to receive a statement of your account upon request.

You have the right to forbearance—a temporary cessation of payments, an extension of the time for making payments, or temporarily making smaller payments than were previously scheduled—under certain health-related or financial circumstances. You also have the right to have part or all of your loan cancelled for:

You have the right to prepay all or part of your loan without any penalty.

If you graduate or leave school, or if your enrollment drops below half time, you have the right to a nine-month grace period before beginning repayment of your Federal Perkins Loan.

- death or total and permanent disability;
- full-time employment in the Head Start Program or full-time staff member in a child care or pre-kindergarten program;
- full-time employment as a teacher in an elementary school, secondary school, or educational service agency serving low-income students;
- full-time teaching as a special education teacher;
- full-time teaching of certain academic subjects in which there are teacher shortages;
- full-time employment as a nurse or medical technician;
- full-time employment in a public or nonprofit child or family service agency;
- full-time service as a qualified professional provider of early intervention services;
- full-time employment as a law enforcement or corrections officer or firefighter;
- military service in a hostile fire/imminent danger area;
- full-time employment as a librarian with a master's degree or speech language pathologist with a master's degree;
- full-time employment as a faculty member in a tribal college; or
- full-time employment as a federal public defender or federal community defender.

You have the right to defer payments on your Federal Perkins Loan if you are attending an eligible postsecondary school as at least a half-time student, and in some cases if you are—

- participating in a rehabilitation training program;
- enrolled and attending graduate school;
- participating in an internship or residency program in dentistry;
- seeking but unable to find full-time employment;
- experiencing economic hardship;
- serving in the Peace Corps;
- receiving payment from a federal or state public assistance program;
- performing qualifying military service, or
- repaying federal education loans that exceed or for which the payments exceed certain specified amounts.

## Sample Summary of the Rights and Responsibilities of a Federal Perkins Loan Borrower, contd.

This is only a summary of your rights and responsibilities. For more detailed information, consult your Federal Perkins Loan promissory note or the holder of your loan.

You are responsible for using the proceeds of your Federal Perkins Loan only to pay authorized educational expenses.

You are responsible for repaying the full amount of your Federal Perkins Loan even if you:

- do not complete the program;
- are unable to obtain employment upon completion; or
- are dissatisfied with the program or other services you purchased from the school.

Repayment begins the day after your nine-month grace period ends.

You are responsible for notifying the financial aid office if you:

- change your local address, permanent address, or telephone number;
- change your name (for example, maiden name to married name);
- do not enroll at least half time for the loan period certified by the school;
- do not enroll at the school that determined you were eligible to receive the loan;
- stop attending school or drop below half-time enrollment;
- transfer from one school to another school; or
- graduate.

You are also responsible for notifying the financial aid office if you:

- change your employer, or your employer's address or telephone number changes, or
- have any other change in status that would affect your loan (for example, if you received a deferment while you were unemployed but you have found a job and therefore no longer meet the eligibility requirements for the deferment).

You are responsible for obtaining, completing, and returning to the school for processing any forms required to apply for forbearance, deferment, or cancellation benefits.

You are responsible for notifying the school before the due date of any payment that you cannot remit.

You are responsible for making payments on time even if you do not receive a billing statement.

You may contact the school by writing to us at

School Name  
Business Office  
Building, Name, Room Number  
City, State Zip

by calling us at

(555) 666-1234

by sending an email to

PerkinsRepayment@ZCC.edu



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**Reimbursement for overpayments or default**

34 CFR 674.13(a)(2) &amp; (c)

## REIMBURSEMENT OF THE PERKINS LOAN FUND

The Department may require your school to reimburse its Perkins Loan fund for any outstanding balance on an overpayment or a defaulted loan for which your school failed to record or retain the promissory note, record disbursements, or exercise due diligence. Your school must also reimburse the Perkins Loan fund for the amount of the administrative cost allowance claimed on any reimbursed portion of a loan.

You do not have to reimburse the Perkins Loan fund if your school can recover the defaulted loan or show the Department that the borrower would not have paid the loan even if your school properly exercised due diligence. Also, you should not reimburse the Perkins Loan fund for loans on which your school obtains a judgment.

## INTERNAL CONTROLS IN THE FEDERAL PERKINS LOAN PROGRAM—RECONCILIATION, FISCAL AND PROGRAM RECORDS

**Your school must reconcile, at least monthly, your Federal Perkins Loan draws recorded in G5 to the funds received in the bank account your school has designated to receive electronic transfers. You must also reconcile monthly the amount drawn down and received to the amounts disbursed to students or returned to ED, and explain all discrepancies.**



In addition, you should examine your Federal Perkins Loan program and fiscal records at the start of the year and monthly.

- ◆ Do all funds paid directly by students, collected by third-party servicers, received for loans cancelled, and received as interest flow into your Federal Perkins Loan bank account, and are they reflected on your Asset Account, Cash – Federal Perkins Loan?
- ◆ If ED provides an FCC, do you ensure that you only request FCC funds if the total of disbursements you anticipate making exceeds the balance in your Federal Perkins Loan Bank Account and reflected on your Asset Account, Cash – Federal Perkins Loan (cash on hand and available for lending)?
- ◆ If ED provides an FCC, is your ICC consistently deposited at the same time you receive your FCC? (A school may deposit ICC into its Perkins Loan fund at any time for the purposes of meeting its lending needs.)
- ◆ Regardless of whether a school receives an FCC, it must return any excess liquid capital (the amount by which its cash from all sources for the award year significantly exceeds the year's total expenditures). Do you have a system that ensures the cash on hand in your Perkins Loan account at the end of the award year is kept to a reasonable minimum?

## WHEN ONE OF YOUR SCHOOL'S FEDERAL PERKINS LOANS IS CONSOLIDATED

If a student with an outstanding Federal Perkins Loan from your school applies to have that loan consolidated, the Direct Loan Consolidation Center (DLCS) will send you a Loan Verification Certificate (LVC). You have 10 days from the date of receipt to complete the LVC and return it to DLCS. You are not required to provide the requested loan information if there is a judgment against the borrower on the loan that the borrower wants to consolidate.

If DLCS makes the consolidation loan, you will receive the amount you indicated on the LVC plus some interest. You must deposit the funds in the account holding your Federal Perkins revolving fund, record the deposit in the appropriate ledgers (and contra accounts), and report the payment on your FISAP.

If the amount you receive from DLCS is more than what is owed on the loan, you must return the overpayment to DLCS. You may not distribute any funds to the borrower. If the amount you receive is less than what is owed on the loan you must request the underpayment from DLCS. You may not bill the student (34 CFR 685.220(f) (iii) (4)).

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**LVC**

34 CFR 685.220(f)(1)(i)

DCL FP-04-02

**TIP**

If a school is closing and wishes to provide an orderly withdrawal from the Perkins Loan Program, these procedures should be followed in conjunction with the guidance provided by the ED's School Participation Team at

<http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Teams>

**Contact Information**

If you have questions about liquidating your loan portfolio or assigning loans to ED, contact the Campus-Based Call Center at 1-877-801-7168. Customer service representatives are available Monday through Friday from 8:00 a.m. until 8:00 p.m. (ET). You may also email [CBFOB@ed.gov](mailto:CBFOB@ed.gov).

**TIP**

Several steps must occur in order to liquidate a Perkins Loan portfolio and complete the closeout of the program. Assigning loans to the Department is just one step in the process. A school's Perkins Loan portfolio is not considered liquidated unless it has received an official letter of completion from the Department.

**TIP****Liquidation Audits**

Schools that are liquidating their Federal Perkins Loan account and closing out their participation in the Federal Perkins Loan Program must account for the program funds as outlined under the Audit Requirements—Step 3 in the liquidation procedures. Schools that qualify and report annually under the Single Audit Act, commonly referred to as the OMB A-133 audit, should consult with their auditor and contact the FSA's School Participation Team to discuss how the close-out reporting will be done.

**ENDING YOUR SCHOOL'S PARTICIPATION IN THE PERKINS LOAN PROGRAM**

A school must liquidate its Perkins Loan portfolio when the school:

- ◆ voluntarily withdraws from the Perkins Loan Program;
- ◆ has had its eligibility to participate in the Perkins Loan Program terminated by the Department;
- ◆ has not been approved by the Department for continued participation in the Perkins Loan Program during the school's recertification process; or
- ◆ is closing.

A school is urged to liquidate its Perkins Loan Revolving Fund and its Perkins Loan Portfolio if it is no longer advancing Perkins Loan funds to students.

For complete coverage of Perkins liquidation procedures see the attachment titled "*Federal Perkins Loan Liquidation Procedures*" in an Electronic Announcement of 2013-04-19.



## **Eight Steps for Schools Ending Participation in the Federal Perkins Loan Program**

*(for complete instructions see Electronic Announcement 2013-4-19)*

### **Step 1. Notify the Department of Education of Intent to Liquidate**

A school must notify the Department of Education of its intent to liquidate its Federal Perkins Loan portfolio by sending a written letter to:

**Federal Perkins Loan Program Liquidation  
Grants & Campus-Based Division  
U.S. Department of Education  
Union Center Plaza  
830 First Street, NE, Room 63C1  
Washington, DC 20202**

Alternatively, the Department will accept an email as written notification. The email must be sent by an authorized official of the school, such as the Financial Aid Administrator or President to: **perkinsliquid@ed.gov**.

### **Step 2. Assign Loans to the Department of Education**

When a school liquidates its Perkins Loan portfolio, it must assign the remaining loans with outstanding balances to the Department for collection. The school must inform servicers involved in billing or collection activities to return outstanding accounts to the school so that it can begin the loan assignment process, which results in the Department becoming the holder of the loan. The school must submit a completed Perkins Assignment Form (OMB Form 1845-0048) with each outstanding Perkins, National Direct Student Loan (NDSL), and Defense Loan. Using Departmental student data and FISAP data, the Department will work with the school to reconcile any discrepancies between what it reports and what we have on file. The total amount of loans we have in our records must match what is reported by the school on the FISAP.

### **Step 3. Initiate Independent Perkins Program Audit**

The regulations (34 CFR 668.26) require a school to submit a letter of engagement for an independent audit of all funds that the school received under the program to the Secretary within 45 days after the school's participation ends. The results of the independent audit must be submitted to the Secretary within 45 days after the date of the engagement letter with the audit firm.

Schools that qualify and report annually under the Single Audit Act, commonly referred to as the OMB A-133 audit, should consult with their auditor and contact the FSA's School Participation Team to discuss how the close-out reporting will be completed.

### ***Eight Steps for Schools Ending Participation in the Federal Perkins Loan Program, continued***

A school must send a copy of the audit or the portion that contains the specific information prescribed in “Federal Perkins Loan Liquidation Procedures” in an Electronic Announcement of 2013-4-19 to:

Federal Perkins Loan Program Liquidation  
U.S. Department of Education Grants & Campus-Based Division  
830 First Street, NE Union Center Plaza, Room 63C1  
Washington, DC 20202

Alternatively, a copy of the audit can be sent electronically via email to [perkinsliquid@ed.gov](mailto:perkinsliquid@ed.gov) as an attached PDF.

#### **Step 4. Continue Reporting to NSLDS**

A school must complete its NSLDS reporting requirements in accordance with the instructions in the *NSLDS Enrollment Reporting Guide* posted January 11, 2013, and *Perkins Data Provider Instructions* dated October 23, 2007. NSLDS reporting must continue until all of a school’s outstanding Federal Perkins Loans are fully retired, accepted for assignment by the Department, or purchased by the school.

#### **Step 5. Return the Federal Capital Contribution to the Department of Education as Determined by the Independent Audit and Verified by the Department**

The final capital distribution from a school’s Federal Perkins Loan revolving fund must be made in accordance with Title IV, Part C, Section 466(c) of the Higher Education Act of 1965, as amended (HEA). This section requires a school to return the federal share of a school’s Federal Perkins Loan revolving fund to the Department as calculated and verified by the Independent Perkins Program Audit and again verified by the Department (See Step 3).

#### **Step 6. File a Final FISAP**

A school must continue to file its FISAP annually until it can report all final activity. Final activity would be assigning any remaining loans with outstanding balances to the Department or reimbursing the Fund for the purpose of purchasing any loans that are not accepted by the Department, and repayment of Fund Capital distributions.

#### **Step 7. School Communication to Department of Completed Steps and Reconciliation of FISAP Data with Department of Education**

In order to complete the liquidation process, the school must send a letter to:

Federal Perkins Loan Program Liquidation  
U.S. Department of Education Grants & Campus-Based Division  
830 First Street, NE Union Center Plaza, Room 63C1  
Washington, DC 20202

***Eight Steps for Schools Ending Participation in the Federal Perkins Loan Program, continued***

The letter should state that:

- the school’s outstanding loans have been fully retired, purchased, or assigned;
- the federal share amount of the cash on hand has been or will be returned; and
- the Independent Perkins Program liquidation audit has been completed.
- The letter or email must also include as an attachment or enclosure:
  - a copy of the refund check for the federal share of cash on hand if amount was paid for by check or if sent electronically, copy of the EFT or G5 receipt, if not already forwarded; and
  - a copy of the Independent Perkins Program liquidation audit report with required detail.
  - The Department’s Grants and Campus-Based Division will use the email or letter and its attachments or enclosures to assist in reconciling the information submitted by the school.
  - We will also verify that the Department has received the federal share of the cash on hand and that it is the correct amount.

Once the Department’s Grants and Campus-Based Division has reconciled or verified the information submitted by the school, it will communicate any additional steps. In some cases, the next step would be for the school to submit its Final FISAP (See Step 6).

Alternatively, the Department will accept an email as written notification. The email must be sent by an authorized official of the school, such as the Financial Aid Administrator or President, and sent to:

**perkinsliquid@ed.gov**

The subject of the email notification should include the name of the school, OPEID number, and the words “FINAL STEP OF LIQUIDATION.”

**Step 8. Receive Official Liquidation Completion Letter from the Department of Education**

Once the liquidation requirements are satisfied, a letter of approval will be sent to your school from the Department’s Grants and Campus-Based Division. Your school must receive this letter, which will confirm completion of the liquidation process. **Please refer to the attachment titled “Federal Perkins Liquidation Procedures” in an Electronic Announcement of 2013-4-19 for additional steps you must take.**



## Assignment of Perkins Loans to the Department

### Assignment of loans

34 CFR 674.50

#### Questions about assignment processing

Questions regarding the assignment process as it pertains to the rest of the student financial aid award process or questions concerning the management of student loans not assigned to the Department should be directed either in writing or by phone to the School Participation Team serving your region.

More specific questions pertaining to the procedures for assignment of accounts set forth in this letter, or pertaining to the status of a school's assignment submissions, or to the correction of rejected submissions, can be directed to

**PerkinsLoanAssignments@ed.gov.**

Written inquiries should be mailed to:

Federal Student Aid  
U.S. Department of Education  
Operation Services, Processing Division  
Perkins Loan Assignments  
50 Beale Street, Suite 8601  
San Francisco, CA 94105-1813

#### Required Assignment Documents Include

1. Submission Package Manifest
2. Perkins Assignment Form
3. Original Promissory Note and Certification/Audit of E-Signature Process
4. Judgment Information (If Applicable)
5. Bankruptcy Information (If Applicable)
6. Due Diligence Documentation (If applicable)
7. Complete Repayment History

and the following optional information:

- Disbursement Records
- Repayment Schedule
- Acceleration Notice
- Documentation of Recall
- Approved Cancellation Documentation

Schools may assign defaulted loans and, if a school is liquidating and withdrawing from the Perkins Loan Program or if the school is closing, non-defaulted loans to the Department of Education (the Department) at any time during the program year. All loans that a school assigns to the Department are assigned without recompense. The Department will not reimburse the school's Federal Perkins Loan Fund for the loans, and all rights, authorities, and privileges associated with the loan are transferred to the United States. The school is relieved of incurring additional expenses in attempting to collect on the loan. Any funds collected by the Department on these loans are the property of the United States.

**Note:** Assignment of defaulted loans will not affect the calculation of the school's Perkins Loan cohort default rate.

The Department recognizes that a school may have exhausted all of its available collection options on some of its defaulted Perkins Loans and encourages schools to assign these loans to the Department so additional steps can be taken to recover the loan funds. The Department has collection tools that are not available to schools, such as administrative wage garnishment, Treasury offset, and litigation by the Department of Justice.

Perkins Loans may be assigned to the Department when a school:

- ♦ chooses to assign defaulted Perkins Loans after due diligence has still resulted in default,
- ♦ is directed by the Department to assign a Perkins loan after the Department has made a determination that the borrower is eligible for a total and permanent disability discharge; and
- ♦ is liquidating its Perkins Loan portfolio and assigns both defaulted and non-defaulted loans to the Department.

For complete coverage of Perkins Assignment procedures see the attachment, titled "*Federal Perkins Liquidation Procedures*" in Electronic Announcement, EA 2013-4-19.



## Submission period deadline

Schools participating in the Federal Perkins Loan Program may submit assignment packages to the Department at any time during the processing year (the processing year runs from July 1 of one calendar year through June 30 of the next calendar year; for example, July 1, 2014 – June 30, 2015). However, to avoid delays and facilitate the FISAP reporting process, any assignment submission or resubmission mailed by a school between June 21 and June 30 must have a postdated certification date of July 1 of the following processing year, with interest due for the assigned loan(s) calculated through that July 1.

## Submission documentation

The loan period for a Perkins/NDSL loan may not exceed one year. If a borrower attends a school for more than one academic year and receives a Perkins/NDSL loan for each of those years, the borrower has received a separate Perkins/NDSL loan for each year of attendance. Separate loans may only be bundled together into one account for assignment if they have been reported to NSLDS as one loan. Do not bundle the loans if they have been reported individually to NSLDS. A school is required to submit the documentation for any loan that is submitted for assignment.

## Notification to borrowers of assigned loans

A school must notify borrowers of the pending assignment of their loan(s) to the Department. Such notification should take place at least 90 days prior to assignment of the loan. Occasionally, this notification results in payments from borrowers who have been unwilling to make payments in the past.

Any payments received by the school or its servicer after the certification date on the Perkins Assignment Form become the property of the Department, unless the Department rejects that account.

Borrowers seeking to make repayment after acceptance by the Department of their assigned loans should be referred to the Department's Customer Service Center.

**U.S. Department of Education**  
**ECSI Federal Perkins Loan Servicer**  
**P.O. Box 105765**  
**Atlanta, GA 30348-5765**

**The Borrower Customer Service telephone number is:**  
**(866) 313-3797**

### Questions about Assignment

If you have questions about assigning Perkins Loans, contact the Campus-Based Call Center at 1-877-801-7168. Customer service representatives are available Monday through Friday from 8:00 A.M. until 8:00 P.M. (ET). You may also email [CBFOB@ed.gov](mailto:CBFOB@ed.gov).

### If Mandatory Due Diligence Actions Were Not Performed on Loans a School Would Like to Assign

If your school holds loans for which mandatory due diligence actions were not performed in a timely manner in prior years, the "cure" process as outlined in the *Federal Perkins Loan Assignment Procedures* may enable you to assign these loans.

Under this process, your school is required to send additional information and notify the borrower of the loan's default status. For these borrowers, you may want to combine the required notification to borrowers of assignment with the additional requirements under the cure process.

Please see *Cure Process for Assigning Defaulted Loans* in the *Federal Perkins Loan Assignment Procedures*.

### ***Payments from borrowers received after assignment***

Payments from a borrower received by a school or its servicer after the borrower's account has been submitted to and accepted by the Department for assignment should be forwarded, as soon as possible, to:

**U.S. Department of Education  
ECSI Federal Perkins Loan Servicer  
P.O. Box 105765  
Atlanta, GA 30348-5765**

Each payment submission must clearly identify the borrower's full name, Social Security number, and the type of loan to which the payment is to be applied.

Once an account is submitted for assignment, it becomes the property of the Department and will only be returned to the institution for deficiencies related to its submission. Therefore, an institution should not contact the Department to request the return of a submission because a borrower has made a payment to the institution.

### ***Payment received after account has been submitted, not yet assigned***

If payments are received on accounts that have been submitted to the Department for assignment but have not yet been accepted by the Department, the school should deposit the funds immediately and await official notification of acceptance. Upon acceptance of the account, the institution must issue a check to the Department, including the borrower and loan information noted previously.

### ***Collection fees***

Any collection agency fees that are deducted from payments received after account submission to the Department are the sole responsibility of the institution and may not be charged to the Federal Perkins Program Loan Fund. The entire borrower payment must be forwarded to the Department.

### ***Perkins record keeping***

Perkins Loan records a school must maintain include, but are not limited to:

- ◆ documentation of each student's eligibility for a Perkins Loan,
- ◆ the promissory note,
- ◆ documentation of the amount of a Perkins Loan, its payment period, and the calculations used to determine the amount of the loan,

- ◆ documentation of the date and amount of each disbursement of Perkins Loan funds, and
- ◆ information collected at initial and exit loan counseling required by Perkins Loan regulations.

You must maintain a copy of the promissory note signed by the student. When the borrower has fully repaid the Perkins Loan, your school must either notify the borrower in writing or mark the original note “paid in full” and return to the borrower. Your school must keep the original or a copy of the promissory note for at least three years after the date the loan was paid in full.

If your school uses an electronic Perkins promissory note, it must maintain an affidavit or certification regarding creation and maintenance of the electronic note, including its authentication and signature processes.

For each Perkins Loan borrower, a school must also maintain a repayment history that shows:

- ◆ the date and amount of each repayment during the life of the loan;
- ◆ the amount of each repayment credited to principal, interest, collection costs, and either penalty or late charges;
- ◆ the date, nature, and result of each contact with the borrower (or endorser for loans made prior to July 23, 1992) in the collection of an overdue loan; and
- ◆ copies of all correspondence to or from the borrower (and endorser for loans made prior to July 23, 1992), except for bills, routine overdue notices, and routine form letters (demand letters, notices of intent to accelerate, and the like are not considered to be routine form letters).

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### Sample certification statement

If the original promissory note is released for the purpose of enforcing repayment, the school must keep a certified true copy. To qualify as a certified true copy, a photocopy (front and back) of the original promissory note must bear a certification statement signed by the appropriate school official. The following text can be used as the certification statement on a certified true copy of a Perkins promissory note.

CERTIFIED TRUE COPY: I declare under penalty of perjury that the foregoing is a true and correct copy of the original promissory note.

Signature: \_\_\_\_\_  
 Title: \_\_\_\_\_  
 Date: \_\_\_\_\_




 CHAPTER 4

# Perkins Repayment Plans, Forbearance, Deferment, Discharge, and Cancellation

*Repayment terms vary substantially among Perkins Loans, National Direct Student Loans, and National Defense Student Loans. In addition, the Federal Perkins Loan Program offers borrowers a variety of forbearance, deferment, and cancellation options. Finally, there are a number of situations that allow a Perkins, NDSL, or Defense Loan to be discharged. All of these topics are addressed in this chapter.*

## GRACE PERIODS

A grace period is the period of time before the borrower must begin or resume repaying a loan. There are two kinds of grace periods for Perkins loans:

- ◆ *Initial grace period*—a nine-month grace period that immediately follows a period of enrollment and immediately precedes the date repayment is required to begin *for the first time*. A borrower is only entitled to one initial grace period.
- ◆ *Post-deferment grace period*—a six-month grace period that follows any subsequent period of deferment.

### *Initial grace periods*

A Perkins borrower is entitled to an initial grace period of nine consecutive months after dropping below half-time enrollment. If the borrower returns to school on at least a half-time basis before the nine months have elapsed, the initial grace period has not been used. The borrower is entitled to a full initial grace period (nine consecutive months) from the date that he or she graduates, withdraws, or drops below half-time enrollment again.

### *Post-deferment grace periods*

A “post-deferment grace period” is the period of six consecutive months that immediately follows the end of a period of deferment and precedes the date on which the borrower must resume repayment on the loan. Neither the deferment nor the grace period is counted as part of the 10-year repayment period.

#### **Grace period**

Definitions

34 CFR 674.2

Length of grace period

34 CFR 674.20(b)(2)(A), (B), & (C)

#### **Prepayment**

34 CFR 674.31(b)(4)

#### **Less than half-time grace periods**

34 CFR 674.32

#### **Grace periods for NDSLs**

Note that repayment of an NDSL made on or after October 1, 1980, begins **six months** after the date that the borrower drops below at least half-time enrollment.

#### **NDSL on or after October 1, 1980**

34 CFR 674.20(2)(A)

- Initial grace period is six months
- Post-deferment period is six months

#### **NDSL before October 1, 1980**

34 CFR 674.20(2)(B)

- Initial grace period is nine months
- Post-deferment period is nine months

#### **When repayment begins**

34 CFR 674.20(b)(2)(C)



**Approved leaves of absence**

34 CFR 668.22 (c)(1)(v) and (vi);  
34 CFR 668.22 (d)

**Deferment During Initial Grace Period**

If a borrower requests a deferment to begin during the initial grace period, the borrower must waive (in writing) his or her rights to the initial grace period. The request for a deferment alone is not sufficient documentation for a school to waive the initial grace period; the borrower must also acknowledge in writing that he or she wants the waiver.

Except for hardship deferments on loans made before July 1, 1993, all deferments for all loans made under the Federal Perkins Loan Program have post-deferment grace periods of six consecutive months.

***Applicable grace period when student is attending less than half time***

A borrower who is attending less than half time and who has no outstanding Perkins/NDSL Loan must begin repaying a new loan nine months from the date the loan is made or nine months from the date the student enrolled less than half time, whichever is earlier. (This nine-month period includes the date the loan was made.)



A borrower who is attending less than half time and who has an outstanding Perkins Loan or NDSL must begin repayment on an additional loan when the next scheduled installment of the outstanding loan is due; there is no formal grace period or in-school deferment on the new loan.

***Calculating the grace period***

A grace period is always day specific—an initial grace period begins the day after the day the borrower drops below half-time enrollment. Similarly, a post-deferment grace period begins on the day immediately following the day on which an authorized period of deferment ends.

If a borrower has received loans with different grace periods (and different deferment provisions), the borrower must repay each loan according to the terms of its promissory note; the borrower must pay the minimum monthly payment amount that applies to each loan that is not in a grace or deferment period.

***Grace period when student doesn't return from leave of absence***

Students granted approved leaves of absence retain their in-school status for FSA loans. However, if a student does not return from an approved leave of absence, the student's grace period begins the date the student began the leave of absence. (If the school is required to take attendance, the grace period begins on the last date of academic attendance.)



For a student who does not return from an approved leave of absence, this withdrawal date might result in the exhaustion of some or all of the student's grace period.

Leaves of absence no longer qualify as approved leaves of absence for FSA purposes unless the school explains the effects that the student's failure to return from an approved leave of absence might have on the student's loan repayment terms, including the exhaustion of some or all of the student's grace period.

### Use of Initial Grace Period

#### Example: student returns before initial grace period elapses

Fenriz takes out a Perkins Loan in the fall quarter at Sims School of Botany but drops out of school for the winter quarter. He reenrolls as a half-time student in the summer session before the nine-month grace period has expired. Therefore, Fenriz is entitled to a full initial grace period once he again leaves school or drops below half-time status.

#### Example: different grace period for earlier loans

Steve took out several Perkins Loans while attending New Frontier Community College (NFCC) and began repaying them nine months after graduating. Later, he enrolled in a bachelor's degree program at Old Ivy College and was able to defer his older Perkins Loans. He took out two additional Perkins Loans at Old Ivy.

When Steve graduates from Old Ivy, he is entitled to an initial grace period (nine months) for his Perkins Loans at Old Ivy but must resume repaying his older Perkins loans (from NFCC) at the end of the six-month post-deferment period.

### Exclusion for Reservists on Active Duty

If a borrower is a member of the Armed Forces Reserve, the initial grace period does not include any period (up to three years) during which the borrower is ordered to active duty for more than 30 days, including the period necessary for the borrower to resume enrollment at the next available enrollment period. The period necessary for the borrower to resume enrollment at the next available enrollment period may not exceed 12 months.

The borrower must notify you of the beginning and end dates of his or her service and the date he or she resumes enrollment. A borrower who enrolls in a different educational program after returning from active duty is entitled to the same grace period benefits. A borrower who is in a grace period when called or ordered to active duty is entitled to a new grace period upon conclusion of the excluded period.

## Grace Periods and Less than Half-time Enrollment

### Example: Perkins received while enrolled less than half time

Paula starts school full-time in September. She does not have an outstanding Perkins Loan or NDSL. In January, Paula drops to one-quarter-time and in March, she receives a Perkins Loan.

Since Paula dropped below half-time enrollment *before* the Perkins Loan was made, Paula must begin repayment nine months after the date she dropped below half-time enrollment—her first payment will be due in October.

### Example: Second Perkins Loan received while first loan is in repayment

Jason has been making monthly payments on Perkins Loan #1, which went into repayment nine months after he completed a one-year program at a career school.

He subsequently enrolls in a new program at a community college and takes out Perkins Loan #2 in September. He is only enrolled one-quarter-time at the community college, so he is not eligible for in-school deferment. His next payment on Loan #1 is due October 15. Jason will begin repaying Loan #2 at the same time. *Remember that the repayment status of the outstanding loan determines the repayment status of the second loan.*

## Contacts with Borrowers During Perkins Grace Period

If the borrower's Perkins loans have a six-month grace period, you must contact that borrower at the 90-day and 150-day points in the grace period. If the borrower's Perkins loans have a nine-month grace period, you must also contact the borrower at the 240-day point.

### First contact: 90 days after the grace period begins

The school or servicer must:

- remind the borrower of the responsibility to comply with the terms of the loan,
- inform the borrower of the total outstanding amount on the loan account, including the principal and interest accruing over the remaining life of the loan, and
- notify the borrower of the date and amount of the first requested payment.

### Second contact: 150 days after the grace period begins

The school or servicer must remind the borrower of the date and amount of the first requested payment.

### Third contact (nine-month grace periods only): 240 days after the grace period begins

The school or servicer must remind the borrower of the date and amount of the first requested payment.

## Prepayment

A borrower may prepay all or part of a Perkins Loan at any time without penalty.

If a borrower makes a payment during the academic year in which a loan was made, the school must use any amount repaid to reduce the original loan amount and not consider these amounts to be prepayments.

If a borrower makes a payment during the academic year in which the loan was made and the initial grace period ended, only those amounts in excess of the amount due for any repayment period shall be treated as prepayments.

If a borrower makes a payment in any academic year, other than the one in which the loan was made, that exceeds the amount due for any repayment period, the school must use the excess to prepay the principal unless the borrower designates it as an advance payment of the next regular installment. 34 CFR 674.31(b)(4)

### *Pre-collection activities during the grace period*

Effective collection procedures on the part of a school or its servicer begin on the day a student ceases to be enrolled at least half time. By performing certain pre-collection activities, a school or its servicer can increase the likelihood that a student will begin satisfactory repayment on his or her Federal Perkins Loan.

The school must perform and maintain documentation substantiating that it has contacted the borrower.

1. For Federal Perkins Loans, the school shall contact the borrower three times within the initial grace period.
2. For loans with a six-month initial or post-deferment grace period, the school shall contact the borrower twice during the grace period.
3. The school or its servicer shall contact the borrower for the first time 90 days after the commencement of any grace period. The school shall, at this time, remind the borrower of his or her responsibility to comply with the terms of the loan and shall send the borrower the following information:
  - the total amount remaining outstanding on the loan account, including principal and interest accruing over the remaining life of the loan; and
  - the date and amount of the first required payment.
4. The school shall contact the borrower the second time 150 days after the commencement of any grace period. The school shall, at this time, notify the borrower of the date and amount of the first required payment.
5. The school shall contact a borrower with a nine-month initial grace period a third time 240 days after the commencement of the grace period and shall inform him or her of the date and amount of the first required payment.

### **Payment Made During Initial Grace Period Example**

Shannon applies her yearly birthday check of \$400 to her \$1,000 Perkins Loan before the initial grace period ends. The principal advanced to Shannon becomes \$600. This is not considered a prepayment because payment was made before the end of the initial grace period.

## ESTABLISHING A REPAYMENT PLAN

### Repayment plan requirements

34 CFR 674.33(a)

### Minimum monthly payments

34 CFR 674.33(b)

#### Calculating Payment Amount Example

Bernadine received a \$2,500 Perkins Loan to attend Jordan College, which requires quarterly payments. To calculate Bernadine's quarterly payment, Jordan College multiplies the original principal by the constant multiplier for a quarterly payment frequency:  
 $\$2,500 \times .0319214 = \$79.80$

A borrower must repay his or her loan, plus interest, in 10 years. This repayment period never includes authorized periods of deferment, forbearance, or cancellation.

The repayment plan must be established and disclosed to the student before the student ceases to be enrolled at least half time.

If a student receives loans from more than one school, the repayment of each loan is made to (or default is attributed to) the school where the student received the loan.

### Calculating the repayment amount

Schools may require the borrower to make payments on a monthly, bimonthly, or quarterly basis. Each of the borrower's payments must sufficiently cover the interest accruing between payments to ensure that the loan is repaid in 10 years. Schools calculate the correct payment amount by multiplying the principal by the appropriate constant multiplier (see table). Schools using the minimum monthly payment plan option may require the borrower to pay a minimum monthly amount of \$40 instead.

If the installment for all loans a school made to a borrower is not a multiple of \$5, the school may round the installment payments to the next highest dollar amount that is a multiple of \$5.

If the last scheduled payment is \$25 or less, the school may combine it with the next-to-last payment.

### 10-year repayment table of constant multipliers

Annual Rate	Payment Frequency	Payments per year	Total Payments	Constant Multiplier
5%	Monthly	12	120	<b>.0106065</b>
5%	Bimonthly	6	60	<b>.0212470</b>
5%	Quarterly	4	40	<b>.0319214</b>

**Principal × Constant Multiplier = Payment Amount**

## Interest accrual

Interest on a Perkins Loan must be computed at the rate of 5% per annum simple interest on the unpaid principal balance. Although interest accrues on a Perkins Loan, *your school may not capitalize it*. This means that your school may not add unpaid interest to the principal balance to increase the principal balance of the Perkins Loan. Instead, your school must track principal and interest as separate figures, adding accrued interest to the interest balance, *not* the principal balance.

Generally, interest is computed from the date a payment is received rather than from the due date. However, there are exceptions. Interest charges may be computed to the nearest first-of-the-month, or they may be computed in accordance with the borrower's established schedule of payments of principal and interest if the borrower is making payments on a regular basis according to that schedule. For example, if a grace period expires in the middle of a month, interest may be computed to the beginning of the next month. Also, if a past-due payment is received before the next regularly scheduled payment, the interest may be computed according to the established payment schedule—no adjustments are necessary.

## Incentive repayment program

To encourage repayment, a school may:

- ◆ reduce a loan's interest rate by up to 1% if the borrower makes 48 consecutive monthly payments;
- ◆ discount by up to 5% the balance a borrower owes on a loan if he or she pays the loan in full before the end of the repayment period; or
- ◆ with the Secretary's approval, establish any other repayment incentive options that reduce default and replenish student loan funds.

A school may not use federal funds or school funds from the Perkins Loan revolving fund to absorb the costs associated with repayment incentives. On at least a quarterly basis, schools must reimburse the Perkins Loan Fund for income lost as a result of the discounts offered through the Incentive Repayment Program.

### Interest Rate on Older Perkins, NDSLs, etc.

National Defense Student Loans (Defense Loans), NDSLs, and older Perkins Loans have different interest rates. The interest rate is stated in the borrower's promissory note. The annual interest rate for loans made before July 1, 1981, was 3%; between July 1, 1981, and September 30, 1981, was 4%; on or after October 1, 1981, is 5%.

### Incentive repayment program

34 CFR 674.33(f)

### Simple interest Accrual Example

Fred has been granted a hardship forbearance for a year. At the beginning of his forbearance period, Fred's loan balance is \$1,000:

Principal: **\$1,000**  
Interest: **\$0**

Interest accrues throughout the forbearance period at a simple rate of 5% per annum. At the end of the year-long forbearance period, Fred's loan balance is \$1,050:

Principal: **\$1,000**  
Interest: **\$50**

When Fred makes his first payment after the end of the forbearance, his payment is applied to interest first, then principal. Fred makes a payment of \$25, reducing his balance to \$1,025:

Principal: **\$1,000**  
Interest: **\$25**



**Minimum monthly repayment**

34 CFR 674.33(b)

**Minimum Monthly Repayment Amount For Older Loans**

The minimum monthly repayment amount is \$30 for NDSLs and Perkins Loans made before October 1, 1992, and Perkins Loans made after October 1, 1992, to borrowers who have an outstanding balance on a Perkins Loan, NDSL, or Defense Loan made before October 1, 1992, that included a \$30 minimum monthly repayment provision. The minimum monthly repayment amount is \$15 for Defense Loans.

If a borrower has both Defense and NDSL or Perkins Loan from one or more schools and the total monthly repayment is less than \$30 and the monthly repayment on a Defense Loan is less than \$15, the amount applied to the Defense Loan may not exceed \$15.

**Hardship Payment Reduction**

A school may reduce a borrower's scheduled payments for up to one year at a time if the borrower is scheduled to pay the \$40 minimum monthly payment and the school determines that the borrower is unable to make the scheduled payments due to hardship, such as prolonged illness or unemployment.

**Minimum monthly repayment amounts**

Schools may choose to include a minimum monthly repayment requirement in the Perkins Loan promissory note. The minimum monthly repayment amount is \$40, unless the borrower on the date the new loan is made has an outstanding balance on a Perkins Loan, NDSL, or Defense Loan made before October 1, 1992, that included a \$30 minimum monthly repayment provision. (See sidebar.)

To determine the minimum repayment for bimonthly and quarterly payment schedules, schools should multiply \$40 by two (months) and three (months), respectively.

**Conditions for minimum monthly repayment**

A school may require a borrower to pay a minimum monthly payment amount of \$40 on a Perkins Loan if:

- ♦ the promissory note includes a provision specifying a minimum monthly repayment of \$40 and the monthly repayment of principal and interest for a 10-year repayment period (as calculated using a constant multiplier) would be less than \$40; or
- ♦ the borrower has received Perkins Loans with different interest rates at the same school and the total monthly payment would otherwise be less than \$40 (provided any of the promissory notes includes the minimum monthly repayment provision).

Under no circumstances may a school require a minimum monthly repayment of more than \$40.

**Multiple loans at same school**

If a borrower has multiple Perkins Loans from the same school, any of which include the minimum monthly payment provision, the school may require the borrower to make a minimum monthly payment if the borrower's total monthly payment on all the loans totals less than \$40. (A student's monthly payment amount may need to be higher than \$40, of course, so that his or her debt is repaid by the end of 10 years.)

If the school exercises this option, the school must divide each monthly payment among all the loans proportionate to the amount of principal advanced under each loan. If the borrower's total monthly payment equals or exceeds \$40 for all of the loans made at that school, the school may not exercise the minimum monthly payment on any loan. The school determines the minimum monthly repayment in this manner even if the Perkins Loans have different interest rates.

If the borrower has received Perkins Loans with different grace periods and deferments, the school must treat each note separately. The school still divides the minimum monthly payment proportionately among the loans. However, the borrower must pay each loan's portion when it is due.

### Loans from multiple schools

A borrower may have received Perkins Loans from more than one school. If the borrower wants your school to coordinate minimum monthly payments with another school, he or she must request such coordination.

If the total of the monthly payments is

- ◆ *at least equal to \$40*, none of the lending schools may exercise the minimum monthly repayment requirement.
- ◆ *less than \$40, but only one school exercises the minimum monthly payment option*, that school receives the difference between \$40 and the repayment owed to the second school.
- ◆ *less than \$40 and each school exercises the minimum repayment option*, the \$40 minimum repayment is divided among the schools in proportion to the total amount of principal each has advanced.

If the borrower requests that your school coordinate minimum monthly payment amounts with another school, you should ask the borrower for

- ◆ the names of all other schools to which the borrower owes funds under the Federal Perkins Loan Program,
- ◆ the approximate amount borrowed from, and the current indebtedness to, each school, and
- ◆ any information that would help identify the loans—for example, the loan number and the dates of loan advances.

Using this information, the schools should contact each other and negotiate the amount each should receive from the borrower.

### Loans from multiple schools

34 CFR 674.33(b)(2) & (3)

#### Two Schools/Minimum Monthly Payment Amount Example

Betsy has Perkins Loans from Heinz College and Elise University. Heinz does not exercise the minimum monthly payment option and receives from Betsy \$25 a month (the amount due under its established 10-year repayment plan). Elise exercises the \$40 option and receives from Betsy \$15, the difference between \$40 and the amount of principal and interest paid to Heinz.

### Perkins Loan Quarterly Billing Example

(with four standard repayment dates)

Borrower's Termination Date	Initial 9-Month Grace Period Ends	Installment Due
January 1	September 30	January 1
February 1	October 31	"
March 1	November 30	"
April 1	December 31	April 1
May 1	January 31	"
June 1	February 28	"
July 1	March 31	July 1
August 1	April 30	"
September 1	May 31	"
October 1	June 30	October 1
November 1	July 31	"
December 1	August 31	"

## ESTABLISHING REPAYMENT DATES

### Use of Fixed Repayment Dates

For collection and bookkeeping purposes, a fixed repayment date is preferred. Otherwise, if the borrower is entitled to a deferment, the school may have problems computing payments due.

Depending on the repayment schedule (monthly, bimonthly, or quarterly), the borrower's first payment is due one, two, or three months from the date the grace period expires. Repayment schedules must be adjusted (preferably on the first installment) so that the loan will be repaid within the normal 10-year period or as prescribed in the terms of the promissory note.

For convenience, a school may establish standard repayment dates for borrowers who are on quarterly repayment schedules. The first repayment date may be the first day of the calendar quarter after the grace period has expired. Four standard repayment dates would be used: January 1, April 1, July 1, and October 1. (See the chart above.)

Alternatively, a school may adopt a "rolling" quarterly repayment schedule in which each borrower's first payment is due exactly three months after the date his or her grace period expires. For example, if a borrower's first grace period expires on May 17, the first installment payment is due August 18. Another borrower's grace period expires May 18, so the first installment payment on that loan is due August 19.

Once the payment date is established, the borrower will owe principal and interest for any portion of a scheduled installment period not covered by a deferment. However, if the borrower is in deferment on a due date, any amounts owed are carried over and paid on the first due date on which the borrower is out of deferment.

## Extending repayment period for illness, unemployment, or low income

A school may extend a repayment period if the borrower is experiencing a period of prolonged illness or unemployment.

A school may also extend the repayment period for a Perkins Loan if, during the repayment period, the school determines that the borrower qualifies as a *low-income individual* based on total family income (see sidebar).

In the case of low-income individuals, the repayment period may be extended up to 10 additional years. You must review the borrower's income status annually to determine whether he or she still qualifies as a low-income individual.

If you determine that a borrower ceases to qualify for an extended repayment period, you must amend the borrower's repayment schedule. The amended repayment schedule may not exceed the number of months remaining on the original repayment schedule (not including any extensions of the repayment period).

There are two other ways that a school may adjust the repayment schedule for a borrower who qualifies as a low-income individual:

- ◆ The school may require a borrower to pay a reduced amount for a limited time and then later increase the payment amount so the borrower catches up on payments. The repayment period does not have to be extended. For example, a school reduces the payment amount to \$10 per month for six months and then increases it to \$50 per month until the borrower catches up.
- ◆ The school may allow the borrower to pay \$10 per month for a year and then resume normal payments. This type of adjustment extends the repayment period.

Interest continues to accrue during an extension of a repayment period for any of these reasons.

## Payment processing

Any payment a school receives must be applied in the following order:

- ◆ collection costs;
- ◆ late charges (or penalty charges);
- ◆ accrued interest; and
- ◆ principal

Past-due payments should be applied in the same order as other payments except that past-due payments must be applied to the "oldest" past-due dollars first.

### Repayment period extension

34 CFR 674.33(c)

#### Low-Income Individual

The school must use the Income Protection Allowance (published annually by ED in the Federal Register, usually in May) to determine whether a student is a low-income individual.

Based on the most recent Income Protection Allowance tables (May 2014, applicable for 2014–2015):

- an unmarried borrower without dependents qualifies as a *low-income individual* if his or her total income for the preceding calendar year did not exceed \$9,730.
- a borrower with a family that includes the borrower and any spouse or legal dependents qualifies as a *low-income individual* if his or her total family income for the preceding calendar year did not exceed the relevant amount below:

Family of 2	\$24,650
Family of 3	\$30,690
Family of 4	\$37,890
Family of 5	\$44,710
Family of 6	\$52,290

For each additional family member after six, add \$5,900.

## FORBEARANCE

### Forbearance

34 CFR 674.33(d)

The HEOA eliminates the requirement that a forbearance request be in writing.

HEOA 464

HEA 464(e)

### Reduction of payments during hardship

34 CFR 674.33(b)(5) & (6)

### Extension of repayment during hardship

34 CFR 674.33(c)(1)

### Extension of repayment for low-income individuals

34 CFR 674.33(c)(2)

#### Paying Interest During Forbearance Period

Unlike deferment, interest continues to accrue during any period of forbearance. The borrower may request to pay interest as it accrues during periods of forbearance, but the school *may not* require the borrower to do so.

#### Calculating Equivalent Monthly Payment (Hardship Forbearance)

If the borrower's loan payments are due less frequently than monthly, a proportional share of the payments is used to determine the equivalent in total monthly payments. For example, if a payment is due quarterly, divide the amount by three (because the payment covers three months) to determine the equivalent monthly payment amount.

#### Deferment Forms

The Department does not approve or supply deferment forms, with the exception of the military deferment form. The most recent request form for Military Service Deferment/Post-Active Duty Student Deferment form was disseminated with OMB Control Number 1845-0080 and an expiration date of September 30, 2016.

Forbearance is usually a temporary postponement of payments. Forbearance is available for all loans made under the Federal Perkins Loan Program, regardless of when they were made.

The borrower may alternatively request an extension of time allowed for making payments or the acceptance of smaller payments than were previously scheduled.

Schools may grant forbearance to borrowers who are experiencing financial hardship or poor health, or for other acceptable reasons. For example, the Department strongly encourages schools to grant periods of forbearance to borrowers who are serving in AmeriCorps. Also, the Department may authorize periods of forbearance due to a national military mobilization or other national emergency.

Borrowers must request forbearance and provide supporting documentation of the reason for forbearance. (Schools may now process forbearance requests based on a verbal request from a borrower.) The school and borrower must agree to the terms of the forbearance. The school confirms this agreement by notice to the borrower and by recording the terms in the borrower's file.

Schools may grant the borrower forbearance for a period of up to one year at a time. The forbearance may be renewed, but the periods of forbearance collectively may not exceed a total of three years. A school may apply an authorized period of forbearance to begin retroactively (that is, to begin on an earlier date than the date of the borrower's request) if the borrower requests that the school do so and if he or she provides adequate documentation to support the request.

Schools may not include periods of forbearance in determining the 10-year repayment period.

### Hardship

A school must grant forbearance if the total amount the borrower is obligated to pay monthly on all FSA loans is equal to or greater than 20% of the borrower's total monthly gross income. Total monthly gross income is the gross amount of income received by the borrower from employment (either full-time or part-time) and from other sources.

To receive forbearance for hardship, the borrower must submit at least the following documentation:

- ◆ evidence of the amount of the borrower's most recent total monthly gross income; and
- ◆ evidence of the amount of the monthly payments the borrower owes for the most recent month on his or her FSA loans.



## DEFERMENT

Under certain circumstances, a borrower is entitled to have the repayment of a loan deferred. During deferment, the borrower is not required to pay loan principal and interest does not accrue. After each deferment, the borrower is entitled to a post-deferment grace period of six consecutive months.

In most cases, the borrower must request deferment *unless* the borrower is engaged in service that may qualify for loan cancellation or the school can determine that the borrower is enrolled at least half time at an eligible school. Borrowers are no longer required to request deferments in writing. However, a borrower who requests deferment must provide the school with all the information and documents the school requires by the school's deadline. Borrowers must immediately report any change in their deferment status to lending schools.

You may grant a deferment, at the borrower's request, based on information from the holder of an FSA loan that a borrower has been granted a deferment for the same reason and the same time period on the borrower's Perkins, Direct, or FFEL Stafford or PLUS Loan. (Holders of FSA loans include another Perkins school, an FFEL lender, the Department of Education, or a guaranty agency.) This simplified deferment granting process is optional and only applies to in-school deferments, graduate fellowship deferments, rehabilitation training program deferments, unemployment deferments, economic hardship deferments, military service deferments, and active duty student deferments.

If a borrower is currently in deferment, the school must reaffirm continued eligibility for deferment on at least an annual basis (except for Peace Corps service—see sidebar). Schools may not include periods of deferment in the 10-year repayment period.

### Concurrent deferment/cancellation

Schools must automatically defer loans during periods when the borrower is performing service that will qualify him or her for loan cancellation. Borrowers do not need to apply for concurrent deferment. Schools may grant concurrent deferment for up to 12 months at a time. Concurrent deferment is available to all loans made under the Federal Perkins Loan Program, regardless of disbursement date and contrary provisions on the promissory note.

A borrower who receives concurrent deferment is also entitled to a post-deferment grace period of six consecutive months. Therefore, regardless of the length of time that the eligible service is performed, repayment is deferred during that period of service and does not resume until six months after the cessation of service.



### Must Be a "Regular" Student to Get a Deferment

A Perkins borrower must be a "regular student" enrolled at least half time at an eligible school in order to qualify for an in-school deferment on a Perkins Loan.

Students who are merely auditing classes are NOT eligible for in-school deferments. When courses are taken for academic credit, there is the potential that they could be applied to a degree or certificate program at some point or serve as required prerequisites for some future anticipated degree program. Students who are auditing classes are not usually subject to the same academic requirements, receive neither credits or grades, and are not able to apply those courses toward a degree.

### Postponement for Loans Made Prior to October 7, 1998

Prior to October 7, 1998, a borrower of a Perkins Loan, National Direct Student Loan (NDSL), or National Defense Student Loan (Defense Loan) made before July 1, 1993, could not receive a deferment during a period while he or she was performing a service that would subsequently qualify him or her for cancellation of all or a portion of the loan; rather, he or she could qualify for loan postponement. For information on postponement, see Chapter 6 of the *Federal Student Financial Aid Handbook, 1998–1999*.

### Peace Corps Deferment

If the borrower is currently in economic hardship deferment for service in the Peace Corps, the school may grant deferment for the full term of the borrower's service, not to exceed three years, or for the remaining period of economic hardship deferment eligibility, if it is less than the remaining period of service.

### Concurrent deferment

34 CFR 674.34(c)

34 CFR 674.52(d)



**Deferments–Perkins regulations**

34 CFR 674.34 Deferment of repayment—Federal Perkins Loans, NDSLs, and Defense loans.

34 CFR 674.35 Deferment of repayment—Federal Perkins Loans made before July 1, 1993.

34 CFR 674.36 Deferment of repayment—NDSLs made on or after October 1, 1980, but before July 1, 1993.

34 CFR 674.37 Deferment of repayment—NDSLs made before October 1, 1980, and Defense loans.

§ 674.38 Deferment procedures.

**Deferments on defaulted loans**

The policy permitting deferments on defaulted loans applies to all requests for deferment received after February 3, 1988, regardless of the date the loan was made.

**Acceleration**

Loan acceleration is one of the penalties a school may impose on a defaulted loan. A loan that has been accelerated becomes due and payable immediately in one lump sum.

**NEW- Enhanced Enrollment Reporting Process**

Perkins schools can now receive student enrollment information through the NSLDS Enrollment Reporting Process.

Please refer to the NSLDS Reference Materials, Federal Perkins Technical Update dated 04-06-2012 at:

<http://ifap.ed.gov/nsldsmaterials/PK201201PerkinsTechUpdate.html>

Borrowers and students may now also self-report their enrollment status by logging into the NSLDS student access website to inform NSLDS of their enrollment status.

**Deferment and default**

A borrower is not entitled to a deferment on a defaulted loan. If the borrower signs a new repayment agreement, however, a school may grant a deferment even if the school has “accelerated” the loan. The school would have to undo the loan acceleration before granting the deferment.

A borrower must file for deferment by a deadline the school sets and provide satisfactory documentation that he qualifies for the deferment.

Before granting a deferment on a defaulted loan, the school may require the borrower to pay immediately late fees, collection costs, and some or all of the amount past due as of the date on which the school determined that the borrower had demonstrated eligibility for a deferment. The Department encourages schools to require the borrower to do so, thus “curing” the default.

*A school is not required to grant deferments on loans in default.* However, if a school does so, it is expected to calculate past due accrued interest. If a school believes this is too burdensome, it may deny deferments on defaulted loans.

**Maintaining in-school enrollment status vs. in-school deferment**

When a student borrower graduates or leaves school and subsequently reenrolls at another school before the initial grace period expires, he or she retains “in-school” enrollment status and does not “use up” the nine-month initial grace period. A borrower is entitled to a full initial grace period when he or she ceases half-time enrollment in the new program.

The borrower may submit proof at any time—even after a loan has been accelerated—that he or she reenrolled at least half time before the initial grace period expired. Upon receipt of this proof, *the school must recalculate the first date of repayment.* The school must also deduct from the loan balance any interest accrued and any late charges added before the date the repayment period actually should have begun. Note that the borrower remains responsible for payments that would have been due under the recalculated repayment period and that the school is not obligated to grant a deferment for any payments past due under that period.

If a Perkins borrower graduates or leaves school and reenrolls at least half time in an eligible postsecondary school *after* the initial grace period has expired, the student is no longer in in-school enrollment status. However, the student may be eligible for an in-school *deferment* (see next page). Keep in mind that the grace period after a *deferment* is only six months.

Schools exercising the minimum monthly payment provision listed in the promissory note must cease doing so and grant a deferment to cover any period of qualifying service. The amount to be deferred and subsequently canceled must be calculated using the 10-year repayment period.

## Deferments for All Perkins Loans, NDSLs, and Defense Loans (34 CFR 674.34)

*The deferments that follow are available to all loans made under the Federal Perkins Loan Program, regardless of disbursement date or contrary provisions in the promissory note.*

### In-school deferment

A borrower may defer repayment of a Perkins Loan if he or she is enrolled at least half time in an eligible school.

To receive an in-school deferment for a Perkins Loan, the borrower must be enrolled as a regular student in an eligible institution of higher education or a comparable institution outside the United States approved by the Department for deferment purposes. A regular student is one who is enrolled for the purpose of obtaining a degree or certificate. (The eligible institution need not participate in the Federal Perkins Loan Program.)

If the borrower is attending at least half time as a regular student for a full academic year and intends to do so in the next academic year, he or she is entitled to a deferment for **12 months**. This means that a school must continue to apply the in-school deferment through the summer session, even if the borrower does not attend classes during the summer session. In-school deferment ends on the day the borrower graduates or drops below half-time enrollment.

Schools may grant in-school deferments to borrowers based on student enrollment information provided by third-party servicers or other schools. The enrollment information must establish that the borrower is enrolled as a regular student on at least a half-time basis. If a school grants deferment based on this information, the school must notify the borrower of the deferment and offer the option to cancel the deferment and continue repayment of the loan.

If a borrower is attending a school that ceases to qualify as an institution of higher education, the borrower's deferment ends on the date the school ceases to qualify.

Except for a program in dentistry, an in-school deferment may not be granted to a borrower who is serving in a medical internship or residency program.

### Graduate fellowship

A borrower may defer repayment if he or she is enrolled and in attendance as a regular student in a course of study that is part of a graduate fellowship program approved by the Department, including graduate or postgraduate fellowship-supported study (such as a Fulbright grant) outside the United States. To qualify for a deferment for study as part of a graduate fellowship program, a borrower must provide the lending institution with a statement from an authorized official of the borrower's graduate fellowship program certifying—that the borrower holds at least a baccalaureate degree conferred by an institution of higher education; that the borrower has been accepted or recommended by an institution of higher education for acceptance on a full-time basis into an eligible graduate fellowship program; and the borrower's anticipated completion date in the program.

## Deferments for All Perkins Loans (continued)

### Rehabilitation training

A borrower may defer repayment if he or she is enrolled in a course of study that is part of a Department-approved rehabilitation training program for disabled individuals.

To receive this deferment, the borrower must provide the school with certification that:

- the borrower is receiving, or is scheduled to receive, rehabilitation training from the agency;
- the agency is licensed, approved, certified, or otherwise recognized by a state agency responsible for programs in vocational rehabilitation, drug abuse treatment, mental health services, or alcohol abuse treatment; or by the Department of Veterans Affairs; and
- the agency provides or will provide the borrower rehabilitation services under a written plan that (1) is individualized to meet the borrower's needs; (2) specifies the date that services will end; and (3) is structured in a way that requires substantial commitment from the borrower.

A substantial commitment from the borrower is a commitment of time and effort that would normally prevent the borrower from holding a full-time job either because of the number of hours that must be devoted to rehabilitation or because of the nature of the rehabilitation.

### Seeking full-time employment

A borrower may defer repayment on a Perkins Loan for up to three years, regardless of disbursement date and contrary provisions on the promissory note, if the borrower is seeking and unable to find full-time employment. Schools may determine the documents the borrower must provide to apply for this deferment.

34 CFR 674.34(g)

### Economic hardship

A borrower is entitled to an economic hardship deferment for periods of up to one year at a time, not to exceed three years cumulatively, if the borrower provides the school with satisfactory documentation showing that:

1. The borrower has been granted an economic hardship deferment for either a Stafford or PLUS Loan for the same period of time for which the Perkins Loan deferment has been requested.
2. The borrower is receiving federal or state general public assistance, such as Temporary Assistance to Needy Families, Supplemental Security Income, or Supplemental Nutrition Assistance Program (SNAP).
3. The borrower is working full-time\* and is earning a total monthly gross income that does not exceed (1) the monthly earnings of someone earning the minimum wage, or (2) 150% of the poverty line\*\* for the borrower's family size.

### Deferments for All Perkins Loans (continued)

4. The borrower is serving as a volunteer in the Peace Corps. Schools may grant deferments for Peace Corps service for periods longer than one year at a time, but these periods must not collectively exceed three years.

Note that the deferment provision for borrowers whose debt burden exceeds 20% of total monthly gross income has been eliminated.

\* A borrower is considered to be working full-time if he or she is expected to be employed for at least three consecutive months for at least 30 hours per week.

\*\* The poverty guidelines are published annually by the Department of Health and Human Services. If a borrower is not a resident of a state identified in the poverty guidelines, the poverty guideline to be used for the borrower is the poverty guideline (for the relevant family size) used for the 48 contiguous states.

\*\*\*To qualify for a *subsequent* period of deferment that begins less than one year after the end of the deferment described in option three or four, the borrower must submit a copy of his or her federal income tax return if the borrower filed a tax return within the eight months preceding the date the deferment is requested.

#### ***Determining maximum monthly gross income and 150% of poverty line (#3)***

##### **Monthly gross income at minimum wage**

The current hourly minimum wage is available at **[www.dol.gov/dol/topic/wages/minimumwage.htm](http://www.dol.gov/dol/topic/wages/minimumwage.htm)**.

To find monthly gross income, multiply the minimum wage by the typical work hours in a year, and then divide this amount by 12 months.

##### ***Determining 150% of the poverty line for the borrower's family size***

Annual poverty line guidelines, as defined by Section 673(2) of the Community Service Block Grant Act, are available at **<http://aspe.hhs.gov/poverty/index.cfm>**

Note that an unborn child may be included if that child will be born during the year the borrower certifies family size or for the period the borrower requests an economic hardship deferment.

## Deferments for All Perkins Loans (continued)

### Military service deferment

A borrower who is serving on active duty in the U.S. armed forces or performing qualifying National Guard duty may defer repayment (principal or interest) on a Perkins Loan if the duty is in connection with a war, military operation, or national emergency.

The overall three-year limit for this deferment was eliminated in October of 2007, as was the provision that limited the availability of the deferment to loans first disbursed on or after July 1, 2001. A borrower may receive deferment for all eligible outstanding loans in repayment as of October 1, 2007. A borrower whose deferment eligibility had expired due to the prior three-year limitation and who was still serving on eligible active duty on or after October 1, 2007, may receive the deferment retroactively from the date the prior deferment expired until the end of the borrower's active duty service.

Effective October 1, 2007, the deferment is extended 180 days for qualifying periods of service that include October 1, 2007, or that begin on or after that date. This additional period is available each time a borrower is demobilized at the conclusion of qualifying service. This additional 180-day deferment may not be granted without documentation supporting the borrower's claim of end-of-military-service date.

A borrower may not be reimbursed for any payments made by or on behalf of a borrower during a period for which the borrower qualified for a deferment.

34 CFR 674.34(h)

### 13-month post-active duty deferment

Effective October 1, 2007, borrowers who are members of National Guard or Armed Forces Reserve, and members of the armed forces who are in retired status, are eligible for a 13-month period of deferment on repayment of their Perkins loans following the completion of their active duty military service if they were enrolled in a postsecondary school at the time of, or within six months prior to, their activation. Reserve or retired members of the Armed Forces may qualify for both the post-active duty deferment and for the military service deferment, and may receive both deferments if eligible. If a student receives both deferments, the overlapping periods of deferment will run concurrently.

A borrower returning from active duty who is in a grace period is not required to waive the grace period to use the 13-month post-active duty student deferment. If the borrower reenrolls in postsecondary school (at least half time) prior to the expiration of the 13-month period, the deferment ends on the date the student reenrolls.

Unlike the military service deferment described above, students receiving the active duty student deferment need not be activated in connection with a war, national emergency, or other military operation.

## Deferments for All Perkins Loans (continued)

For purposes of the post-active duty student deferment, “active duty” has the same meaning as in Section 101(d)(1) of Title 10, United States Code, but does not include active duty for training or attendance at a service school/academy.

Members of the National Guard may qualify for this deferment for Title 32 full-time National Guard duty under which a governor is authorized, with the approval of the President or the U.S. Secretary of Defense, to order a member to state active duty and the activities of the National Guard are paid for by federal funds; or for state active duty under which a governor activates National Guard personnel based on state statute or policy, and the activities of the National Guard are paid for by state funds. Active duty does not include a borrower who is serving full-time in a permanent position with the National Guard, unless the borrower is reassigned as part of a call-up to active duty service.

34 CFR 674.34(i)

### *Definitions for purposes of military service deferments*

*Active duty* means full-time duty in the active military service of the United States, except that it does not include active duty for training or attendance at a service academy.

*Military operation* means a contingency operation that is designated by the Secretary of Defense as an operation in which members of the armed forces are or may become involved in military actions, operations, or hostilities against an enemy of the United States or an opposing military force; or results in the call to or retention on active duty of members of the uniformed services.

*National Guard duty* means training or other duty, other than inactive duty, when called to active service authorized by the President of the United States or Secretary of Defense (and paid for with federal funds) for a period of more than 30 consecutive days in connection with a war, national emergency, or other military operation.

*National emergency* means a national emergency by reason of terrorist attacks as declared by the President on September 14, 2001, or subsequent national emergencies declared by the President by reason of terrorist attacks.



## Deferments for Perkins Loans Made Before July 1, 1993

(34 CFR 674.35, 674.36, and 674.37)

The deferments in this section are only available for Perkins Loans made before July 1, 1993, and NDSLs made between October 1, 1980, and July 1, 1993. For information on deferment provisions exclusive to loans made before October 1, 1980, see the *1994–1995 Federal Student Financial Aid Handbook* or 34 CFR 674.37.

### Military and related service deferments

A borrower may defer repayment for up to three years, and interest will not accrue while he or she is:

- a member of the U.S. Army, Navy, Air Force, Marines, or Coast Guard;
- a member of the National Guard or the Reserves serving a period of full-time active duty in the Armed Forces;
- an officer in the Commissioned Corps of the U.S. Public Health Service;
- (for Perkins Loans made before July 1, 1993, only) on full-time active duty as a member of the National Oceanic and Atmospheric Administration Corps.

### Parenting deferments (for Perkins Loans made before July 1, 1993, only)

A borrower may defer repayment (and interest will not accrue) during a period of up to one year if the borrower is a mother of a preschool-age child, provided the mother is working (or going back to work) at a salary that is no more than \$1.00 above the minimum hourly wage.

A borrower may also defer repayment for up to six months if the borrower is pregnant, or if he or she is taking care of a newborn or newly adopted child. This deferment is called a parental leave deferment. The borrower must be unemployed and not attending school and must apply for deferment within six months of leaving school or dropping below half-time status.

### Hardship deferments

Loans disbursed before July 1, 1993, are eligible for an additional type of hardship deferment, which is *separate and different* from an *economic* hardship deferment.

A borrower may defer repayment for hardship, as determined by the school (for example, if the borrower is facing a prolonged period of illness or unemployment). A borrower may qualify for *unlimited* deferments due to hardship.

Interest will continue to accrue during the hardship deferment. Also, hardship deferments *do not* have post-deferment grace periods.

## Deferments for Perkins Loans Made Before July 1, 1993 (continued)

### Service as (or comparable to) Peace Corps/AmeriCorps VISTA volunteer

A borrower may defer repayment for up to three years and interest will not accrue while he or she is a Peace Corps or AmeriCorps VISTA (under Title I, Part A of the Domestic Volunteer Service Act of 1973) volunteer or providing comparable service. A borrower is considered to be providing service comparable to Peace Corps or AmeriCorps VISTA service if he or she meets *all* of the following five criteria:

- The borrower serves in an organization that is exempt from taxation under the provisions of Section 501(c)(3) of the Internal Revenue Code of 1954;
- The borrower provides service to low-income persons and their communities to assist them in eliminating poverty and poverty-related human, social, and environmental conditions;
- The borrower does not receive compensation that exceeds the rate prescribed under Section 6 of the Fair Labor Standards Act of 1938 (the federal minimum wage), except that the tax-exempt organization may provide the volunteer with health, retirement, and other fringe benefits that are substantially equivalent to the benefits offered to other employees of the organization;
- The borrower, as part of his or her duties, does not give religious instruction, conduct worship service, engage in religious proselytizing, or engage in fund-raising to support religious activities; and
- The borrower has agreed to serve on a full-time basis for a term of at least one year.

### Temporary total disability deferment

An affidavit from a qualified physician is required to prove disability. (A qualified physician is a doctor of medicine or osteopathy who is legally authorized to practice medicine.) A borrower is temporarily totally disabled if he or she is, due to illness or injury, unable to attend an eligible school or to be gainfully employed during a reasonable period of recovery.

A borrower may receive deferment for temporary total disability of a spouse or dependent if the spouse or dependent requires continuous nursing or other services from the borrower for a period of at least three months due to illness or injury.

The definition of dependent for temporary total disability deferment purposes is the same as the definition used in the *Free Application for Federal Student Aid* (FAFSA) for a member of the independent applicant's household: A borrower's dependent is a child who receives more than half of his or her financial support from the borrower or another person who lives with the borrower and who receives more than half of his or her financial support from the borrower.

## Deferments for Loans Made Before July 1, 1993 (continued)

### Internship/residency deferment

A borrower who is serving in a medical internship or residency program is not considered to be in school for deferment purposes and may not receive an in-school deferment on that Perkins Loan for the internship or residency program; however, the borrower is eligible for an *internship deferment* for up to two years.

While the borrower is serving an eligible internship, he or she may defer repayment for up to two years. Interest will not accrue during the internship deferment. An eligible internship is one that requires the borrower to hold at least a bachelor's degree before beginning the program.

The internship must also be *required by a state licensing agency* as a prerequisite for certification of the individual for professional practice or service. The borrower must provide the school certification from an official of the appropriate state licensing agency indicating that the successful completion of the internship is required by the state licensing agency as a prerequisite for certification for professional practice or service. The borrower must further provide a statement from the organization where the borrower will be an intern certifying:

- applicants must hold a bachelor's degree to be admitted into the internship program;
- the borrower has been accepted into the internship program; and
- the dates when the borrower is expected to begin and complete the program.

Borrowers of Perkins Loans made before July 1, 1993, may alternatively show that the internship or residency program *leads to a degree or certificate* awarded by an institution of higher education, a hospital, or a health care facility offering postgraduate training. The borrower must provide the school with a statement from an authorized official of the internship program certifying that:

- an individual must have a bachelor's degree to be admitted into the program;
- the borrower has been accepted into the program; and
- the internship or residency program leads to a degree or certificate awarded by an institution of higher education, a hospital, or a health care facility that offers postgraduate training.

## Auditing Classes and Deferments

A Perkins borrower must be a "regular student" enrolled at least half time at an eligible school in order to qualify for an in-school deferment on a Perkins Loan.

Note that a FFEL or DL borrower who is not enrolled in an eligible program can still get an in-school deferment as long as he or she is enrolled at least half time at an eligible school.

Classes that a student is auditing may not be counted toward the student's enrollment status in determining whether the student is enrolled half time. For example, at a school where six credits is considered half time, a student who is enrolled in three credits for a grade and three credits as an audit would not be considered a half-time student for the purpose of an in-school deferment.

## GENERAL CANCELLATION PROVISIONS

### *Application for cancellation*

The following cancellation application procedures apply to any loan under this program.

The borrower applies for cancellation of his or her loan by obtaining the appropriate cancellation form from the business or student loan office of the school that made the loan (or from the school's billing service if it uses one). The borrower submits the form to the school, along with any supporting documentation the school requests, by the deadline the school establishes.

A school must determine, based on the borrower's documentation, whether the borrower is entitled to have any portion of his or her loans cancelled. **This responsibility cannot be delegated.** For information on documentation, see the appropriate cancellation category in this section.

### *Concurrent deferment*

Schools must automatically defer loans during periods of service for which schools also grant loan cancellation. Borrowers do not need to apply for these automatic deferments.

### *ED reimbursement to schools*

If funds are appropriated, the Department will reimburse each school every award year for the principal and interest cancelled from its Perkins Loan Fund for all of the cancellation provisions except for death, total and permanent disability, bankruptcy, and closed school discharge.

If it receives reimbursement, a school must deposit the amount reimbursed in its Perkins Loan Fund. For more information and a full Q&A on reimbursing amounts cancelled, see Dear Colleague Letter CB-05-08.

Note that interest does not accrue on any loan during the period that a borrower is performing service to qualify for cancellation benefits.

### **Perkins Cancellation**

34 CFR 674 Subpart D  
34 CFR 674.51-62  
Special definitions  
34 CFR 674.51  
Procedures  
34 CFR 674.52

### **Reimbursements Before July 1, 1972**

Schools are not required to deposit reimbursements for loans made prior to July 1, 1972, into the Perkins Loan fund. These reimbursements are considered institutional funds.

## CANCELLATION RESTRICTIONS

### *Prior service and payments prior to cancellation*

Schools may not cancel any portion of a loan for services the borrower performed either before the date the loan was disbursed or during the enrollment period covered by the loan.

Schools may not refund payments made during a period for which the borrower qualified for a cancellation, unless the borrower made the payment because of the school's error. To reduce the chance of error, a school should keep the borrower informed of any new cancellation benefits.

#### Cancellation restrictions

Prior service  
34 CFR 674.62(a)  
Payment refund  
34 CFR 674.62(b)  
Defaulted loans  
34 CFR 674.52(c)  
AmeriCorps  
34 CFR 674.52(e)

#### **Perkins Cancellation Extended to Loans Prior to October 7, 1998**

The Higher Education Act was amended to extend all service cancellations to Perkins, NDSL, and Defense Loan borrowers who were previously ineligible. However, only periods of qualifying service performed on or after October 7, 1998, are eligible for cancellation benefits if the borrower was not previously eligible.

### *Defaulted loans*

A school may cancel a defaulted loan if the only reason for the default was the borrower's failure to file a cancellation request on time. If the loan has already been **accelerated**, only eligible service performed **prior** to the date of acceleration can be considered for cancellation. A borrower is not entitled to cancellation for any eligible service performed **after** the date of acceleration.

### *AmeriCorps recipients*

Schools may not grant cancellation of a Perkins Loan or National Direct Student Loan (NDSL) to a borrower who has received a national service education award for volunteer service with AmeriCorps (Subtitle D of Title I of the National and Community Service Act of 1990).

### **Cancellation Rates for Military, Teachers/Public Servants**

With the exception of the early childhood education and volunteer service cancellations, the cancellation rate per completed year of qualifying full-time service is:

- First and second years: 15% of the original principal loan amount, plus the interest that accrued during the year.
- Third and fourth years: 20% of the original principal loan amount, plus the interest that accrued during the year.
- Fifth year: 30% of the original principal loan amount, plus any interest that accrued during the year.

A "year of service" consists of 12 consecutive months of service, except for teaching service, where the borrower must teach full-time for a full academic year or its equivalent. For cancellation rates for early childhood education and volunteer service, please see the corresponding sections in this chapter.

## ELEMENTARY AND SECONDARY TEACHER CANCELLATION

Schools must cancel up to 100% of a Perkins Loan if the borrower has served full-time in a *public or nonprofit elementary or secondary school system* as:

- ◆ a teacher in a *low-income school* or a *low-income educational service agency*;
- ◆ a teacher in a *teacher shortage field*, including mathematics, science, foreign languages, or bilingual education or any other field of expertise that is determined by a state education agency to have a shortage of qualified teachers in that state; or
- ◆ A *special-education* teacher, including teachers of infants, toddlers, children, or youth with disabilities.

The cancellation form that the borrower files must be signed by an official in the school system or agency to certify the borrower's service. Eligibility for teacher cancellation is based on the duties presented in an official position description, not on the position title. To receive a cancellation, the borrower must be *directly employed* by the school system.

To qualify for cancellation based on any of these three conditions, a borrower must teach full-time for a complete academic year or its equivalent. See the next page for exceptions covering special cases, such as illness or pregnancy.

### **Cancellation for teaching in a low-income school or educational service agency**

A borrower qualifies for this cancellation by teaching full-time in a low-income public or other nonprofit elementary or secondary school, or by teaching full-time for an *educational service agency* (ESA) listed in the *Teacher Cancellation Low-Income Directory* (see sidebar).

For cancellation purposes, a borrower employed by an ESA may be teaching

- ◆ at a location operated by the ESA (such as a stand-alone school that serves students from many different school districts), or
- ◆ in a conventional elementary and secondary school (such as a vocational education teacher employed by the ESA to teach courses in several different secondary schools).

If a borrower is teaching at a school that is on the list one year but not in subsequent years, the borrower may continue to teach in that school and remain eligible to receive a cancellation for service in that school.

### **Teacher cancellation**

34 CFR 674.53

Teacher definition 34 CFR 674.51(y)

Academic year definition 34 CFR 674.51(a)

Part-time 34 CFR 674.52(b)(1)(i)

Low-income schools 34 CFR 674.53(b)

Teaching children & adults 34 CFR 674.53(f)

Field of expertise 34 CFR 674.53(c)

Special education 34 CFR 653(b)

### **Teacher Cancellation Directory**

You can identify schools and educational service agencies that are eligible for Perkins deferment and cancellation by searching the *Teacher Cancellation Low-Income Directory* online at: <https://www.tcli.ed.gov>.

Information about the compilation and publication of the directory is available from the Campus-Based Call Center at: 1-877-801-7168 or by email at [CBFOB@ed.gov](mailto:CBFOB@ed.gov).

### **Cancellations for teachers at educational service agencies**

These cancellations are for Perkins, NDSL, or Defense loans, for eligible service that includes August 14, 2008, or begins on or after that date, regardless of whether the cancellation category appears on the borrower's promissory note.

HEA section 465(a)

*Definition of educational service agency:* A regional public multi-service agency authorized by state law to develop, manage, and provide services or programs to local educational agencies as defined in section 9101 of the Elementary and Secondary Education Act of 1965, as amended.

HEA sections 481(e) and (f)

### **BIA schools**

All elementary and secondary schools operated by the Bureau of Indian Affairs (BIA) are considered to qualify as schools serving low-income families for the purpose of teacher cancellations of Perkins Loans and NDSLs. Elementary and secondary schools operated on reservations by Indian tribal groups under contract with the BIA are also considered to qualify for this purpose.

34 CFR 674.53(a)(5)



## Who is a Teacher?

A teacher is a person who provides students direct classroom teaching, classroom-type teaching in a non-classroom setting, or educational services directly related to classroom teaching (e.g., school librarian, guidance counselor).

It is not necessary for a teacher to be certified or licensed to receive cancellation benefits. However, the employing school must consider the borrower to be a full-time professional for the purposes of salary, tenure, retirement benefits, and so on. In other words, to qualify, the borrower should accrue the same benefits as teachers who are licensed and/or certified.

A supervisor, administrator, researcher, or curriculum specialist is not a teacher unless he or she primarily provides direct and personal educational services to students.

Under certain conditions, a teacher's aide may be considered eligible for teacher cancellation. The teacher's aide must meet the definition of a "full-time teacher." He or she must have a bachelor's degree and be a professional recognized by the state as a full-time employee rendering direct and personal services in carrying out the instructional program of an elementary or secondary school.

Volunteer teachers are not professionally employed on a full-time basis and, therefore, are not eligible for teacher cancellation benefits.

### Teaching full-time for a full academic year

The borrower must teach full-time for a full academic year or its equivalent. There is no requirement that a teacher must teach a given number of hours a day to qualify as a full-time teacher; the employing school is responsible for determining whether or not the individual is considered to be a full-time teacher.

An "academic year or its equivalent" for teacher cancellation purposes is defined as one complete school year. Two half-years count as an academic year if they are complete, consecutive, from different school years (excluding summer session), and generally fall within a 12-month period.

A borrower who cannot complete the academic year because of illness or pregnancy may still qualify for cancellation if he or she has completed the first half of the academic year and has begun teaching the second half, but the borrower's employer must consider the borrower to have fulfilled his or her contract for the academic year.

### Teaching part-time at multiple schools

Schools must grant cancellation to a borrower who is simultaneously teaching part-time in two or more schools *if* an official at one of the schools where the borrower taught certifies that the borrower taught full-time for a full academic year. For example:

- under a consortium agreement, a borrower may be employed by the consortium and teach at member schools;
- two or more schools, by mutual agreement, could arrange to have one school employ the borrower on a full-time basis and then hire out his or her services to the other school(s) involved in the agreement; or

- a borrower can be considered to have been a full-time teacher for an academic year if he or she can obtain appropriate certifications that he or she has taught in two half-time teaching positions for a complete academic year in two elementary or secondary schools or in two secondary schools.

A school may refuse cancellation for simultaneous teaching in two or more schools if it cannot easily determine that the teaching was full-time.

### Teaching in a private school

A borrower may receive teacher cancellation for services performed in a private elementary or secondary school or academy, if the private school or academy has established its nonprofit status with the Internal Revenue Service (IRS) and if the school or academy is providing elementary or secondary education according to state law. The school or academy does not necessarily need to be accredited for a borrower teaching there to qualify for teacher cancellation.

### Teaching in a school system

To be eligible for cancellation, a borrower employed in a public or other nonprofit elementary or secondary school system or an educational service agency must be directly employed by the school system.

### Teaching in a preschool or pre-kindergarten program

A borrower may receive teacher cancellation for teaching service performed in a preschool or pre-kindergarten program if the state considers the program to be a part of its elementary education program. A low-income-school-directory designation that includes pre-kindergarten or kindergarten does not suffice for a state determination of program eligibility. The school must check with the state superintendent of public instruction to determine whether these programs are part of the state elementary education program.

### Teaching both children and adults

If the borrower teaches both children and adults, the majority of students must be children for the borrower to qualify for cancellation.

### Job Corps teachers

Teaching service performed in a Job Corps project does not qualify for Perkins Loan cancellation unless the teaching is conducted in an elementary or secondary school or school system.

### How are low-income schools and ESAs selected?

The Department selects elementary/secondary schools and educational service agencies (ESAs) for inclusion in the *Teacher Cancellation Low-Income Directory* in consultation with each state's educational agency based on these criteria:

- the school or ESA is in a school district that qualifies for "Title I" federal funding based on the large number of low-income families in the district; and
- more than 30% of the school's or ESA's enrollment is made up of children from low-income families.

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### Teaching in a teacher shortage field by field of expertise

34 CFR 674.53(c)

### *Cancellation for teaching in a teacher shortage field*

A school must cancel up to 100% of the outstanding balance on a borrower's Perkins loan for a full-time teacher in a field of expertise that is determined by a state education agency to have a shortage of qualified teachers in that state. A borrower who is teaching in science, mathematics, foreign language, or bilingual education qualifies for cancellation even if the state has not designated the subject area in which he or she is teaching as a shortage area.

For a borrower to be considered as teaching in a field of expertise that has a shortage of teachers, the majority of classes taught must be in that field of expertise.

### *Cancellation for teaching in special education*

A school must cancel up to 100% of the outstanding balance on a borrower's Perkins loan for a full-time special education teacher of infants, toddlers, children, or youth with disabilities. The teaching service must be performed in a public or other nonprofit elementary or secondary school system.

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### Teaching in special education

34 CFR 674.53(b)

#### **Defining Children and Youth with Disabilities**

For children and youth from ages 3 through 21 who require special education and related services because they have disabilities as defined in Section 602(3) of the Individuals with Disabilities Education Act (the Act), the Act defines a "child with a disability" as one (1) with mental retardation, hearing impairments (including deafness), speech or language impairments, visual impairments (including blindness), serious emotional disturbance, orthopedic impairments, autism, traumatic brain injury, other health impairments, or specific learning disabilities; and (2) who, by reason thereof, needs special education and related services.

For a child age 3 through 9, the term a "child with a disability" may include, at the discretion of a state and local education agency, individuals (1) experiencing developmental delays, as defined by the state and as measured by appropriate instruments and procedures, in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development; and (2) who, by reason thereof, require special education and related services.

A person performing one of the following services is considered a teacher if the service is part of the educational curriculum for handicapped children:

- ◆ speech and language pathology and audiology;
- ◆ physical therapy;
- ◆ occupational therapy;
- ◆ psychological and counseling services; or
- ◆ recreational therapy

To qualify for cancellation, the borrower must be licensed, certified, or registered by the appropriate state education agency for that area in which he or she is providing related special educational services.

## PUBLIC SERVICE CANCELLATIONS

### Nurse or medical technician cancellation

Schools must cancel up to 100% of a Perkins Loan if the borrower has served full-time as a *nurse* or *medical technician* providing health care services. The borrower must provide health care services *directly* to patients.

For purposes of this cancellation—

- ◆ a *nurse* is a licensed practical nurse, a registered nurse, or other individual who is licensed by the appropriate state agency to provide nursing services.
- ◆ a *medical technician* is an allied health professional (working in fields such as therapy, dental hygiene, medical technology, or nutrition) who is certified, registered, or licensed by the appropriate state agency in the state in which he or she provides health care services; an allied health professional is someone who assists, facilitates, or complements the work of physicians and other specialists in the health care system. (See Dear Colleague Letter CB-08-14 for a more detailed discussion of the eligibility requirements for the medical technician cancellation.)

A school may refuse a request for cancellation based on a claim of simultaneous employment as a nurse or medical technician in two or more facilities if it cannot determine easily from the documentation supplied by the borrower that the combined employment is full-time. However, it shall grant the cancellation if one facility official certifies that a nurse or medical technician worked full-time for a full year.

### Firefighter cancellation

A school must cancel up to 100% of the outstanding balance on a borrower's Perkins loan for service that includes August 14, 2008, or begins on or after that date, as a full-time *firefighter*.

A firefighter is an individual who is employed by a federal, state, or local fire fighting agency to extinguish destructive fires or provide fire fighting related services such as conducting search and rescue, providing hazardous materials (HAZMAT) mitigation, or providing community disaster support and, as a first responder, providing emergency medical services.

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### Cancellation

Definitions - 34 CFR 674.51

Employment cancellations -34 CFR 674.56

- Nurse or medical technician (a)
- Child or family services agency (b)
- Early intervention (disability) services (c)
- Firefighter (d)
- Faculty at tribal college or university (e)
- Librarian with master's degree at Title I school (f)
- Speech pathologist with master's degree at Title I school (g)

Law enforcement 34 CFR 674.57

Early Childhood Education 34 CFR 674.58

Military service 34 CFR 674.59

Volunteer service 34 CFR 674.60

Cancellation reimbursement

34 CFR 674.63(b)

GEN-05-15

Sec. 465(a)(2)(I) of the HEA

Campus-Based E-Announcement,  
EA 2013-4-24 at:

[http://www.dfas.mil/militarymembers/  
payentitlements/specialpay/hfp\\_idp.  
html](http://www.dfas.mil/militarymembers/payentitlements/specialpay/hfp_idp.html)

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### Firefighter cancellation

34 CFR 674.56(d)

## Early Intervention Definitions

### Infants and toddlers with disabilities

An individual under three years of age who needs early intervention services because the individual (1) is experiencing developmental delays, as measured by appropriate diagnostic instruments and procedures, in one or more of the areas of cognitive development, physical development, communication development, social or emotional development, and adaptive development; or (2) has a diagnosed physical or mental condition which has a high probability of resulting in developmental delay.

The term may also include, at a state's discretion, individuals under age three, who are at risk of having substantial developmental delays if early intervention services are not provided. (Section 632(5) (A) of the Individuals with Disabilities Education Act.)

### Qualified professional provider of early intervention services

A provider of services, as defined in Section 632 of the Individuals with Disabilities Education Act. Section 632 of that act defines early intervention services as developmental services that:

- are provided under public supervision;
- are provided at no cost except where federal or state law provides for a system of payments by families, including a schedule of sliding fees;
- are designed to meet the developmental needs of an infant or toddler with a disability in one or more of the following areas: physical development, cognitive development, communication development, social or emotional development, or adaptive development;
- meet the standards of the state in which they are provided;
- are provided by qualified personnel, including special educators; speech and language pathologists and audiologists; occupational therapists; physical therapists; psychologists; social workers; nurses; nutritionists; family therapists; orientation and mobility specialists; and pediatricians and other physicians;
- to the maximum extent appropriate, are provided in natural environments, including the home, and community settings in which children without disabilities participate; and
- are provided in conformity with an individualized family service plan adopted in accordance with Section 636 of the Individuals with Disabilities Education Act.

Under the Individuals with Disabilities Education Act, early intervention services include family training, counseling, and home visits; special instruction; speech-language pathology and audiology services; occupational therapy; physical therapy; psychological services; service coordination services; medical services only for diagnostic or evaluation purposes; early identification, screening, and assessment services; health services necessary to enable the infant or toddler to benefit from the other early intervention services; social work services; vision services; assistive technology devices and services; and transportation and related costs necessary to enable infants, toddlers, and their families to receive other services identified in Section 632(4).

### Early intervention (for disabled infants/toddlers) cancellation

Schools must cancel up to 100% of the outstanding balance on a Perkins Loan if the borrower has been employed full-time as a *qualified professional provider of early intervention services* in a public or other non-profit program. “Early intervention services” are provided to infants and toddlers with disabilities.

This cancellation applies to Perkins loans made on or after July 23, 1992. Perkins loans made prior to that date are eligible for cancellation for early intervention service that is performed on or after October 7, 1998.

### Child or family services cancellation

A school must cancel up to 100% of the outstanding balance on a Perkins Loan made on or after July 23, 1992, for service as a full-time employee in a public or private nonprofit child or family service agency. To qualify for cancellation, the borrower must be providing services directly and exclusively to *high-risk children* from *low-income communities* and to the families of these children, or supervising the provision of such services. Any services provided to the children’s families must be secondary to the services provided to the children.

For purposes of this cancellation—

- ◆ *high-risk children* are defined as individuals under the age of 21 who are low-income or at risk of abuse or neglect; have been abused or neglected; have serious emotional, mental, or behavioral disturbances; reside in placements outside their homes; or are involved in the juvenile justice system.
- ◆ *low-income communities* are communities in which there is a high concentration of children eligible to be counted under Title I rules (see sidebar on next page).

The types of services a borrower may provide to qualify for a child or family service cancellation include child care and child development services; health, mental health, and psychological services; and social services. The Department has determined that an elementary or secondary school system, a hospital, or an institution of higher education is not an eligible employing agency. When reviewing child or family service cancellation requests, Perkins schools and their servicers should refer to Dear Colleague Letter GEN-5-15, which provides a more detailed discussion of the eligibility requirements for child or family service cancellations.

### Faculty member at a tribal college or university cancellation

An institution must cancel up to 100 percent of the outstanding balance on a borrower’s Federal Perkins, NDSL, or Defense loan for service that includes August 14, 2008, or begins on or after that date, as a full-time faculty member at a Tribal College or University.

### Early intervention cancellation

34 CFR 674.56(c)

#### Cancellation Rates

With the exception of cancellations for Head Start, military, and volunteer service, the cancellation rate per completed academic year of full-time teaching or for each year of otherwise qualifying full-time service is:

- 15% of the original principal loan amount—plus the interest that accrued during the year—for each of the first and second years;
- 20% of the original principal loan amount—plus the interest that accrued during the year—for each of the third and fourth years; and
- 30% of the original principal loan amount—plus any interest that accrued during the year—for the fifth year.

A year of service consists of 12 consecutive months of service.

### Child or family services cancellation

34 CFR 674.56(b)

### Tribal college or university cancellation

34 CFR 674.56(e)

#### Tribal College or University

An institution that —

1. Qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 (25 U.S.C. 1801 et seq.) or the Navajo Community College Assistance Act of 1978 (25 U.S.C. 640a note); or
2. Is cited in section 532 of the Equity in Education Land Grant Status Act of 1994 (7 U.S.C. 301 note).  
34 CFR 674.51 (bb)

You can find a list of accredited Tribal Colleges and Universities at

<http://www.ed.gov/edblogs/whiaiane/tribes-tcus/tribal-colleges-and-universities/>



**Speech pathologist cancellation**

34 CFR 674.56(g)

**Title I schools**

Part A of Title I of the Elementary and Secondary Education Act of 1965, as amended, provides funding for schools with high numbers or high percentages of poor children. Elementary and Secondary Education Act See 20 U.S.C. 70

**Librarian cancellation**

34 CFR 674.56(f)

**Speech pathologist (at Title I school) cancellation**

A school must cancel up to 100% of the outstanding balance on a borrower's Perkins Loan for full-time employment that includes August 14, 2008, or begins on or after that date, as a speech pathologist.

A speech pathologist is someone who evaluates or treats disorders that affect a person's speech; language; cognition; voice; swallowing and the rehabilitative or corrective treatment of physical or cognitive deficits/disorders resulting in difficulty with communication, swallowing, or both; and who has obtained a postgraduate academic degree awarded after the completion of an academic program of up to six years in duration (excluding a doctorate or professional degree).

To qualify for cancellation, the speech pathologist must have a master's degree and be working exclusively with Title I-eligible schools.

**Librarian (at Title I school) cancellation**

A school must cancel up to 100% of the outstanding Perkins balance for service that includes August 14, 2008, or begins on or after that date, as a full-time librarian.

The librarian must have a master's degree. A *librarian with a master's degree* is defined as an information professional trained in library or information science who has obtained a postgraduate academic degree in library science awarded after the completion of an academic program of up to six years in duration (excluding a doctorate or professional degree).

The librarian must be employed

- ◆ in an elementary school or secondary school that is eligible for Title I assistance (see sidebar), or
- ◆ by a public library that serves a local school district that contains one or more Title I-eligible schools.

**LAW ENFORCEMENT CANCELLATIONS****Law enforcement or corrections officer cancellation**

A school must cancel up to 100% of a Perkins Loan made on or after November 29, 1990, if the borrower performs full-time service for 12 consecutive months as a law enforcement or corrections officer for an eligible employing agency.

To establish the eligibility of a borrower for the law enforcement or corrections officer cancellation provision, the school must determine that (1) the borrower's employing agency is eligible and that (2) the borrower's position is essential to the agency's primary mission.

A local, state, or federal agency is an eligible employing agency if it is publicly funded and its activities pertain to crime prevention, control, or reduction, or to the enforcement of the criminal law. Such activities include but are not limited to—

- ◆ police efforts to prevent, control, or reduce crime or to apprehend criminals;
- ◆ activities of courts and related agencies having criminal jurisdiction;
- ◆ activities of corrections, probation, or parole authorities; and
- ◆ the prevention, control, or reduction of juvenile delinquency or narcotic addiction.

Agencies that are primarily responsible for enforcement of civil, regulatory, or administrative laws are ineligible. However, because the activities of many divisions and bureaus within local, state, and federal agencies pertain to crime prevention, control, or reduction, or to the enforcement of criminal law, a sub-unit within a larger, non-law enforcement agency may qualify as a law enforcement agency for purposes of a law enforcement cancellation.

For the borrower's position to be considered essential to the agency's primary mission, he or she must be a full-time employee of an eligible agency and a sworn law enforcement or corrections officer or person whose principal responsibilities are unique to the criminal justice system and are essential in the performance of the agency's primary mission. The agency must be able to document the employee's functions. Examples of positions that are considered essential to a law enforcement agency's primary mission and that are unique to the criminal justice system include prosecuting attorneys whose primary responsibilities are to prosecute criminal cases on behalf of law enforcement agencies, forensic scientists, and latent fingerprint examiners.

Individuals whose official responsibilities are supportive, such as those that involve typing; filing; accounting; office procedures; purchasing; stock control; food service; transportation; or building, equipment, or grounds maintenance, are not eligible for the law enforcement or correction officer loan cancellation, regardless of where these functions are performed.

### Law enforcement/corrections cancellation

34 CFR 674.57(a)

#### Law Enforcement Cancellation for Loans Prior to November 29, 1990

A school must cancel up to 100% of the outstanding loan balance on a Perkins (or NDSL or Defense loan) made prior to November 29, 1990, for law enforcement or correction officer service performed on or after October 7, 1998, if the cancellation benefits provided under this section are not included in the terms of the borrower's promissory note. The service must be full-time and be performed over 12 consecutive months.

**Public defender cancellation**

34 CFR 674.57(b)

**Eligible public/community defender organizations**

34 CFR 674.51(e)

Section 3006A(g)(2) of Title 18, U.S.C.

**Military service cancellation**

34 CFR 674.59

**Change to military service cancellation limitation**

Effective for a full year of qualifying service that includes August 14, 2008, or begins after that date, borrowers may now receive military service cancellation of up to 100% of the loan.

**Military cancellations for earlier loans**

- A school must cancel up to 50% of a Defense loan made after April 13, 1970, for the borrower's full-time active service starting after June 30, 1970, in the U.S. armed forces.
- A school must cancel up to 50% of the outstanding balance on a Perkins/NDSL Loan for active duty service that ended before August 14, 2008, as a member of the U.S. armed forces in an area of hostilities that qualifies for special pay under section 310 of title 37 of the United States Code (see below).

The cancellation rate is 12.5% of the original loan principal, plus the interest on the unpaid balance accruing during the year of qualifying service, for each complete year of qualifying service.

**Special pay in areas of hostilities/imminent danger**

The Department of Defense maintains an updated listing of hostile fire/imminent danger pay (IDP) areas. See the Defense Finance and Accounting website at:

[www.dfas.mil/militarymembers/payentitlements/specialpay/hfp\\_idp.html](http://www.dfas.mil/militarymembers/payentitlements/specialpay/hfp_idp.html).

**PUBLIC DEFENDER CANCELLATION**

Full-time attorneys employed in *federal public defender organizations* or *community defender organizations* (see sidebar), are eligible for public defender cancellations.

For purposes of this cancellation

- ♦ a *community defender organization* is a defender organization established in accordance with section 3006A(g)(2)(B) of Title 18, United States Code; and
- ♦ a *federal public defender organization* is a defender organization established in accordance with section 3006A(g)(2)(A) of Title 18, United States Code.

Cancellations are for eligible service that includes August 14, 2008, or begins on or after that date, regardless of whether information on the expansion of this cancellation category appears on the borrower's promissory note.

**MILITARY SERVICE CANCELLATION**

A school must cancel up to 100% of the outstanding balance of a Perkins loan for a full year of active duty service in the U.S. armed forces in an *area of hostilities* or an *area of imminent danger* that qualifies for special pay (see sidebar). The "U.S. armed forces" are the United States Army, Navy, Air Force, Marine Corps, or Coast Guard.

The borrower's commanding officer must certify the borrower's service dates. Active duty service for less than a complete year or a fraction of a year beyond a complete year does not qualify. A complete year of service is 12 consecutive months.

Areas that qualify for hostile fire/imminent danger pay are listed on the Web (see sidebar). Note that the borrower does not have to serve the full 12 months of active duty service in such an area to qualify for the cancellation. If a borrower is on active duty in such an area for any part of a month, that month counts towards the borrower's eligibility for a military cancellation.

The cancellation rate is the standard progression for up to 100% cancellation: 15% for the first and second year of qualifying service, 20% for the third and fourth year of qualifying service, and 30% for the fifth year of qualifying service.

## EARLY CHILDHOOD EDUCATION CANCELLATION (PRE-KINDERGARTEN, CHILD CARE, HEAD START)

A school must cancel up to 100% of a Perkins Loan if the borrower has served

- ◆ as a *full-time staff member* in a *Head Start* program; or
- ◆ as a *full-time staff member* of a *pre-kindergarten* or *child care program* that is licensed or regulated by the state.

For purposes of these early education cancellations

- ◆ “Head Start” is a preschool program carried out under the Head Start Act (subchapter B, chapter 8 of Title VI of Pub. L. 97–35, the Budget Reconciliation Act of 1981, as amended; formerly authorized under section 222(a)(1) of the Economic Opportunity Act of 1964). (42 U.S.C. 2809(a)(1)).
- ◆ A *pre-kindergarten program* is a state-funded program that serves children from birth through age six and addresses the children’s cognitive (including language, early literacy, and early mathematics), social, emotional, and physical development.
- ◆ A *child care program* is a program that is licensed or regulated by the state and provides child care services for fewer than 24 hours per day per child, unless care in excess of 24 consecutive hours is needed due to the nature of the parents’ work.
- ◆ A *full-time staff member* is someone who is regularly employed in a full-time professional capacity to carry out the educational part of the early education program.

For the pre-kindergarten and child care program cancellation, the period of service must include August 14, 2008, or begin on or after that date.

In order to qualify for cancellation, the early education program in which the borrower serves must operate for a complete academic year or its equivalent. The borrower’s salary may not exceed the salary of a comparable employee working in the local educational agency of the area served by the early education program.

The cancellation rate is 15% of the original loan principal, plus the interest on the unpaid balance accruing during the year of qualifying service for each complete academic year or its equivalent of full-time teaching service.

An official of the early education program should sign the borrower’s cancellation form to certify the borrower’s service.

### Early childhood cancellation

34 CFR 674.58

#### Early Education Cancellations for Defense Loans

*Head Start.* An institution must cancel up to 100% of the outstanding balance on a Defense Loan for service as a full-time staff member in a Head Start program performed on or after October 7, 1998, if the cancellation benefits provided under this section are not included in the terms of the borrower’s promissory note.

## VOLUNTEER SERVICE CANCELLATION

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### Early childhood cancellation

34 CFR 674.60

Schools must cancel up to 70% of a Perkins Loan if the borrower has served as a Peace Corps or AmeriCorps VISTA (under Title I, Part A of the Domestic Volunteer Service Act of 1973) volunteer. An authorized official of the Peace Corps or AmeriCorps VISTA program must sign the borrower's cancellation form to certify the borrower's service.

AmeriCorps volunteers do not qualify for this cancellation unless their volunteer service is with AmeriCorps VISTA. An AmeriCorps VISTA volunteer may only qualify for this cancellation if the AmeriCorps VISTA volunteer elects not to receive a national service education award for his or her volunteer service. The AmeriCorps VISTA volunteer must provide appropriate documentation showing that the volunteer has declined the AmeriCorps national service education award.

Schools apply cancellation for volunteer service in the following increments:

- ◆ 15% of the original principal loan amount—plus any interest that accrued during the year—for each of the first and second 12-month periods of service; and
- ◆ 20% of the original principal loan amount—plus any interest that accrued during the year—for each of the third and fourth 12-month periods of service.

For Peace Corps Volunteers, the 12-month periods of service include any preenrollment training the volunteer receives at the Peace Corps post.

## DISCHARGING PERKINS LOANS

### *Discharge due to death*

You must discharge the remaining balance of any Perkins Loan, NDSL, or Defense Loan if the borrower dies. You must base your determination of death of the borrower on an original or certified copy of the death certificate or an accurate and complete photocopy of the death certificate.

In most cases, the school should try to obtain a copy of the death certificate from the borrower's next of kin. If the school is unable to obtain a copy from the next of kin, it may be able to obtain a copy from the state vital statistics office.

Under exceptional circumstances and on a case-by-case basis, your school's chief financial officer may approve a discharge based upon other reliable documentation supporting the discharge request.

### *Discharge for total and permanent disability (nonveterans)*

If a Perkins borrower contacts a school to request a total and permanent disability (TPD) discharge, the school must tell the borrower to notify the Department of the borrower's intent to apply for a TPD discharge. The school must provide the borrower with the information needed for the borrower to contact the Department. When the borrower notifies the Department of the borrower's intent to apply for a TPD discharge, the Department provides the borrower with the information necessary to apply for the discharge. The Department identifies all FSA loans held by the borrower and notifies the holders of those loans of the borrower's intent to apply for a TPD discharge. The Department directs the loan holders to suspend collection activity on the borrower for a period not to exceed 120 days. The Department informs the borrower of the suspension of collection activity and tells the borrower that the suspension of collection activity will end after 120 days if the borrower does not submit a TPD discharge application within that time.

The borrower must submit to the Department a TPD discharge application certified by a physician who is a doctor of medicine or osteopathy legally authorized to practice in a state. By signing the TPD discharge application, the physician certifies that the borrower is totally and permanently disabled, as defined in the Perkins Loan Program regulations (see sidebar). The borrower must submit the application to the Department within 90 days of the date the physician signed it. Alternatively, instead of having a physician certify the TPD discharge request, a borrower may provide the Department with documentation from the Social Security Administration (SSA) showing that the borrower qualifies for SSA disability benefits and that the borrower's next SSA disability review will be within five to seven years.

#### **TPD Discharge Application**

The current version of the TPD discharge application has an expiration date of 6/30/2016 and is available at:

<http://www.disabilitydischarge.com/Forms/>

#### **Total and permanent disability loan discharge**

34 CFR 674.61

GEN 06-14

#### **A TPD Discharge Based on SSA Disability**

For a borrower applying for a TPD discharge based on an SSA disability determination, the documentation from the SSA must show that the borrower qualifies for SSA disability benefits and that the borrower's next SSA disability review will be within five to seven years. If the notification of eligibility for disability benefits that borrower received from the SSA doesn't contain a medical review period, the borrower can obtain this information by calling his or her local SSA office or by calling 1-800-772-1213 and requesting a Benefits Planning Query.



### Disability Discharge Servicer

Electronic Announcement Posted: September 10, 2010; Updated May 27, 2011.

All disability discharge assignments/referrals must be sent to Nelnet Total and Permanent Disability Servicer at:



U.S. Department of Education  
3015 South Parker Road, Suite 400  
Attn: TPD Servicing  
Aurora, CO 80014  
Phone: 1-888-303-7818  
website: [www.disabilitydischarge.com](http://www.disabilitydischarge.com)

### Definitions of “Totally And Permanently Disabled”

Total and permanent disability is defined as:

The condition of an individual who—

(1) Is unable to engage in any *substantial gainful activity*\* by reason of any medically determinable physical or mental impairment that—

- (i) Can be expected to result in death;
- (ii) Has lasted for a continuous period of not less than 60 months; or
- (iii) Can be expected to last for a continuous period of not less than 60 months; or

(2) Has been determined by the Secretary of Veterans Affairs to be unemployable due to a service-connected disability.

34 CFR 674.51(aa)

\* *Substantial gainful activity* is defined as “a level of work performed for pay or profit that involves doing significant physical or mental activities, or a combination of both.”

34 CFR 674.51

After the Department receives the TPD application, the Department notifies the borrower’s FSA loan holders that the application has been received and directs the loan holders to maintain the suspension of collection activity while the Department reviews the application.

During its review of the TPD application, the Department may ask the borrower to provide additional medical evidence and may arrange for an additional review of the borrower’s condition by an independent physician at no expense to the borrower.

If the Department determines that the borrower does not qualify for a total and permanent disability discharge, the Department notifies the borrower and the school resumes collection on the loan.

If the Department determines that the borrower qualifies for a total and permanent disability discharge, it directs the school to assign the loan to the Department (see sidebar for ED servicers) within 45 days. After the Department receives the assignment, it discharges the loan and notifies the borrower and the school that the loan has been discharged. The notification to the borrower will explain to the borrower that the loan will be reinstated if, within three years of the date the Department granted the discharge, the borrower:

- ◆ has annual earnings from employment that exceed 100% of the poverty guideline for a family of two.
- ◆ receives a new TEACH Grant or a new loan under the Perkins or Direct Loan programs, except for a Direct Consolidation Loan that includes loans that were not discharged.
- ◆ fails to ensure that the full amount of any disbursement of an FSA loan or TEACH grant received before the discharge date is returned to the loan holder or the Department, as applicable, within 120 days of the disbursement date.
- ◆ receives a notice from the SSA that the borrower is no longer disabled or that the borrower’s continuing disability review will no longer be the five- to seven-year period.

If your school receives payments from a borrower after the loan has been assigned to the Department, you must return the payments to the sender and notify the borrower that there is no need to make payments on the loan after it has been discharged due to TPD, unless the loan is reinstated or the Department directs the borrower otherwise.

### ***Discharge for service-connected disability (veterans)***

A veteran's Perkins Loan will be discharged if the veteran is unemployable due to a service-connected disability, as determined by the Department of Veterans Affairs (VA). Beginning July 1, 2013, to qualify for discharge of a Perkins loan based on a disability determination by the VA, a veteran must submit a completed copy of the TPD discharge application to the Department. The veteran does not need to obtain a physician's certification or provide documentation of eligibility for SSA disability benefits with the application. Instead, the veteran must include documentation from the VA showing that the veteran is unemployable due to a service-connected disability. The veteran will not be required to provide any additional documentation related to his or her disability.

If the Department determines that the documentation from the Department of Veterans Affairs indicates that the veteran meets the conditions for a service-related disability discharge, the Department directs the school to discharge the loan. Schools are not required to assign the loan, because loans discharged based on VA disability documentation are not subject to the post-discharge monitoring period or to reinstatement. The school must return to the sender any loan payments received on or after the effective date of the determination by the Department of Veterans Affairs that the veteran is unemployable due to a service-connected disability. (Any such loan payments must be returned to the person who made them.)

If the Department determines that the documentation from the Department of Veterans Affairs does not indicate that the veteran meets the conditions for the discharge, the Department directs the school to resume collection on the loan. The Department also notifies the veteran that the TPD discharge request has been denied and informs the veteran that even if he or she does not qualify for a service-connected disability discharge, the veteran may reapply for a TPD discharge if he or she meets the general definition of "totally and permanently disabled" (see previous topic).

### Closed School Search

Each week, the Department publishes a spreadsheet you can use to determine if one of your students has a loan from a school that might be eligible for a closed-school discharge. You can find the spreadsheet at:

[www2.ed.gov/offices/OSFAP/PEPS/closedschools.html](http://www2.ed.gov/offices/OSFAP/PEPS/closedschools.html)

Additional information can be obtained from

Ombudsman Group  
U.S. Department of Education  
UCP-3/MS 5144  
830 First Street, NE  
Washington, D.C. 20202-5144  
Phone: 202-377-3800  
Fax: 202-275-0549  
Email: [fsaombudsmanoffice@ed.gov](mailto:fsaombudsmanoffice@ed.gov)

### Closed school discharge

Your school must assign to Federal Student Aid (FSA) Collections all its outstanding Perkins and NDSL loans if it is closing.

FSA Collections may discharge a Perkins Loan or NDSL made on or after January 1, 1986, if the borrower is unable to complete his or her program of study due to the closure of the school. FSA Collections must reimburse borrowers for payments made voluntarily or by forced collection.

A borrower whose loan was in default and then discharged under this provision is not considered to have been in default and reestablishes FSA eligibility, provided he or she meets all other eligibility criteria. FSA Collections reports the discharge to the credit bureaus to which the previous loan status was reported.

**Note:** A borrower is also eligible for a closed school discharge if the borrower withdrew from the school not more than 90 days before the school closed (or longer in exceptional circumstances).

### Closed-School Discharge

34 CFR 674.33(g)

#### **ED may cancel a Perkins loan when a borrower's other Title IV loans have been cancelled**

34 CFR 674.33(g)(3)

#### **Right of recovery from third parties**

34 CFR 674.33(g)(7)

#### **Discharge procedures**

34 CFR 674.33(g)(8)

#### **Determining borrower qualification for discharge**

34 CFR 674.33(g)(4)

#### **Discharge not available for fraudulently obtained loans**

34 CFR 674.33(g)(5)

#### **Borrower must cooperate in enforcement actions on discharged loans**

34 CFR 674.33(g)(6)

### Discharge for spouses of 9/11 victims

Schools must discharge the outstanding balance of a Perkins Loan that was made to the spouse of an eligible public servant who died or became permanently and totally disabled due to injuries suffered in the September 11, 2001 terrorist attacks. An eligible public servant is a police officer, firefighter, or other safety or rescue personnel, or a member of the armed forces, who died or became permanently and totally disabled due to injuries suffered in the September 11, 2001 terrorist attacks. This discharge is only available on Perkins, NDSL, or Defense Loan amounts that were owed on September 11, 2001. The law doesn't authorize refunding of any payments made on a loan prior to the loan discharge date.

## Bankruptcy discharge

The basic actions a school must take when a borrower files for bankruptcy protection are covered here, in Dear Colleague Letter GEN-95-40 (dated September 1995), and in 34 CFR 674.49. For the best advice on how to proceed when a borrower files for bankruptcy protection, a school should consult its attorney. The school should ensure that the attorney is aware of the due diligence provisions that apply to school actions.

If a school receives notice that a borrower has filed for bankruptcy protection, it must immediately stop collection efforts (outside the bankruptcy proceeding itself). If the borrower has filed under Chapter 12 or 13 of the Bankruptcy Code, the school must also suspend collection efforts against any endorser.

The school must file a proof of claim in the bankruptcy proceeding unless, in the case of a proceeding under Chapter 7 of the Bankruptcy Code, the notice of meeting of creditors states the borrower has no assets.

Effective for bankruptcies filed on or after October 8, 1998, a borrower who receives a general discharge in bankruptcy does not, by that order, obtain a discharge of a loan that has been in repayment for seven years or more at the time of the bankruptcy filing. For these bankruptcies, a student loan is discharged by a general discharge order only if the borrower also obtains a court ruling that repayment of the loan would impose an undue hardship on the borrower and his or her dependents.

## Resuming/terminating billing and collection

A school must resume billing and collection procedures after the borrower has received a discharge under 11 U.S.C. 727, 11 U.S.C. 1141, 11 U.S.C. 1228, 11 U.S.C. 1328(a), or U.S.C. 1328(b) unless the court has found that repayment would impose an undue hardship. If the court has found that repayment would impose an undue hardship, the school must terminate all collection action and write off the loan. If a school receives a repayment from a borrower after a loan has been discharged, it must deposit that payment in its Perkins Loan Fund.

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### Bankruptcy laws

11 U.S.C. 1307, 1325, and 1328(b) are laws applicable to bankruptcy cases in general, not just to Perkins Loan bankruptcy cases. 11 U.S.C. 1307 concerns the dismissal of a Chapter 13 case or the conversion of a case filed under Chapter 13 to a Chapter 7 proceeding.

11 U.S.C. 1325 concerns the confirmation by the court of a borrower's proposed repayment plan.

11 U.S.C. 1328(b) allows a debtor who fails to complete the payments required under the plan to obtain a discharge if conditions are met. A school should consult an attorney for the best advice in bankruptcy cases.

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### Bankruptcy and student eligibility

See *Volume 1* for a discussion of how bankruptcy affects a student's eligibility for aid.

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### Bankruptcies filed before October 8, 1998

See previous editions of the *FSA Handbook* for discussion of bankruptcies filed before October 8, 1998.

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### Chapter 13 bankruptcies

34 CFR 674.49(e)

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### Resuming billing and collection

34 CFR 674.49(f)

## *Bankruptcy Procedures*

### **Responding to complaint for determination of dischargeability**

Customarily, a borrower obtains a judicial ruling of undue hardship by filing an adversary proceeding—a lawsuit within the bankruptcy proceeding—in the bankruptcy court seeking to prove undue hardship. If a borrower files an adversary proceeding to prove undue hardship under 11 U.S.C. 523(a) (8), the school must decide, on the basis of reasonably available information, whether repayment under the current repayment schedule or under any adjusted schedule would impose undue hardship on the borrower and his or her dependents.

If the school concludes that repayment would not impose an undue hardship, the school must then decide whether the expected costs of opposing the discharge would exceed one-third of the total amount owed on the loan (principal, interest, late charges, and collection costs). If the expected costs do not exceed one-third of the total amount owed on the loan, the school must oppose the discharge and, if the borrower is in default, seek a judgment for the amount owed. If necessary, the school may compromise a portion of that amount to obtain a judgment.

If the school opposes a request for determination of dischargeability on the ground of undue hardship, a school may also file a complaint with the court to obtain a determination that the loan is not dischargeable and to obtain a judgment on the loan.

Schools that are state instrumentalities may, as an alternative, oppose an undue hardship claim by asserting their immunity from suit in bankruptcy. As with any other action in defending student loans in bankruptcy, the school should consult with counsel and should ensure that counsel is fully informed about recent changes in Department regulations to support this position.

### **Procedures for responding to proposed Chapter 13 repayment plan**

Under Chapter 13, the borrower may generally obtain an adjustment in repayment terms of all of his/her debts. The borrower proposes a repayment plan that addresses whether and how each debt or class of debts will be paid. If the court approves the plan, creditors are bound to the terms of that plan for duration of the plan, typically three to five years. If the borrower's repayment plan proposes full repayment of the Perkins Loan, including all principal, interest, late charges, and collection costs on the loan, no response from the school is required. The school is also not required to respond to a proposed repayment plan that does not include any provision in regard to the Perkins Loan obligation or to general unsecured claims.

If the borrower proposes to repay less than the total amount owed and that the remainder be discharged, the school must determine, from its own records and court documents, the amount of the loan dischargeable under the plan. The school does this by subtracting the total proposed payments from the total amount owed. The school must also determine from its own records and court documents whether the borrower's proposed repayment plan meets the requirements of 11 U.S.C. 1325.

### *Bankruptcy Procedures, continued*

Two of those requirements are particularly relevant:

- First, the amount to be paid under the plan must at least equal the amount the school would receive if the debtor had filed under Chapter 7 rather than under Chapter 13.
- Second, to pay creditors under the plan, the debtor must use all income not needed to support himself or herself and his or her dependents.

If the borrower's proposed repayment plan does not meet the requirements of 11 U.S.C. 1325, the school must object to the confirmation by the court of the proposed plan, unless the cost of this action will exceed one-third of the dischargeable loan debt; if the cost will exceed one-third of the dischargeable debt, the school is not required to take this action.

Also, when a borrower proposes to repay less than the total amount owed, the school must determine whether grounds exist under 11 U.S.C. 1307 for the school to move to have the Chapter 13 case either dismissed or converted to a Chapter 7 proceeding. Such grounds include a borrower's failure to (1) begin payments under the plan within the required time (usually 30 days from the date the plan is filed), (2) file a proposed plan in a timely manner, or (3) pay required court fees and charges.

If the school determines that such grounds do exist, the school must move to dismiss or convert the Chapter 13 case to a Chapter 7 proceeding, unless the cost of this action will exceed one-third of the dischargeable loan debt.

After a borrower's proposed repayment plan is confirmed by the court, the school must monitor the borrower's compliance with the repayment plan. If the school determines from its own records or court documents that the borrower either has not made the payments required under the plan or has filed for a hardship discharge under 11 U.S.C. 1328(b), the school must determine whether grounds exist under 11 U.S.C. 1307 to dismiss the case filed under Chapter 13 or to convert the Chapter 13 case to a Chapter 7 proceeding or whether the borrower is entitled to a hardship discharge. If grounds do exist under 11 U.S.C. 1307 to dismiss or convert a Chapter 13 case, the school must move to convert or dismiss the case. If a borrower has not demonstrated entitlement to a hardship discharge under 11 U.S.C. 1328(b), the school must oppose the hardship discharge request, unless the costs of these actions, when added to those already incurred, would exceed one-third of the dischargeable debt.





# Perkins Loan Billing, Collection, and Default

## CHAPTER 5

*When a Perkins Loan enters repayment, your school must follow the due diligence requirements of Subpart C of the Perkins regulation (34 CFR 674.41-50). You must afford a borrower maximum opportunity to repay a Federal Perkins Loan. Specific steps the school must take include (but are not limited to) billing the borrower, sending overdue notices, and conducting address searches if the borrower cannot be located. If billing procedures fail, a school must take more aggressive collection steps such as hiring a collection firm and/or litigating. Default in the Federal Perkins Loan Program is defined as “the failure of a borrower to make an installment payment when due or to comply with other terms of the promissory note or written repayment agreement.”*

### COMMUNICATION WITH BORROWERS

While billing and collection activities involve many steps, there are general requirements that your school must adhere to at all times. You must inform the borrower of all program changes that affect his or her rights and responsibilities. Your school must respond promptly to the borrower’s inquiries. If a borrower disputes a loan and you cannot resolve the dispute, you must explain the services provided by the Department’s Federal Student Aid (FSA) Ombudsman’s office.

Keeping current information on a borrower makes it easier for the school to know when repayment must begin and where to send billing notices. The various offices at the school—the admissions, business, alumni, placement, financial aid, and registrar’s offices, and others, as necessary—must provide any available information about the borrower that is relevant to loan repayment, including:

- ◆ the borrower’s current enrollment status;
- ◆ the borrower’s expected graduation or termination date;
- ◆ the date the borrower officially withdraws, drops below half-time enrollment, or is expelled; and
- ◆ the borrower’s current name, address, telephone number, Social Security number, and driver’s license number (if any).

#### Communication requirements

##### General due diligence

34 CFR 674.41(a)

##### Coordination of information

34 CFR 674.41(b)

##### Contact with borrower

34 CFR 674.42

##### Disclosure of repayment information

34 CFR 674.42(a)

##### Exit counseling

34 CFR 674.42(b)

##### Contact during initial and post-deferment grace periods

34 CFR 674.42(c)

For information about maintaining billing and collection records, see *Chapter 1*.

## REQUIREMENTS AT END OF ENROLLMENT

### Exit interviews

#### Exit interviews

34 CFR 674.42(b)

#### Exit Interviews for Students Enrolled in a Correspondence or Study-Abroad Program

In the case of students enrolled in a correspondence program or a study-abroad program that your school approves for credit, you may provide written counseling materials by mail within 30 days after the borrower completes the program.

#### Perkins NSLDS reporting

34 CFR 674.16

You must report enrollment and loan status information to [www.nslsdfap.ed.gov](http://www.nslsdfap.ed.gov) by the deadline date established in the Federal Register.

For NSLDS assistance call 1-800-999-8219 or send an email to [NSLDS@ed.gov](mailto:NSLDS@ed.gov).

Contact with the borrower becomes even more important as the borrower's last day of attendance approaches. Your school should conduct exit interviews with borrowers either in person, by audiovisual presentation, or by interactive electronic means. (If you conduct exit interviews through interactive electronic means, you should take reasonable steps to ensure that each student borrower receives the materials and participates in and completes the exit interview.)

Schools should conduct this interview shortly before the student graduates or drops below half-time enrollment (if known in advance). If individual interviews are not possible, group interviews are acceptable. Your school may employ third-party servicers to provide Perkins Loan borrowers with exit interviews. In the case of correspondence study, distance education, and students in the study-abroad portion of a program, you may provide written interview materials by mail within 30 days after the borrower completes the program.

**During the exit interview, the financial aid or business office professional must review and update all of the repayment terms and information addressed during any initial loan counseling session.** (See Chapter 3.)



#### The exit interview must also discuss:

- ◆ debt-management strategies that would facilitate repayment,
- ◆ the availability of FSA loan information on the National Student Loan Database System (NSLDS at [www.nsls.ed.gov](http://www.nsls.ed.gov)), and
- ◆ how to contact the FSA Ombudsman's office and an explanation of the services this office provides.

As part of the exit information, you must collect the name and address of the borrower's expected employer.

The financial aid or business office professional must emphasize the seriousness and importance of the repayment obligation the borrower is assuming, describing the likely consequences of default, including adverse credit reports, litigation, and referral to a collection agency. The counselor must further emphasize that the borrower is obligated to repay the full amount of the loan even if the borrower has not completed the program, is unable to obtain employment upon completion, or is otherwise dissatisfied with the school's educational or other services.



If the borrower withdraws from school without the school's prior knowledge or fails to complete an exit counseling session, the school must provide exit counseling through either interactive electronic means or by mailing counseling material to the borrower at the borrower's last known address within 30 days after learning that the borrower has withdrawn from school or failed to complete exit counseling.

### FSA Ombudsman

The Ombudsman's office is a resource for borrowers to use when other approaches to resolving student loan problems have failed. Borrowers should first attempt to resolve complaints by contacting the school, company, agency, or office directly involved. If the borrower has made a reasonable effort to resolve the problem through normal processes and has not been successful, he or she should contact the FSA Ombudsman.

Office of the Ombudsman	Phone	202-377-3800
U.S. Dept. of Education	Toll-free:	1-877-557-2575
830 First St. NE	Fax:	202-275-0549
Mailstop #5144		
Washington, DC 20202-5144	<a href="http://fsahelp.ed.gov">http://fsahelp.ed.gov</a>	

### Disclosure of repayment information



**Either shortly before the borrower ceases at least half-time study or during the exit interview, schools must disclose critical repayment information to the borrower in a written statement.** Most of the repayment terms that the school must disclose to the borrower already appear in the promissory note. **The school must also give the borrower the following information:**

- ◆ contact information for requesting a copy of the signed promissory note;
- ◆ the name and address of the school to which the debt is owed and the name and address of the official or servicing agent to whom communications should be sent;
- ◆ the name and address of the party to which payments should be sent;
- ◆ the estimated balance owed by the borrower on the date on which the repayment period is scheduled to begin;
- ◆ the repayment schedule for all loans covered by the disclosure, including the date the first installment payment is due, the rate of interest, and the number, amount, and frequency of required payments; and
- ◆ the total interest charges that the borrower will pay on the loan pursuant to the projected repayment schedule.

### Disclosure of repayment information

34 CFR 674.42(a)

If your school exercises the minimum monthly payment option, you must inform the borrower that if he or she wants your school to coordinate payments with another school, he or she must request such coordination.

If a borrower enters the repayment period without the school's knowledge, the school must provide the required disclosures to the borrower in writing immediately upon discovering that the borrower has entered the repayment period.

### Contact during grace periods

**A school must contact the borrower during both initial and post-deferment grace periods to remind him or her when repayment will begin or resume.**



Your school must contact the borrower three times during the nine-month initial grace period. The school must also contact the borrower twice during any six-month post-deferment grace period. The chart on the next page shows the length of initial and post-deferment grace periods for NDSLs and Perkins Loans.

#### Grace period contact

34 CFR 674.42(c)

#### When Payments are Made

Any funds collected as a result of billing the borrower are to be—

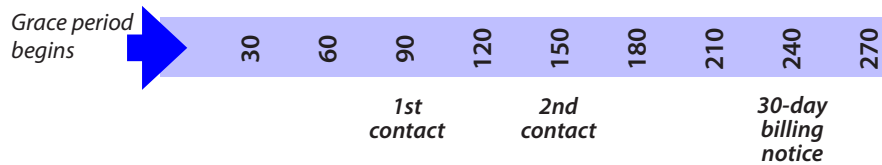
- deposited in an account insured by the federal government, or
- secured by collateral of reasonable equivalent value, or
- invested in low-risk income-producing securities.

Your school must exercise the level of care required of a fiduciary with regard to these deposits and investments.

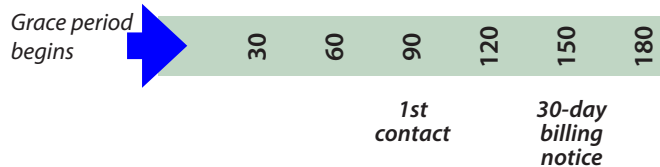
- ◆ The *first contact* must be *90 days* after any grace period (initial or post-deferment) begins. The school must remind the borrower that he or she is responsible for repaying the loan. The school must also inform the borrower of the amount of principal and interest, as projected for the life of the loan, and the due date and amount of the first (or next) payment.
- ◆ The *second contact* must be *150 days* after any grace period begins, when the school must again remind the borrower of the due date and amount of the first (or next) payment. For six-month grace periods, the second contact should coincide with the first billing notice. These two notices may be combined.
- ◆ For nine-month grace periods, the school must make a *third contact 240 days* after the grace period begins to remind the borrower of the date and amount of the first payment. This contact should coincide with the first billing notice. Again, the school may combine the two notices.

## Contact with Borrower During Grace Period

### 9-month grace period



### 6-month grace period



Applicable grace periods	Perkins	NDSL on/after 10/1/80	NDSL before 10/1/80
initial grace period	9 months	6 months	9 months
post-deferment period	6 months	6 months	6 months

## BILLING PROCEDURES AND OVERDUE PAYMENTS

Billing refers to that series of actions the school routinely performs to notify borrowers of payments due, remind them of overdue payments, and demand payment of overdue amounts.

The school may choose a coupon payment system as its method of billing. If so, the school must send the coupons to the borrower at least 30 days before the first payment is due.

If the school does not use a coupon system, it must, at least *30 days* before the first payment is due, send the borrower a statement of account and a written notice giving the name and address of the party to which payments should be sent. The statement of account includes information such as the total amount borrowed, the interest rate on the loan, and the amount of the monthly payment. For subsequent payments, the school must send the borrower a statement of account at least *15 days* before the due date of the payment.

If the borrower chooses to make payments through electronic funds transfer, the school doesn't have to send the borrower a statement of account before each payment. However, the school must send the borrower an annual statement of account that lists the required amounts and dates of repayment, as well as any information tracking the status of any late charges.

### Billing procedures

34 CFR 674.43

### Procedures required when payments are overdue

34 CFR 674.43(b), (c), & (d)

### Optional penalty or late charge for periods of enrollment beginning before January 1, 1986

34 CFR 674.31(b)(5)(i) & (ii)

34 CFR 674 Appendix E

Schools are authorized but not required to assess a penalty or late charge for an overdue payment on a loan made for a period of enrollment that began before January 1, 1986. The maximum penalty charge that may be assessed on a loan payable monthly is \$1 for the first month and \$2 for each additional month a payment is overdue; the maximum penalty for a loan payable bimonthly is \$3; the maximum penalty for loans payable quarterly is \$6. Penalty or late charges on these loans may be assessed only during the billing process.



### Notices of overdue payments

If a payment is overdue and you have not received a request for forbearance, deferment, or cancellation, you must send the borrower:



- ◆ the *first* overdue notice 15 days after the payment due date;
- ◆ the *second* overdue notice 30 days after the first overdue notice;
- ◆ the *final demand letter* 15 days after the second overdue notice.

In this notice, you must tell the borrower the amount of any late charge your school has assessed (see discussion under *Late charges* later in this chapter), and whether your school has:

- ◆ added the charge amount to the principal amount as of the first day on which the payment was due; or
- ◆ demanded payment of the charge no later than the first day on which the next installment is due.

You may skip the first two letters and send just the final demand letter within *15 days* after a payment is overdue if the borrower's repayment history has been unsatisfactory or if you can reasonably conclude the borrower does not intend to repay the loan or to seek forbearance, deferment, or cancellation. A borrower is considered to have an unsatisfactory repayment history if he or she has failed to make payments when due; has failed to request deferment, forbearance, or cancellation on time; or has received a final demand letter.

If mail sent to a borrower is returned undelivered, or if the borrower fails to respond, you must take steps to locate the borrower. These steps must include:



- ◆ reviews of borrower records in all appropriate school offices;
- ◆ reviews of telephone directories or inquiries to directory assistance at the borrower's last known address, and attempting to reach the borrower by phone; and
- ◆ attempting to locate and contact the borrower by electronic means.

### Contacting the borrower by telephone



If the borrower does not respond to the final demand letter within 30 days, you must try to contact him or her by telephone before beginning collection procedures. As telephone contact is often very effective in getting the borrower to begin repayment, one call may avoid the more costly procedures of collection.

You should make at least two attempts to reach the borrower on different days and at different times. If the borrower has an unlisted telephone number, you must make reasonable attempts to obtain it by contacting sources such as the borrower's employer or parents. If you are still unsuccessful, you should document the contact attempts in your files.

### Address searches



The school must take the following steps to locate the borrower if communications are returned undelivered (other than unclaimed mail):

- ◆ review the records of all appropriate school offices, and
- ◆ review printed or web-based telephone directories or check with information operators in the area of the borrower's last known address.

If these methods are unsuccessful, you must intensify efforts to locate the borrower, using either school personnel or a commercial skip-tracing firm. If you use school personnel, you must employ and document efforts comparable to commercial skip-tracing firms. If you still can't locate the borrower after taking these steps, you must continue to make reasonable attempts at least twice a year until the account is assigned to the Department or the account is written off.

### Late charges

The assessment of late charges on an overdue Perkins Loan borrower is now optional. The final demand letter must inform the borrower that unless the school receives a payment or a request for forbearance, deferment, or cancellation *within 30 days* of the date of the letter, the school will refer the account for collection or litigation and will report the default to a credit bureau as required by law.

A school that adopts a policy of assessing late charges on an overdue Perkins Loan must impose them on all borrowers with overdue payments. The charge is based either on the actual costs the school incurs in taking steps to obtain the overdue amount or on average costs incurred in similar attempts with other borrowers. The charge may not exceed 20% of the installment payment most recently due.

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#### Telephone contact required

34 CFR 674.43(f)

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#### Contacting the endorser—loans Before July 23, 1992

For loans made prior to July 23, 1992, the school must also try to collect the amount owed from any endorser of the loan. It may help to send the endorser a copy of the final demand letter that was sent to the borrower and copies of all subsequent notices, including dunning letters. For loans made on or after July 23, 1992, an endorser is no longer required.

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#### Address search

34 CFR 674.44

#### IRS Skip-Tracing

Previous Handbooks noted that schools could use IRS Skip-Tracing services to locate Perkins borrowers. (See Dear Partner Letter CB-02-16, November 2002.) However, IRS Skip-Tracing is no longer available to schools that participate in the Perkins Loan Program. See the Electronic Announcement posted on July 10, 2009.

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#### Late charges

34 CFR 674.43(1)(b)(5)

If your school assesses a late charge, it must also impose a late charge if a borrower's payment is overdue and the borrower has not filed a complete request for forbearance, deferment, or cancellation on time. (To be complete, the request must contain enough information for you to confirm the borrower's eligibility.) If a school opts to charge late fees, the school may charge late fees only during the billing process; a school may not charge late fees once the school begins collections procedures.

You may add the penalty or late charge to the principal amount of the loan as of the first day the payment was due. Alternatively, you may include the charge with the next payment that is scheduled after the date you notify the borrower that the charge must be paid in full by the next payment due date. You must inform the borrower of the late charge, preferably in the first overdue payment notice.

For a borrower who repays the full amount of past-due payments, the school may waive any late charges that were imposed.

### *Loan acceleration*

You may *accelerate* a loan if the borrower misses a payment or does not file for deferment, forbearance, or cancellation on time. Acceleration means immediately making payable the entire outstanding balance, including interest and any applicable late charges or collection fees.

Because this marks a serious stage of default, the borrower should have one last chance to bring his or her account current. For that reason, if the school plans to accelerate the loan, it must send the borrower a written acceleration notice at least 30 days in advance. The notice may be included in the final demand letter or in some other written notice sent to the borrower.

If the loan is accelerated, you must send the borrower another notice to inform him or her of the date the loan was accelerated and the total amount due. Remember that acceleration is an option, not a requirement. However, if you plan to assign the loan to the Department for collection, you must first accelerate the loan. Once a loan has been accelerated, the borrower loses all rights to deferment and cancellation benefits for qualifying service performed *after* the date of acceleration.

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**Loan acceleration**

34 CFR 674.31(b)(8)

34 CFR 674.43(e)

## Default Reduction Assistance Program

The Default Reduction Assistance Program (DRAP) assists schools in bringing defaulted Federal Perkins Loan (Perkins Loan) borrowers back into repayment before their accounts are sent to collection agencies. A letter is sent from the Department of Education (the Department) on official letterhead to defaulted Perkins Loan borrowers. It explains the serious consequences of default including the inability to obtain other federally supported financial assistance, withholding of federal and state income tax refunds, salary garnishment, and damage to credit history. It also encourages borrowers to contact the school to initiate repayment arrangements.

A school or its third party servicer will be able to do the following:

- ◆ submit borrower information for letters to be printed and mailed;
- ◆ maintain borrower information;
- ◆ edit DRAP contact information without the Department’s intervention;
- ◆ run a report that assists in monitoring the letters mailed to borrowers;
- ◆ run a report that assists in tracking the total number of letter requests submitted;
- ◆ determine when a letter was mailed by the Department; and
- ◆ determine if a letter was returned to the Department as “undeliverable” and if an address has been determined to be invalid.

Participation in the DRAP process is voluntary. There is no cost to the school.

### Timing

The DRAP process is most effective when used during the 30-day period when the school is waiting for the defaulted borrower to respond to the final demand letter. Do not request default reduction assistance once the account has been referred to a collection agency.

### Accessing and Initiating the DRAP Process

All related functions of the DRAP process are accessed via the eCampus-Based (eCB) website. To access the DRAP section of the eCB Web site, log in at <https://cbfisap.ed.gov> and then select the “DRAP” link on the top navigation bar. From that point, follow the instructions for performing the identified functions.

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### Perkins Loan Default Reduction Assistance Program (DRAP)

EA November 15, 2013

To initiate the process, a school or its third party servicer logs in to the eCB Web site and enters information about borrowers who have defaulted on their Perkins Loans. The information may be entered for each borrower or it may be uploaded from a file. Following submission of this information, a letter will be printed on the Department's letterhead and mailed by the Department to each borrower. The letter encourages the borrower to contact the school to initiate repayment arrangements.

If a third-party servicer that submits DRAP data on behalf of a school does not also provide Fiscal Operations Report and Application to Participate (FISAP) services for the school, the servicer must be granted read-only access to the FISAP by the school's Destination Point Administrator (DPA).

### **Contact Information**

For additional information about DRAP, contact the Campus-Based Call Center at 877-801-7168. Customer service representatives are available Monday through Friday from 8:00 a.m. to 8:00 p.m. (ET). You may also email [CBFOB@ed.gov](mailto:CBFOB@ed.gov).

## Collection procedures



When a borrower does not respond to routine billing methods, your school will need to institute more intensive collection procedures. Before beginning collection procedures, you must attempt all of the required contact methods described previously.

If the borrower is unresponsive and normal billing procedures have been exhausted, you must make a first effort to collect using either your own personnel or hiring a collection firm. You must also report the borrower to at least one nationwide credit bureau. If the school's personnel or the collection firm cannot convert the account to regular repayment status by the end of 12 months (or if the borrower does not qualify for forbearance, deferment, or cancellation), you have two options—either to litigate or to make a second effort to collect.

A second effort to collect requires one of the following procedures:

1. If you first attempted to collect by using your own personnel, you must refer the account to a collection firm unless state law prohibits doing so.
2. If you first used a collection firm, you must attempt to collect by using your own personnel or by using a different collection firm, or the school must submit the account to the Department for assignment. If a collection firm (retained by a school as part of its second effort to collect) cannot place an account into regular repayment status by the end of 12 months (or if the borrower does not qualify for forbearance, deferment, postponement, or cancellation), the firm must return the account to the school.

If you are unsuccessful in your effort to place the loan in repayment after a second collection effort, you must continue to make yearly attempts to collect from the borrower until—

- ◆ the loan is recovered through litigation;
- ◆ the account is assigned to the Department; or
- ◆ the loan is written off.

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### Collection procedures

34 CFR 674.45

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### Credit bureau reporting

34 CFR 674.45(a)(1) & (b)

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### First effort to collect

34 CFR 674.45(a)(2)

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### Litigation or second effort

34 CFR 674.45(c)

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### Annual efforts to collect

34 CFR 674.45(d)

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### Requirements after one year

34 CFR 674.45(c)

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### Costs assessed to borrower

34 CFR 674.45(e)

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### Treatment of collected funds

34 CFR 674.43(g)

34 CFR 674.45(f)

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### Preemption of state law

34 CFR 674.45(g)

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### Ombudsman information

34 CFR 674.45(h)

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### Use of contractors for billing and collection

34 CFR 674.48

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### School is ultimately responsible

34 CFR 674.48(a) & (b)

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### School responsibilities when using contractors

34 CFR 674.48(c) & (d)

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### Limitations on use of contractors

34 CFR 674.48(e)

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### School requirements of contractors

34 CFR 674.48(f)



## Credit bureau reporting

### Credit bureau reporting

34 CFR 674.45(a)(1) & (b)

A school must report an account to credit bureaus as being in default when a borrower fails to respond to the final demand letter or the following telephone contact. You must report the default to any one national credit bureau or to an affiliated credit bureau that transmits credit information to one of the three national credit bureaus with which the Department has an agreement (see box below).



You must report any subsequent changes in the status of the borrower's account to the same national credit bureau, using the procedures required by that credit bureau. You must respond within one month to any inquiry received from any credit bureau about reported loan information. Finally, you must notify all credit bureaus to which you reported the default when a borrower makes consecutive, on-time monthly payments.

Reporting good credit history (as well as reporting defaulted loans) is essential to ensure that current and future creditors have complete information regarding the credit obligations of the borrower.

Under the Fair Credit Reporting Act, a borrower may appeal the accuracy and validity of the information reported to the credit bureau and reflected in the credit report. You should be prepared to handle the appeal and make necessary corrections to the report as required by the provisions of the act.

### National Credit Bureaus

The Department has entered into an agreement with the three national credit bureaus listed below:

Trans Union Corporation	1-800-888-4213
Experian (formerly TRW)	1-888-397-3742
Equifax	1-800-685-1111

National credit bureaus charge fees for their services. These fees differ from credit bureau to credit bureau. Credit bureaus affiliated with the above credit bureaus may have different fees from those of the national credit bureaus. The Department does not keep a list of these affiliated bureaus and their fees.

The Privacy Act authorizes disclosure of a borrower's account information to creditors without the borrower's consent if the disclosure helps enforce the terms and conditions of the loan. You may also make such disclosures about loans that haven't defaulted and/or are being disbursed.

## Ceasing collection

A school may cease collection activity on defaulted accounts with balances of less than \$200 (including outstanding principal, accrued interest, collection costs, and late charges) if the school carried out the required due diligence and if the account has had no activity for four years. Although interest will continue to accrue and may put the account over \$200, you will not have to resume collection activity if you document that you ceased collection activity when the account was under \$200. The borrower will remain responsible for repaying the account, including accrued interest. The account will still be included in the school's cohort default rate, if applicable, and the borrower will still be in default and ineligible for FSA funds.

## ALTERNATIVES TO LITIGATION



To avoid litigation, a school may offer to waive collection costs as incentive for repayment. You may waive *all* collection costs on a loan if the borrower makes a lump-sum payment of the entire amount outstanding, including principal and interest; a written repayment agreement is not required. You may also waive a *portion* of the collection costs on a loan if the borrower agrees to pay a corresponding portion of the loan within 30 days of entering into a written repayment agreement with the school. For example, if the borrower repays half of the outstanding balance on a loan within 30 days of the agreement, the school may waive half of the collection costs incurred through the date of that payment. The amount of waived collection costs may be charged to the Perkins Loan fund.

You may compromise the repayment of a defaulted loan if you have fully complied with all due diligence requirements and the borrower pays, in a single lump-sum payment, at least 90% of the outstanding principal balance, plus all interest and collection fees. The federal share of the compromise repayment must bear the same relation to the school's share as the Federal Capital Contribution (FCC) bears to the Institutional Capital Contribution (ICC).

A borrower may rehabilitate a defaulted Perkins Loan by making nine consecutive, on-time, monthly payments. A rehabilitated Perkins Loan is returned to regular repayment status. (See *Default Status and Perkins Eligibility* later in this chapter.)

A borrower may include his or her defaulted Perkins Loan, NDSL, or Defense Loan in a Direct Consolidation Loan. The amount eligible for consolidation is the sum of the unpaid principal, accrued unpaid interest, late charges, and outstanding collection costs. A defaulted loan that is being repaid under a court order remains in default status until paid and is not eligible for consolidation.

## Ceasing collections cites

### Ceasing collections

34 CFR 674.47(g)

### Account write-off

34 CFR 674.47(h)

### Litigation

34 CFR 674.46

### Compromise

34 CFR 674.33(e)

### Collection costs waiver

34 CFR 674.47(d)

## Consolidating defaulted Perkins Loans

A borrower with a defaulted Perkins Loan and an outstanding FFEL or Direct Loan can get information about obtaining a Direct Consolidation Loan by contacting the Direct Loan Consolidation Department at 1-800-557-7392 or by visiting the Direct Loan website: [www.direct.ed.gov](http://www.direct.ed.gov).

### Writing off accounts

You may write off a defaulted account with a balance of less than **\$25** (including outstanding principal, accrued interest, collection costs, and late charges).

You may also write off a defaulted account with a balance of less than **\$50** (including outstanding principal, accrued interest, collection costs, and late charges) if, for a period of two years, you have billed the borrower as required by 34 CFR 674.43(a) and 674.47(h).

If you write off an account, the borrower is relieved of all payment obligations, and you must deduct the amount of the account from the Federal Perkins Loan fund. If you receive a payment from a borrower after you have written off the loan, you must deposit that payment into the fund.

## LITIGATION

### Elimination of defense of infancy

HEOA Section 486

Schools in the Perkins Loan Program are not subject to a defense raised by a borrower on the basis of a claim of infancy under state law. See General Provisions relating to student assistance.

### Deceased student and family estate

The HEOA of 2008 provides that a deceased student, a deceased student's estate, or the estate of such student's family does not have to repay any federal student aid, including interest, collection costs, or other charges.

HEOA section 486 | HEA section 484A  
Effective date: August 14, 2008

### Litigation

34 CFR 674.46

### Collection costs waiver

34 CFR 674.47(d)

If the collection procedures described in this section do not result in the repayment of a loan, the school must review the account for litigation once every two years. If all the conditions are met, the school must litigate. The conditions are:

- ◆ the total amount owed, including outstanding principal, interest, collection costs, and late charges, on all the borrower's Perkins Loans and NDSLs at the school is more than \$500;
- ◆ the borrower can be located and served with process;
- ◆ the borrower either has enough assets attachable under state law to cover a major portion of the debt or enough income that can be garnished under state law to satisfy a major portion of the debt over a reasonable period of time (defining a "reasonable period of time" is left to the school);
- ◆ the borrower does not have a defense that will bar judgment for the school; and
- ◆ the expected cost of litigation (including attorneys' fees) does not exceed the amount that can be recovered from the borrower.

Even if all the above conditions are not met, your school may still choose to sue a defaulted borrower. If the borrower has a partial defense that may bar judgment for the school, you must weigh the costs of litigation against the costs of recovery based on the amount of the enforceable portion of the debt. No federal or state statute of limitation can apply to enforcement actions to collect Perkins Loans or NDSLs.

Your school must attempt to recover from the borrower all litigation costs, including attorneys' fees, court costs, and other related costs, to the extent permitted by applicable state law. You are also required to try to recover all costs previously incurred in the collection of overdue payments if the borrower has not paid these collection costs; a percentage of these unrecovered costs may be charged to the fund as explained later in this chapter under *Billing and Collection Costs*.

When a school has filed suit to collect a defaulted Perkins Loan or NDSL and a judgment has been rendered on the loan, the borrower is obligated to repay only the amount of the judgment obtained on the loan. A defaulted loan that is being repaid under court order remains in default status until paid and is not eligible for consolidation. After a judgment is satisfied on the defaulted loan, the student is again eligible for future awards under these programs if all other eligibility criteria are met.

## PERKINS ASSIGNMENT

A school may assign defaulted Perkins/NDLS loans to FSA’s Debt Resolution Services if:

- ◆ it has not been able to collect despite having followed due diligence procedures (including at least a first level of collection),
- ◆ the total amount of the borrower’s account to be assigned, including outstanding principal, accrued interest, collection costs, and late charges, is \$25 or more, and
- ◆ the loan has been accelerated.

You may *not* assign a loan to Debt Resolution Services under the voluntary assignment procedures if:

- ◆ the borrower has received a discharge in bankruptcy—unless the bankruptcy court has determined that the student loan obligation is nondischargeable and has entered a judgment against the borrower or unless a court of competent jurisdiction has entered judgment against the borrower on the loan after the entry of the discharge order;
- ◆ your school has sued the borrower (unless the judgment has been entered and assigned to the United States); or
- ◆ the loan has been discharged because the borrower has died.

Upon notification by the Department, you may be required to assign a Perkins Loan if your school has knowingly failed to maintain an acceptable collection record with regard to the loan or chooses to stop servicing and collecting its Perkins Loans.

### Required documentation

A school *may be required* to submit the following documents to Debt Resolution Services for any loan it proposes to assign:

- ◆ one original and one photocopy of the assignment form;
- ◆ the original promissory note or a certified copy of the original note;
- ◆ a copy of the repayment schedule and a complete statement of the payment history;
- ◆ copies of all approved requests for deferment and cancellation;
- ◆ a copy of the notice to the borrower of the effective date of acceleration and the total amount due on the loan;

### Assignment form and procedures

34 CFR 674.50

Electronic Announcements April 19, 2013; September 6, 2013; November 1, 2013.

Federal Perkins Loans assigned to the Department are now being serviced by ECSI Federal Perkins Loan Servicer in Coraopolis, PA (NSLDS Name – DEPT OF ED/ECSI Federal Perkins Servicer, ED Servicer Code 529.

If a school has a question about a loan that has been submitted for assignment, it should contact the Client Support Team at ECSI. Contact information for ECSI can be found on the Loan Servicing Centers for Schools Contact Information page at

<http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=1>

### Federal interest on accelerated loans

34 CFR 674.17

#### Reporting “date(s) of first disbursement” on loan manifest

You must report the date each assigned loan was disbursed (attached to the Institutional Certification page of the Perkins Assignment form). The dates listed must match the date of first disbursement initially reported by your school to NSLDS. If multiple loans were combined into one loan, you list the date of first disbursement for the first loan in the combination. If a student received multiple loans reported separately, you list the date of first disbursement for each loan. For more details, see Electronic Announcement 2013-04-19.

### Mandatory assignment

The Department does not have the authority to require mandatory assignment of Perkins Loans based on a school’s Program Participation Agreement.

The Department may request that a school assign its portfolio if the school is no longer making loans.

The Department continues to have the authority to require mandatory assignment if a school has knowingly failed to maintain an acceptable collection record with regard to the loan or chooses to stop servicing and collecting its Perkins Loans.

### Assignment under e-signed or Perkins MPN

If you assign loans that were made under an electronically signed promissory note, you must cooperate with the Department in all activities necessary to enforce the loan.

You may be asked to provide an affidavit or certification regarding the creation and maintenance of electronic records of the loan. This affidavit or certification must establish that the records are created and maintained in a form appropriate to ensure admissibility of the loan records in a legal proceeding.

The affidavit or certification must:

- describe the steps followed by the borrower to execute the promissory note;
- include copies of screen shots that would have appeared to the borrower when the borrower signed the note electronically;
- describe field edits and other security measures used to ensure data integrity;
- describe how the promissory note has been preserved to ensure it has not been altered;
- include documentation supporting the school's authentication and electronic signature process; and
- provide any other documentary and technical evidence requested by the Department.

The affidavit or certification may be executed in a single record for multiple loans provided that this record is reliably associated with the specific loans to which it pertains.

An authorized official or employee of the school may have to testify to ensure admission of the electronic records of the loan or loans in the litigation or legal proceeding to enforce the loan or loans.

Your school's most recent audit must assess how well your school's e-sign authentication process meets the Department's "Standards for Electronic Signatures in Electronic Student Loan Transactions" (as specified in DCL GEN-01-06).

- ♦ documentation that the school has withdrawn the loan from any firm that it employed for address search, billing, collection, or litigation services and has notified that firm to cease collection activity on the loans;
- ♦ copies of all pleadings filed or received by the school on behalf of a borrower who has filed a petition in bankruptcy and whose loan obligation is determined to be nondischargeable;
- ♦ a certified copy of any judgment order entered on the loan;
- ♦ documentation that the school has complied with all of the due diligence requirements if the school has a cohort default rate that is equal to or greater than 20% as of June 30 of the second year preceding the submission period.

If you assign loans made under the Perkins MPN, you must maintain disbursement records that document the principal amount loaned until the loan is paid off or otherwise satisfied. You may include disbursement records with the assignment submission. For more details on Perkins Loan Portfolio Liquidation and Assignment, see Electronic Announcement of April 19, 2013.

### Terms of assignment

If Debt Resolution Services accepts the assignment of a loan, it will give the school written notice to that effect. *By accepting the assignment, the Department acquires all rights, title, and interest in the loan.* You must endorse and forward to the Department any subsequent payment(s) the borrower may make.

If Debt Resolution Services later determines an assigned loan to be unenforceable because of an act or omission on the part of your school or its agent, your school may have to compensate the Perkins Loan Fund in the amount of the unenforceable portion of the outstanding balance. Once the fund is reimbursed, the Department transfers all rights to the loan back to the school.

A borrower whose loan has been assigned to the United States for collection continues to be in default on the loan and is ineligible for FSA funds until the borrower provides confirmation from Debt Resolution Services that he or she has made satisfactory arrangements to repay the loan.



## DEFAULT STATUS AND PERKINS ELIGIBILITY

A borrower who is in default on an FSA loan is not eligible for any further FSA loans unless they have regained eligibility. (See *Volume 1* for guidance on how a student may regain eligibility). However, a borrower who satisfies any of the conditions that remove a Perkins Loan from his or her school's cohort default rate calculation becomes eligible for additional Perkins Loans only (see *FISAP Instruction Booklet*).

### Regaining eligibility for federal student aid

To the extent that he or she is otherwise eligible, a borrower who is in default on a Perkins Loan may regain eligibility for federal student aid by making satisfactory repayment arrangements on his or her defaulted loan. (See also *Volume 1*.) For purposes of regaining eligibility for federal student aid, a borrower who is in default on a Perkins Loan can regain eligibility by making six on-time, consecutive, monthly payments on the defaulted loan. **A borrower may regain eligibility only once in this way.** After a borrower has made six on-time, consecutive, monthly payments on the defaulted loan the school must appropriately update the borrower's loan status code in the National Student Loan Data System. Note that a borrower who makes six payments in the course of rehabilitating a defaulted loan but does not seek additional Title IV aid will not be considered to have used the one time opportunity to regain eligibility.

**Default** The failure of a borrower to make an installment payment when due or to comply with other terms of the promissory note or written repayment agreement.

**On Time** A rehabilitation payment is on time if it is a full monthly payment, as determined by the school, and made within 20 days of the due date.

### Involuntary Payments

The term "involuntarily" includes payments obtained by income tax offset, garnishment, income asset execution, or pursuant to a judgment.

### Rehabilitation of a Perkins Loan

34 CFR 674.39

### Perkins Loan rehabilitation

Your school must establish a rehabilitation program and notify all borrowers with defaulted loans of the option to rehabilitate and the advantages of rehabilitation. A borrower may rehabilitate a defaulted Perkins Loan by making nine consecutive on-time monthly payments, as determined by the school, each month for nine consecutive months and requesting rehabilitation.

Borrowers may not rehabilitate loans on which the holder has obtained a judgment. However, your school may enter into an agreement with the borrower that provides the borrower with some of the benefits of rehabilitation. For example, your school could promise to vacate the current judgment and request the removal of the default from the borrower's credit report after the borrower makes nine consecutive payments and signs a new promissory note.

The rehabilitation payments should be sufficient to satisfy the outstanding balance on the loan within a 10-year repayment period. A school may not establish a loan rehabilitation policy that requires defaulted Perkins Loan borrowers to pay the full outstanding balance of the loan within the nine-month rehabilitation period, if such payments would create a hardship for the borrower. In most cases, such a policy would require a borrower to make excessively high monthly payments, and would, in effect, deny the borrower access to a statutorily mandated benefit of the Perkins Loan Program.



Within 30 days of receiving the borrower's last on-time consecutive monthly payment, you must:

- ◆ return the borrower to regular repayment status;
- ◆ treat the first of the nine consecutive payments as the first payment in a new 10-year repayment schedule; and
- ◆ instruct any credit bureau to which the default was reported to remove the default from the borrower's credit history.

After rehabilitating a defaulted loan and returning to regular repayment status, a borrower regains the benefits and privileges of the promissory note, including deferment and cancellation.

If a borrower chooses to rehabilitate a defaulted loan and then fails to make nine consecutive on-time payments, the rehabilitation is unsuccessful, but the borrower may still make further attempts to rehabilitate the defaulted loan. Also, if a borrower successfully rehabilitates a defaulted loan and maintains good standing on the loan, the borrower may continue to attempt to rehabilitate other defaulted Perkins loans. **However, if the borrower successfully rehabilitates a defaulted loan, but the loan later returns to default, the borrower may not attempt to rehabilitate that loan again or any other defaulted Perkins Loan.**

### *Loans with judgments*

When a school has filed suit to collect a defaulted Perkins Loan or NDSL and a judgment has been rendered on the loan, the borrower is obligated to repay only the amount of the judgment obtained on the loan. If the judgment is for less than the outstanding balance on the loan, the school may write off the portion of the loan not covered by the judgment. After a judgment is satisfied on the defaulted loan, the student is again eligible for aid from FSA programs if all other eligibility criteria are met. **However, if a borrower has previously satisfied a defaulted student loan involuntarily (for instance, through wage garnishment), you should consider this as evidence of unwillingness to repay and should not approve further loan assistance to the borrower.**



### *Previously defaulted Perkins Loans discharged for school closure*

A Perkins Loan made on or after January 1, 1986, may be discharged if the borrower is unable to complete his or her program of study due to the closure of the school that made the loan. A defaulted borrower whose loan is discharged under this closed school provision is eligible for additional federal student aid, provided that he or she meets all other eligibility criteria. (Schools that close must assign all Perkins Loans to Debt Resolution Services. Debt Resolution Services, or the school, if the school still holds the loan, must report to credit bureaus that the loan has been discharged.)

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#### **Closed school discharge**

34 CFR 674.33(g)

## PERKINS COHORT DEFAULT RATES (CDR)

Your school's cohort default rate is calculated for a particular year based on information you report in Part 3, Sections D and E, of the FISAP. For detailed information on how your school's cohort default rate is determined, see Part III of the Draft FISAP Instruction Booklet available under "Publications" on the IFAP website.

### *How the Perkins Loan default rate is calculated*

For any award year in which *30 or more borrowers enter repayment*, the cohort default rate is the percentage of those current and former students who enter repayment *in that award year* on loans received for attendance at that school and *who default before the end of the following award year*.

For any award year in which *fewer than 30 current and former students at the school enter repayment* on a loan received at the school, the cohort default rate is the percentage of those current and former students who entered repayment on loans received for attendance at that school in any of the *three most recent award years* and who defaulted on those loans before the end of the award year immediately following the year in which they entered repayment.

For purposes of the cohort default rate, a loan enters repayment only once in its life. This repayment begins the day after the end of the initial grace period or the day that the borrower waives his or her initial grace period.

A borrower is included in determining the school's cohort default rate if the borrower's default has persisted for at least 240 consecutive days for a loan repayable monthly or 270 consecutive days for a loan repayable quarterly.

### *Perkins Loans that are not treated as defaults*

The following loans are not treated as defaults when reporting borrower status on Part III of the FISAP:

- ◆ loans on which borrowers have made six consecutive monthly payments;
- ◆ loans on which borrowers have "voluntarily" made all payments currently due;
- ◆ loans that borrowers have repaid in full;
- ◆ loans for which borrowers have received deferments or forbearance based on conditions that began prior to loans becoming 240/270 days past due;
- ◆ loans that have been rehabilitated;

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#### **Perkins CDR**

34 CFR 674.5

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#### **Penalty for high CDR**

34 CFR 674.5(a)

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#### **Calculation**

34 CFR 674.5(b)

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#### **Loans included in the cohort default rate**

34 CFR 674.5(c)(1) & (2)

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#### **Loans not included in cohort default rate**

34 CFR 674.5(c)(3)

#### **CDR for Multiple Locations or Change of Ownership**

If a school has a branch or branches or has an additional location or locations, the school's cohort default rate applies to all branches and locations of the school as they exist on the first day of the award year for which the rate is calculated. The cohort default rate applies to all branches/locations of the school from the date the Department notifies the school of the rate until the Department notifies the school that the rate no longer applies.

For more information about the effect of changes of ownership and the treatment of multiple locations in the Perkins rate calculation, see 34 CFR 674.5(d).

#### **Perkins Cohort Default Rates Listing**

The *Federal Perkins Loan Program Status of Default*, known as the Orange Book, lists the cohort default rates for each school that participates in the Perkins program. See the "Publications" area on the IFAP website.

- ◆ loans repaid in full under a compromise repayment agreement in accordance with 674.33(e);
- ◆ loans that have been discharged due to death or permanent disability, bankruptcy, or a school closing;
- ◆ loans that have been assigned to the ED because of the total and permanent disability of the borrower.

### *Rules for calculating the number of days in default*

For purposes of reporting on Part III of the FISAP, a school should use the following rules to calculate the number of days a loan has been in default:

- ◆ The 240/270 consecutive days in default is determined by calculating the “age” of the account (that is, the number of consecutive days the oldest dollar is past due).
- ◆ A payment that a borrower makes on a past-due loan is applied to the oldest dollars first, effectively reducing the past-due status.
- ◆ A loan on which a borrower is past due and on which the borrower makes an occasional payment but never becomes current could be counted as a defaulted loan for the cohort default rate calculation despite the occasional payments. Because the delinquency is not being cured, the oldest past-due dollar could eventually become 240 days past due, making the loan count in the default rate calculation. However, if the borrower makes enough occasional payments to prevent the oldest past-due dollar from becoming 240 days old, the loan would not be counted as being in default.
- ◆ An exception to the 240/270-day threshold will be granted in a case where a borrower (1) would have qualified for a deferment for a period beginning prior to the loan hitting the 240/270-day threshold and (2) failed to file a request for the deferment in a timely manner. For such a borrower, the loan’s past-due status would be adjusted to reflect the deferment period beginning date. However, the borrower would need to pay any past-due amounts that were due prior to the beginning of the authorized deferment periods, if the deferment period beginning date does not eliminate the loan’s entire delinquency.

#### **Adjusting past-due status example**

Marty’s oldest dollar is 240 days past due. He files a request for a deferment based on the fact that he is attending school and the enrollment period began on the date that the loan became 90 days past due. The past-due status of the loan is reduced to 90 days, and the loan is given a deferment status. This loan is treated as if the 240-day threshold had never been reached. Therefore, it would not be counted in the school’s cohort default rate.

## Penalties for high Perkins default rates

If the school's cohort default rate is

- ◆ 25% or higher, the school's FCC will be reduced to zero.
- ◆ 50% or higher for the three most recent years, the school is ineligible to participate in the Federal Perkins Loan Program and must liquidate its loan portfolio.

A school may appeal a determination of ineligibility if the appeal is based on an inaccurate calculation of its cohort default rate or a low number of borrowers entering repayment. A school appeals a determination of ineligibility based on an inaccurate calculation by adjusting the cohort default rate data on the FISAP.

## BILLING AND COLLECTION COSTS

Your school must charge the borrower for reasonable collection costs associated with past-due payments, if your school opts to charge them (not routine billing costs, which are included in the administrative cost allowance [ACA]), and *collection* costs for address searches, use of contractors for collection of the loan, litigation, and/or bankruptcy proceedings.

If your school cannot recover billing and collection costs from the borrower, you may charge the costs to the fund, provided the costs fall within the specifications described in the following paragraphs. (Collection costs are included in the ACA, but if collection costs exceed the ACA, you must report the additional costs in the separate collection costs category on the FISAP.) Note that a school may not request a Perkins ACA if it has not made any Perkins loans during the year.

The only *billing* costs a school may charge the fund are the costs of telephone calls made to demand payment of overdue amounts not paid by the borrower. Even if the amount recovered from the borrower does not suffice to pay the amount of the past-due payments and the penalty or late charges, the school may charge the fund only for the unpaid portion of the actual cost of the calls.

A school may waive late charges for a borrower who repays an amount past due. Before proceeding with litigation, a school may waive the percentage of collection costs applicable to the amount then past due in a loan equal to the percentage of that past due balance that the borrower pays within 30 days of the date the borrower and school enter into a written repayment arrangement.

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### Penalty for high CDR

34 CFR 674.5(a)

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### Billing and collection

Billing and collection firms  
34 CFR 674.48  
Assessing costs  
34 CFR 674.45(e)  
Charging costs to the fund  
34 CFR 674.47

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### Perkins Loans and ACA

34 CFR 674.37(a)

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### Reasonable collection costs

34 CFR 674.45(e)(3)

For loans referred to a collection agency on or after July 1, 2008, collection costs charged the borrower may not exceed:

- first collection effort—30% of the principal, interest, and late charges collected;
- second and subsequent collection efforts—40% of the principal, interest, and late charges collected;
- for collection efforts resulting from litigation, 40% of principal, interest, and late charges collected, plus court costs.

The following *collection* costs may be charged to the Perkins Loan Fund if the costs are *waived* or *not paid by the borrower*:

### Collection costs waiver

34 CFR 674.47(d)

#### Collection costs for loans made from 1981 through 1986

For loans made from 1981 through 1986, many promissory notes contain a limitation on the amount of costs that can be recovered from the borrower (25% of the outstanding principal and interest due on the loan). As this provision has not been applicable since the beginning of the 1987–1988 award year, if these borrowers ask for new advances, the Department strongly encourages schools to issue new promissory notes without this provision and to require the provisions of the new note to apply to repayment of previous advances. The borrower will then be liable for all collection costs on all of his or her outstanding loans borrowed under this program. (However, the advances made prior to the signing of the new note do not qualify for new deferment and cancellation benefits.)

**Collection costs waived.** If your school waives collection costs as incentive for repayment, the amount waived may be charged to the Fund.

**Cost of a successful address search.** You may charge to the fund a reasonable amount for the cost of a successful address search if you used a commercial skip-tracing service or employed your school's personnel to locate the borrower using comparable methods. (Defining a reasonable amount is left to the school.)

**Cost of reporting defaulted loans to credit bureaus.** You may charge to the fund the cost of reporting a defaulted loan to a credit bureau, reporting any change in the status of a defaulted account to the bureau to which the school had previously reported the account, and responding to any inquiry from a credit bureau about the status of a loan.

**Costs of first and second collection efforts.** You may charge to the Fund collection costs not paid by the borrower if they do not exceed—for first collection efforts—30% of the total principal, interest, and late charges collected and—for second collection efforts—40% of the principal, interest, and late charges collected. The school must reimburse the fund for collection costs initially charged to the fund but subsequently paid by the borrower.

**Collection costs resulting from rehabilitation.** Collection costs charged to the borrower on a rehabilitated loan may not exceed 24% of the unpaid principal and accrued interest as of the date following application of the ninth payment. Collection costs are not restricted to 24% in the event that the borrower defaults on the rehabilitated loan.

**Costs of firm performing both collection and litigation services.** If a collection firm agrees to perform or obtain the performance of both collection and litigation services on a loan, the amount for both functions that may be charged to the Fund may not exceed the sum of 40% of the amount of principal, interest, and late charges collected on the loan, plus court costs specified in 28 U.S.C. 1920.

***Collection costs resulting from litigation, including attorney's fees.***

Collection costs resulting from litigation, including attorney's fees, may be charged to the fund if not paid by the borrower but must not exceed the sum of:

- ◆ court costs specified in 28 U.S.C. 1920;
- ◆ other costs incurred in bankruptcy proceedings in taking actions required or authorized under 34 CFR 674.49;
- ◆ costs of other actions in bankruptcy proceedings to the extent that those costs together with other costs incurred in bankruptcy proceedings do not exceed 40% of the total amount of judgment obtained on the loan; and
- ◆ 40% of the total amount recovered from the borrower in any other proceeding.

Due diligence activities involving *fixed costs* (telephone contacts, credit bureau reporting, and bankruptcy procedures) may be charged to the fund whether or not the actions are successful. Other activities, such as address searches, collection, and litigation (other than bankruptcy), are typically performed on a *contingent-fee* basis. If these activities are *unsuccessful*, there are no costs charged to the school and therefore no costs may be charged to the fund. If these activities are *successful*, you may charge the associated allowable costs to the Fund.

***Assessing and documenting costs***

You may charge either actual costs incurred in collecting the borrower's loan or average costs incurred for similar actions taken to collect loans in similar stages of delinquency.

Your school must assess all reasonable collection costs against the borrower despite any provisions of state law that would conflict with the above provisions.

You must document the basis for the costs assessed. For audit purposes, a school must keep documentation supporting costs, including telephone bills and receipts from collection firms.



## Using Billing and Collection Firms

Your school may use a contractor for billing or collection, but it is still responsible for complying with due diligence regulations regarding those activities. For example, the school, not the billing or collection firm, is responsible for deciding whether to sue a borrower in default. The school is also responsible for decisions about cancelling or deferring repayment, granting forbearance, extending the repayment period, and safeguarding the funds collected.

If you use a billing service, you may not use a collection firm that owns or controls the billing service or is owned or controlled by the billing service. In addition, you may not use a collection firm if both the collection firm and billing service are owned or controlled by the same corporation, partnership, association, or individual.

### Account protection: minimum bond/insurance amounts

A school must ensure that its billing service and collection firm maintain a fidelity bond or comparable insurance to protect the accounts they service.

At least once a year, the school must review the amount of repayments it expects to receive from billing or collection firms to ensure adequate bond or insurance coverage.

A school using a law firm to collect must review the firm's bond or its insurance policy to determine whether the firm is protected against employee misappropriation. If the firm's malpractice insurance also covers misappropriation of funds, that policy is considered to provide coverage.

If you **don't** authorize your collection firm to deduct its fees from borrowers' payments, the firm must be bonded or insured for at least the amount that you expect to be repaid over a two-month period on the assigned accounts.

If you **do** authorize your collection firm to deduct its fees from borrowers' payments, you must ensure that:

- if the amount you expect to be repaid over a two-month period is **less than \$100,000**—the collection firm is bonded or insured for the lesser of (a) 10 times the amount the school expects to be repaid over a two-month period on assigned accounts; or (b) the amount the firm expects to collect in a two-month period on **all** accounts it has in its portfolio (not just the school's account).
- if the amount you expect to be repaid in a two-month period is **\$100,000 or more**—the collection firm has a fidelity bond or comparable insurance **that names your school as the beneficiary** and is bonded or insured for an amount not less than the amount of funds the school can reasonably expect to be repaid during that two-month period.

## Sources of Information on the Perkins Loan Program

### Perkins Loan Assignment Process and Other Financial Aid

You can find detailed treatment of *Federal Perkins Loan Program Assignment Procedures* (rev. 11/1/2013) at [ifap.ed.gov/eannouncements/attachments/PerkinsAssignmentProceduresApril2013.pdf](http://ifap.ed.gov/eannouncements/attachments/PerkinsAssignmentProceduresApril2013.pdf).

Questions regarding the assignment process as it pertains to the rest of the student financial aid award process or questions concerning the management of student loans not assigned to the Department should be directed either in writing or by phone to the School Participation Team serving your region.

### Federal Perkins Loan Assignment Procedures

Schools should submit written inquiries to:

**ECSI Federal Perkins Loan Servicer**  
**181 Montour Run Road**  
**Coraopolis, PA 15108**

ECSI can also be contacted at:

**Phone: 866/313-4130**  
**Fax: 412/490-7498**  
**Email: [Clientsupport@efpls.com](mailto:Clientsupport@efpls.com)**  
**Office Hours: 8:00 a.m. – 8:00 p.m. (ET), Monday through Friday.**

### Assignment Verification

For assignment verification of accounts submitted more than 60 days previously, please email [PerkinsLoanAssignments@ed.gov](mailto:PerkinsLoanAssignments@ed.gov). In order to verify the submission, the email must include the student(s) name(s) and Social Security number(s) in an encrypted file.

As previously explained, missing or defective promissory notes or missing or incomplete bankruptcy or judgment information require formal approval by an appropriate Department official.

Therefore, all such explanations should be prepared in writing, with the following signature block provided:

Approved/Not Approved \_\_\_\_\_ Assignments Specialist Operation Services,  
Processing Division Perkins Loan Assignments

All such explanations must reference the specific account(s) affected by the documentation omission or irregular nature. The explanatory letter should then be sent to [PerkinsLoanAssignments@ed.gov](mailto:PerkinsLoanAssignments@ed.gov).

A returned approving email will constitute formal approval. Do not contact the assignments processing center with such inquiries.

### Payments from Borrowers Received after Assignment

Payments from a borrower received by a school or its servicer after the borrower's account has been submitted to the Department for assignment and accepted by the Department should be forwarded, as soon as possible, to:

**U.S. Department of Education  
ECSI Federal Perkins Loan Servicer  
P.O. Box 105765  
Atlanta, GA 30348-5765**

Each payment submission must clearly identify the borrower's full name, Social Security number, and the type of loan to which the payment is to be applied.

### School Participation Teams

You can find contact information for the regional offices of the School Participation Division at

**[ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division](http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division).**

### Closed School Procedures

Questions concerning closed school procedures should be directed to the appropriate School Participation Team.

### Discrepancies Between School Data and Department Data

The Processing Division, Perkins Loan Assignments, should be contacted to resolve any discrepancies between institutional records and those of the Department pertaining to accounts that have already been assigned to the Department and accepted. This includes corrections to acceptance notices, bankruptcy notices, and any other general information on accepted accounts that an institution wishes to forward.

### Issues with Specific Assignments

Questions pertaining to the status of your assignment submissions, or pertaining to the correction of pending submissions, may be directed to ECSI Federal Perkins Loan Servicer at **866-313-4130** or by emailing **[clientsupport@efpls.com](mailto:clientsupport@efpls.com)**.

More specific questions pertaining to the procedures for assignment of accounts set forth in this letter, or pertaining to the status of your assignment submissions, or pertaining to the correction of rejected submissions, can be directed to the Department's Processing Division at **415-486-5655** or by emailing **[PerkinsLoanAssignments@ed.gov](mailto:PerkinsLoanAssignments@ed.gov)**. If you contact the Processing Division, please be advised that you will be instructed to leave a detailed message regarding your assignment submission. Due to periods of high call volume, contacting the Processing Division via [PerkinsLoanAssignments@ed.gov](mailto:PerkinsLoanAssignments@ed.gov) may expedite a faster response.

Written inquiries should be mailed to:

**Federal Student Aid U.S. Department of Education  
Operation Services, Processing Division  
Perkins Loan Assignments  
50 Beale Street, Suite 8601  
San Francisco, CA 94105-1813**

Institutions wishing to confirm the *paid-in-full status* for borrowers requesting transcripts should contact the Client Support Team at ECSI.

### **FISAP**

For questions about the FISAP form, contact the Campus-Based Call Center at **877 801-7168** or by email at **CBFOB@ed.gov**.

### **Perkins Loan Program Liquidation**

For questions about Perkins Loan Program Liquidation, contact the Campus-Based Call Center at

**877-801-7168**

### **Perkins Loan Servicer Contact Information for Borrowers**

Borrower Payments should be mailed to:

**Department of Education  
ECSI Federal Perkins Loan Servicer  
P.O. Box 105765  
Atlanta, GA 30348-5765**

The Borrower Customer Service telephone number is:

**866 313-3797**

Borrower Correspondence should be mailed to:

**U.S. Department of Education  
ECSI Federal Perkins Loan Servicer  
P.O. Box 1030 Coraopolis, PA 15108**

### Total and Permanent Disability Assignments

For detailed information about Total and Permanent Disability assignments for Perkins Loans, schools should refer to Perkins Total and Permanent Disability Discharge Assignment Procedures at

<http://ifap.ed.gov/eannouncements/attachments/PerkinsTPDDischargeAssignmentProceduresAttach.pdf>.

All Total and Permanent Disability assignments should be sent to:

**Nelnet Total and Permanent Disability Servicer  
U.S. Department of Education  
121 South 13th Street, Suite 201  
Lincoln, NE 68508**

The phone number for the Department's TPD Servicer is:

**888-303-7818**

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# Introduction to the Federal Student Aid Handbook

## Appendices

*The Appendices to the Federal Student Aid Handbook contain information of general interest that isn't appropriate for inclusion in just one volume or is so unique that it requires separate treatment. Four of the appendices were previously found in The Blue Book, the fifth has been part of the Handbook in previous years.*

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- ▶ Appendix A is a glossary of federal student aid terms. Experienced financial aid professionals will be familiar with most of the terms included. However, because the Handbook will replace *The Bluebook* as a reference for business officers, fiscal officers, state audit agencies, and independent accounting professionals performing non-federal audits, many accounting and financial terms have been included.
- ▶ Appendix B contains the acronyms most commonly found in the Handbook and other student aid literature.
- ▶ Appendix C will provide the reader with a directory of resources for technical information and specialized assistance with managing the federal student aid programs.
- ▶ Appendix D provides in one place information found in other parts of the Handbook and in previous sub-regulatory communications on how a school should proceed when a currently enrolled recipient of federal student aid dies before completing the period for which the student has received aid.
- ▶ Appendix E is a table of contents for the Higher Education Act as amended.





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# Federal Student Aid Glossary

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APPENDIX

A

*25% Threshold* The point at which a change in owner-ship interests must be reported to the Department: when an owner acquires a total interest of 25% or more or when an owner of 25% or more increases or reduces that interest at all.

*90/10 Rule* The requirement that a proprietary school must derive at least 10% of its revenues for each fiscal year from sources other than the FSA programs or be subject to sanctions.

*150 Percent Limit (on Direct Unsubsidized Loans)* New borrowers on or after July 1, 2013, cannot receive Direct Subsidized Loans for a period of time (measured in academic years) that exceeds 150 percent of the published length of their program of study.

## A

*A-number (ARN)* An identifying number assigned by DHS to identify and keep track of individuals who have been or are in contact with the immigration process. Used by ED to verify the immigration status of noncitizens applying for federal student aid.

*Academic Attendance and Attendance at an Academically-Related Activity* The criteria schools must use to determine whether a student has ceased attendance. A school must perform a Return of Title IV Aid (R2T4) calculation for students who have withdrawn (or otherwise ceased attendance). Criteria include but are not limited to

- ♦ physically attending a class where there is an opportunity for direct interaction between the instructor and students;
- ♦ submitting an academic assignment;
- ♦ taking an exam, an interactive tutorial, or computer-assisted instruction;

- ♦ attending a study group that is assigned by the institution;
- ♦ participating in an online discussion about academic matters; and
- ♦ initiating contact with a faculty member to ask a question about the academic subject studied in the course.

Academic attendance and attendance at an academically-related activity do not include activities where a student may be present, but not academically engaged.

*Academic Calendar* The way in which a school structures its academic programs and measures progress over the program's length. For purposes of the FSA programs, there are three basic types of academic calendars: standard term, nonstandard term, and nonterm.

*Academic Competitiveness Grant (ACG) Program* A previously offered grant program authorized by the Higher Education Act (HEA) under which grants were awarded during the first and second academic years of study to eligible financially needy undergraduate students who successfully completed rigorous secondary school programs of study.

*Academic Year* For a program that measures program length in credit hours,

- ♦ a minimum of 30 weeks of instructional time; and
- ♦ 24 semester or trimester hours or 36 quarter credit hours.

For a program that measures program length in clock hours,

- ♦ a minimum of 26 weeks of instructional time; and
- ♦ 900 clock hours.

For purposes of defining an academic year,

- ♦ a week is a consecutive seven-day period;
- ♦ a week of instructional time is any week in which at least one day of regularly scheduled instruction or examinations occurs or, after the last scheduled day of classes for a term or payment period, at least one day of study for final examinations occurs; and
- ♦ instructional time does not include any vacation periods, homework, or periods of orientation or counseling.

*Acceleration* Demand for immediate repayment of the entire outstanding balance of a loan.

*Account* A record in the general ledger that is used to collect and store similar information. For example, a school will have a cash account in which every transaction involving cash is recorded.

*Accepted Master Promissory Note (MPN)* Once a borrower completes an MPN, it is examined in the Common Originations and Disbursement (COD) system for completeness. If, during processing, COD finds that all of the required fields on an MPN have been completed correctly, COD will accept the MPN. An accepted MPN is one of the criteria required for a loan to be booked.

*Accounting Data* Journals, ledgers, and other records, such as spreadsheets, that support financial statements. It may be in computer-readable form or on paper.

*Accounting Records* Records of initial accounting entries and supporting records, such as checks and records of electronic fund transfers; invoices; contracts; general and subsidiary ledgers; journal entries and other adjustments to the financial statements that are not reflected in journal entries; and records, such as work sheets and spreadsheets, supporting cost allocations, computations, reconciliations, and disclosures.

*Accounting Standards Codification (ASC)* The Codification, prepared by the Financial Accounting Standards Board (FASB), reorganizes the thousands of U.S. *Generally Accepted Accounting Principles* (GAAP) pronouncements into roughly 90 accounting topics and displays all topics using a consistent structure. It also includes relevant U.S. Securities and Exchange Commission (SEC) guidance that follows the same topical structure in separate sections in the Codification.

*Accounts Receivable* Debts due from customers from sales of products and services reported as a current asset.

*Accredited* The status of public recognition that a national accrediting agency recognized by the Department grants to an institution or educational program that meets the agency's established requirements.

*Accrual Basis of Accounting* The accounting method under which revenues are recognized on the income statement when they are earned (rather than when the cash is received).

*Act* The Higher Education Act (HEA) of 1965, as amended, 20 U.S.C. 1071 et seq.

*Actual Disbursement Record* A disbursement record submitted to the Common Origination and Disbursement (COD) system indicating that the school has disbursed funds to the student or plans to within the next seven days.

*Actual Interest Rate* The annual interest rate charged on a loan, which may be equal to or less than the applicable interest rate on that loan.

*Adjusted Gross Income (AGI)* An individual's adjusted gross income as reported to the Internal Revenue Service (IRS). The rules for calculating AGI are set by the IRS, not the Department.

*Adjusting Entries* Journal entries usually dated the last day of the accounting period to bring the balance sheet and income statement up to date on an accrual basis (as required by the matching principle and the revenue recognition principle).

*Administrative Capability* The ability a school must demonstrate in providing the education it promises and properly managing the FSA programs. The standards of administrative capability are set forth in 34 CFR 668.16.

*Administrative Cost Allowance (ACA)* Funds an institution participating in the Federal Pell Grant, Federal Perkins Loan, Federal Work Study (FWS), or Federal Supplemental Educational Opportunity Grant (FSEOG) programs is entitled to receive for an award year if it advances funds under the Federal Perkins Loan Program, provides FWS employment, awards grants under the FSEOG Program, or disburses Federal Pell Grants to students in that year.

*Administrative Forbearance* In certain circumstances, the Department grants forbearance without requiring documentation from the borrower. For more detail of the conditions under which a borrower must be granted administrative forbearance see 34 CFR 685.205(b).

*Administrative Offset* Funds withheld from a participating school to collect program review, audit, and formal fine debts. The Department withholds a portion of a school's G5 (Grant Payment System) authorized payments and applies them toward the school's debt.

*Administrative (Non Judicial) Wage Garnishment* Process by which a guarantor or the Department, under Section 488A of the HEA, may intercept a portion of the wages of a FSA borrower who is not making required repayments or, in the case of an FFEL loan, a loan for which a guarantee agency has been reimbursed by the Department.

*Administrative Relief* See *Extended Processing*.

*Advance Payment Method* A school operating under this payment method is permitted to request funds in the school's *Available Balance* the school needs to make disbursements within three days of receipt of the funds.

*Adverse Credit History* For federal student aid purposes, a financial history that negatively impacts eligibility for a federal education loan. A parent, graduate student, or professional student who has an adverse credit history (as defined in the Direct Loan Program regulations) is not eligible to receive a Direct PLUS Loan unless he or she (1) documents to the satisfaction of the Department that there are extenuating circumstances, or (2) obtains an endorser for the loan who does not have an adverse credit history.

*Adverse Opinion* Auditor's opinion that financial statements do not fairly present the financial position, results of operations, or cash flows in conformity with generally accepted accounting principles.

*Affirmative Confirmation* A process under which a school obtains written confirmation of the types and amounts of FSA program funds that a student wants for an award year before the school credits the student's account with those loan funds.

*Agent* An officer or employee of a covered institution or an institution-affiliated organization.

*Aggregate Basis* One of the ways a school can match its federal allocation in the FSEOG Program. In this approach a school ensures that the sum of all funds awarded to all FSEOG recipients in a given award year consists of 75% federal dollars and 25% qualified nonfederal funds. Note that each of a school's FSEOG recipients must receive some FSEOG federal funds.

*Aggregate Loan Limit* The statutory maximum amount of principal an individual may borrow for all loans of a specific type, for all years of postsecondary study.

*Aging of Drawdown* The process of tracking the time elapsed from the date funds were drawn down to the date a school fully substantiates the drawdown by submitting actual disbursement records.

*Agreement to Serve* An agreement under which the individual receiving a TEACH Grant commits to meeting his or her service obligation, and to complying with notification and other provisions of his or her agreement.

**Allocation** Funds awarded to a school for use during a specific period of time. Campus-based funds (Federal Supplemental Educational Opportunity Grant [FSEOG], Federal Work-Study [FWS], and Federal Perkins Loan) are allocated to a school on an award-year basis. Sometimes referred to as obligation, award, or authorization.

**Allowable Costs** See *Cost of Attendance*.

**Allowance for Doubtful Accounts** A contra asset account with a credit balance used to reduce the carrying amount of accounts receivable to net realizable value. The allowance balance is the estimated total of uncollectable accounts included in accounts receivable.

**American Institute of Certified Public Accountants (AICPA)** The national organization of certified public accountants.

**Amount of Title IV Aid Earned by a Student** For Return of Title IV Funds purposes, the percentage of the payment period or period of enrollment, as applicable, completed by the student multiplied by the total Title IV aid disbursed plus the total Title IV Aid that could have been disbursed to the student.

**Annual Award (in the Federal Pell Grant Program)** The amount a student would receive under the applicable Payment Disbursement Schedule for a given level of enrollment (full time, half time etc.), Estimated Family Contribution (EFC), and COA.

**Annual Award (in the TEACH Grant Program)** The maximum TEACH Grant amount a student would receive for enrolling as a full-time, three-quarter-time, half-time, or less-than-half-time student and remaining in that enrollment status for a year.

**Annual FSA Compliance Audit** The audit that a third-party servicer must submit each year. If the servicer contracts with several schools, a single audit can be submitted that covers its administrative services for all those schools.

**Annual Loan Limit** The statutory maximum a student may borrow at his grade level for one academic year. It varies by grade level, dependency status of borrower, etc.

**Annual Percentage Rate (APR)** The yearly cost of borrowing money reflected as a percentage rate.

**Annual Security Report** A report that participating schools are required to compile and file annually with the Department that summarizes the schools compliance with the requirements of 34 CFR 668.46.

**Anticipated Disbursement Record** A disbursement record submitted to the COD system indicating the amount and dates of funds the school plans to disburse more than seven days from the date submitted.

**Applicable Interest Rate** The maximum annual interest rate that a lender may charge under the Act on a loan.

**Application Receipt Date** Field on a SAR/ISIR showing the date a paper application was received by the FAFSA processor or the date an electronic FAFSA transmission was received by the CPS.

**Apportionment** A distribution of amounts available for obligation into amounts available for specified time periods, programs, activities, projects, objects, or combinations thereof. The apportioned amount limits the obligations that may be incurred.

**Appropriation** A form of budget authority provided by law that permits federal agencies to make payments out of the Treasury for specified purposes.

**Approved Leave of Absence (LOA)** For Return of Title IV Funds purposes, a temporary interruption in a student's program of study. LOA refers to the specific time period during a program when a student is not in attendance.

**Assets** Tangible or intangible items which have probable economic benefits that can be obtained or controlled.

**Assets (on the Free Application for Federal Student Aid (FAFSA))** Cash on hand, including the amount in checking and savings accounts, time deposits, money market funds, trusts, stocks, bonds, other securities, mutual funds, tax shelters, qualified education benefits, and the net value of real estate, income producing property, and business and farm assets. For a detailed explanation see the Higher Education Act, as amended, Part F, Section 480(f).

**Assignment** The transfer of all rights, authorities, and privileges associated with a Perkins loan from a school to the Department. Schools may assign defaulted loans and, if a school is liquidating and withdrawing from the Perkins Loan Program or if the school is closing, non-defaulted loans to the Department at any time during the program year.

**Associate Degree School of Nursing** A school that provides primarily or exclusively a two-year program of postsecondary education in professional nursing leading to a degree equivalent to an associate degree in the United States.

**Athletically Related Student Aid** Any scholarship, grant, or other form of financial assistance, the terms of which require the recipient to participate in a program of intercollegiate athletics at the institution. Other student aid, of which a student-athlete simply happens to be the recipient, is not athletically related student aid.

**Attribution** The process of assigning benefits or costs to time periods, programs, activities, projects, objects, or combinations thereof.

**ATS** TEACH Grant Agreement to Serve.

**ATS ID** The unique identifier of a TEACH Grant Agreement to Serve.

**Audit Accountability and Resolution Tracking System** The Department's tool used to track, monitor and report day-to-day on the post-audit status of single audits, GAO audits, OIG-issued internal audits, external audits and alternative products (reports or memoranda issued by OIG that are not audit reports but raise issues that may need to be addressed by management).

**Audit Guide of Federal Student Financial Assistance Programs at Participating Institutions and Institution Servicers** Published by the Department's Office of the Inspector General (OIG), it assists independent auditors (IPAs) in performing audits of Federal Student Aid.

**Audit Plan** A description and schedule of audits to be performed in a certain period of time (ordinarily a year). It includes the areas to be audited, the type of work planned, the high-level objectives and scope

of the work, and includes other items such as budget, resource allocation, schedule dates, and type of report issued.

**Audit Trail or Transaction Trail** Chains of evidence provided through coding, cross references, and documentation connecting accounting balances and other summary results with original transactions and calculations.

**Auditing Standards Board (ASB)** Board authorized by the AICPA to promulgate auditing and attest standards, quality control standards procedures, and implementation guidance for AICPA members performing such services.

**Auditor Independence Statement** A statement regarding the requirement that an auditor be independent of the entity examined. Intended to remind financial statement users about the auditor's obligations related to independence and to serve as a reminder to auditors of these obligations.

**Authorization** Amount of FSA funds a school is currently eligible for in the year and program in question. The authorization is also called the Current Funding Level (CFL). Please note that in Direct Loan and TEACH Grant programs, you might also hear the authorization referred to as the Cash Control Amount (CCA).

**Automated Clearing House (ACH)** An electronic clearing system in which a data processing center handles payment orders that are exchanged among financial institutions, primarily through telecommunications networks. ACH systems process large volumes of individual payments electronically.

**Automatic Zero EFC** The result when an independent student or a dependent student's parents have income below a specific threshold and meet one of a group of other criteria, such as not needing to file a Form 1040 U.S. tax return. The flag indicates that the student met the statutory criteria for the automatic zero EFC calculation. See Simplified EFC Formulas.

**Available Balance** Amount of cash available for a school to draw down through G5. The available balance is the difference between the authorized amount and the school's net drawdowns to date.



*Available Income (Parents’)* In general, parents’ available income is determined by deducting from total income (as defined in HEA, section 480)

- ◆ federal income taxes;
- ◆ an allowance for state and other taxes;
- ◆ an allowance for social security taxes;
- ◆ an income protection allowance;
- ◆ an employment expense allowance; and
- ◆ the amount of any tax credit taken by the parents under section 25A of the Internal Revenue.

*Award Periods* The length of time in G5 during which schools can perform certain cash management functions. There are four award periods

1. performance period,
2. liquidation period,
3. suspension period, and
4. closeout period.

*Award Year* The period beginning July 1 and ending June 30 of the following year.

## B

*Base Year* The calendar year preceding the first calendar year of an award year.

*Batch* A group of records submitted together. Batches can consist of one or more records. Users can submit data for students in a file called a batch. The batch contains a network header record, the Common Record with one or more students / awards / disbursements and the network trailer record. Periodic sweeps of a school’s Student Aid Internet Gateway (SAIG) mailbox are performed to pick up these batches and send them to the COD System for processing.

*Begin or End Date* The month and year on which a grant award begins and ends. It is the funding period for the award, and includes any applicable amendments. Normally, the funding period is 12 months.

*Bilingual Education* An educational program in which two languages are used to provide content matter instruction.

*Book Voucher* A document that reflects funds available on a student’s account that can be used to purchase books and other educationally related materials from either a school or unaffiliated bookstore.

*Booked Direct Loan* A loan that is a legal binding obligation between the borrower and the U.S. Department of Education. A loan is considered booked when the COD System has accepted the loan origination record (the award record has been linked to the MPN), the MPN, and the first actual disbursement record for that loan ID. Direct PLUS Loans also require an accepted credit decision on file in the COD System to be booked.

*Booked TEACH Grant* A TEACH Grant becomes booked when COD has accepted the TEACH Grant origination record, an ATS has linked to the grant, and an actual disbursement record has been accepted.

*Borrower* An individual to whom a Title IV education loan is made.

*Borrower Based Academic Year (BBAY)* An academic year standard that may be used to measure annual loan limit progression (i.e., when a borrower becomes eligible for their next annual loan limit). Unlike a Scheduled Academic Year (SAY), a BBAY follows an individual student’s academic progress and does not begin and end at the same time each year.

*Borrower’s Rights and Responsibilities (BRR) Statement* Required under the HEA, the BRR Statement provides additional information about the terms and conditions of the loans a borrower receives under the MPN for Federal Direct Loans.

**Branch Campus** A location of an institution that is geographically apart and independent of the main campus of the institution. The Department considers a location of an institution to be independent of the main campus if the location

- ◆ is permanent in nature;
- ◆ offers courses in educational programs leading to a degree, certificate, or other recognized educational credential;
- ◆ has its own faculty and administrative or supervisory organization; and
- ◆ has its own budgetary and hiring authority.

**Business Assets** Property that is used in the operation of a trade or business, including real estate, inventories, buildings, machinery, and other equipment, patents, franchise rights, and copyrights.

## C

**Campus** Any building or property owned or controlled by an institution within the same reasonably contiguous geographic area and used by the institution in direct support of, or in a manner related to, the institution's educational purposes, including residence halls; and any building or property that is within or reasonably contiguous to the school's campus that is owned by the institution but controlled by another person, is frequently used by students, and supports institutional purposes (such as a food or other retail vendor).

**Campus-Based Programs** Federal student aid programs under which funds are provided to participating institutions for awards to eligible students. The Campus-Based Programs include: the Federal Perkins Loan Program, the Federal Work-Study (FWS) Program, and the Federal Supplemental Educational Opportunity Grant (FSEOG) Program.

**Campus Security Records** The records created and maintained by a school's law enforcement unit or whatever office or school official is designated to be responsible for referring potential violations of law to local police authorities. Such records are exempt from the privacy restrictions of FERPA. A school may

disclose information from these "law enforcement unit records" to anyone—including parents or federal, state, or local law enforcement authorities—without the consent of the eligible student.

**Cancellation** In the Perkins Loan Program, the forgiveness of a portion of a loan debt for a borrower who meets certain regulatory criteria (usually service). In the Direct Loan Program, loan "cancellation" refers to the borrower's request to have all or a portion of a loan cancelled (i.e., when the borrower decides that he or she no longer wants or needs all or a portion of the loan). In the Direct Loan Program, cancellation of a loan debt in exchange for the borrower performing certain types of service is called "forgiveness," and cancellation of a loan due to death, total and permanent disability (TPD), school closure, etc. is called "discharge."

**Capitalized Interest (Capitalization)** Unpaid interest that has been added to the principal balance of a loan.

**Carry Forward/Carry Back** A school may spend up to 10% of its current year's FWS or FSEOG allocation (initial and supplemental) in the following award year (carry forward). A school is also permitted to spend up to 10% of its current year's FWS or FSEOG allocation (initial and supplemental) for expenses incurred in the previous award year (carry back).

**Cash Account** The general ledger account that reports currency, coins, undeposited checks, and the checking accounts of a company.

**Cash Basis for Accounting** A system of accounting in which revenues are recorded when received in cash and expenses or expenditures are recorded when cash is disbursed.

**Cash Management** The rules and procedures a school must follow to request, maintain, disburse, and otherwise manage FSA funds. A school's responsibilities are described in Subpart K of 34 CFR 668.

**Cash Management Regulations** Those sections of 34 CFR (34 CFR Subpart K) that address the rules and procedures under which participating institutions request, maintain, disburse, and otherwise manage federal student aid program funds.

*Cash On Hand (COH)* The amount available in the federal funds account at the payee’s financial institution. Cash on hand is calculated as the total funds received less the Federal share of disbursements made, plus refunds received. The balance does not include accruals, accounts payable, or funds belonging to the Department of Education (e.g., interest earned). See also excess cash.

*Census Date* The date on which a school takes a “snapshot” of its enrollment for reporting or record keeping purposes.

*Central Processing System Student Aid Internet Gateway (CPS/SAIG)* Vendor and system designed by the U.S. Department of Education for viewing or correcting SAR information, requesting or analyzing ISIR data, and calculating and managing the return of federal student aid program funds.

*Certified Public Accountant (CPA)* A credential conferred by a state or similar governmental jurisdiction that authorized the holder to practice as a certified public accountant in that jurisdiction.

*Chart of Accounts* A listing of the accounts available in the accounting system in which to record entries. The chart of accounts consists of balance sheet accounts (assets, liabilities, equity) and income statement accounts (revenues, expenses, gains, losses).

*Child with a Disability* A child or youth from ages 3 through 21, inclusive, who requires special education and related services because he or she has one or more disabilities as defined in section 602(3) of the Individuals with Disabilities Education Act.

*Children of Iraq and Afghanistan Soldiers* For purposes of awarding Title IV aid, children of Iraq and Afghanistan soldiers include the children of all who died as a result of U.S. military service in Iraq or Afghanistan after September 11, 2001. Students who fall in this category receive special consideration for Title IV aid.

*Circular A-133* A release of the Office of Management and Budget. Its full name is Audits of States, Local Governments, and Non-profit Organizations. The circular sets forth standards for obtaining consistency and uniformity among federal

agencies for the audit of states, local governments, and non-profit organizations expending federal awards. Available at [www.whitehouse.gov/omb/circulars](http://www.whitehouse.gov/omb/circulars).

*Citizenship Match* Procedure that compares an applicant’s Name, Date of Birth, and SSN in CPS to that in the records of the Social Security Administration (SSA and in special cases the DHS). The CPS will reject applications for insufficient or contradictory information. The result of the match with SSA or DHS is reported on the SAR and ISIR and includes a comment (text and code).

*Clery/Campus Security Act* The law that requires institutions to compile statistics for certain crimes that are reported to campus security authorities or local police agencies, including incidents of sexual assault, domestic violence, dating violence, and stalking. The full title is the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act.

*Clinical Training* The portion of a graduate medical education program that counts as a clinical clerkship for purposes of medical licensure comprising core, required clinical rotation, and not required clinical rotation.

*Clock Hour* A period of time consisting of

- ♦ a 50- to 60-minute class, lecture, or recitation in a 60-minute period;
- ♦ a 50- to 60-minute faculty-supervised laboratory, shop training, or internship in a 60-minute period; or
- ♦ 60 minutes of preparation in a correspondence course.

*Clock/Credit-Hour Conversion* The calculation performed to establish whether certain programs offered in credit hours meet the standard for the minimum number of credit hours and can be considered eligible.

*Closeout Period* One of the award periods in G5. The closeout period immediately follows the suspension period. During closeout, the grant award is closed and any remaining cash is deobligated.

*Closeout Process* (in G5) The process of closing a suspended award. The closeout process includes the following periods: liquidation, suspension, and closeout.

*Closeout Procedures* The steps a school must take when its participation in the Title IV programs ends, either voluntarily or involuntarily.

*Closing* The process of preparing, entering, and posting closing entries.

*Closing Entry* A journal entry that balances revenue accounts and expense accounts. Closing entries will mean that the temporary accounts (income statement accounts and drawing account) will start the new accounting year with zero balances.

*Code of Federal Regulations* (CFR) The codification of the rules published in the Federal Register by agencies of the federal government. Each volume of the CFR is updated once each calendar year and issued quarterly. The volume for Education, Title 34, is updated on July 1 of each year. Cited as “34 CFR.”

*Cohort (Loan)* All of a school’s current and former students who during a fiscal year enter repayment on any Direct Subsidized Loan, Direct Unsubsidized Loan, or Federal Stafford Loan they received to attend the school.

*Cohort Default Rate* (CDR) The number of students in a cohort who default on their loans during a fiscal year divided by the total number of students in the cohort, expressed as a percentage.

*Cohort Default Rate Guide* (CDRG) U.S. Department of Education publication designed to assist schools with their William D. Ford Federal Direct Loan (Direct Loan) Program and Federal Family Education Loan (FFEL) Program cohort default rate data. The guide is a reference tool in understanding cohort default rates and processes.

*Collateral* Real or personal property pledged as part or full security on a debt.

*Collateralize* To pledge property as security (collateral) for a debt.

*Collection* The activities and/or actions by lenders, guarantors, servicers, and collection agencies to obtain payment on unpaid loan principal and interest from a borrower after that borrower defaults on the loan.

*Collection Agency* A business organization that receives delinquent or defaulted loan accounts from lenders and attempts to collect on those accounts. A fee is charged for the service.

*Collection Charges* Costs incurred by a lender or its agents in collecting overdue payments. These charges may include, but are not limited to, attorney’s fees, court costs, and telegrams. They may not include routine costs associated with preparing letters or notices or making telephone calls to the borrower.

*Collegiate School of Nursing* A school that provides primarily or exclusively a minimum of a two-year program of postsecondary education in professional nursing leading to a degree equivalent to a bachelor of arts, bachelor of science, or bachelor of nursing in the United States, or to a degree equivalent to a graduate degree in nursing in the United States, and including advanced training related to the program of education provided by the school.

*Co-maker* One of two individuals who jointly borrow a consolidation loan, each of whom are eligible and who are jointly and severally liable for repayment of the loan. The term co-maker also includes one of two parents who are joint borrowers as previously authorized in the Federal Direct PLUS Loan Program (PLUS Loan Program).

*Comment Codes* Codes on a SAR/ISIR drawing attention to specific issues on a student’s application. Each code corresponds to specific comment text for the award year. The last line in the “FAA Information” section on a SAR/ISIR shows all the codes generated on the record. FAAs must review the comment codes without reading every comment to find those that may require action.

*Common Origination and Disbursement (COD) System* The system used to process records for the Pell Grant, TEACH Grant and Direct Loan programs.

*Common Origination and Disbursement Technical Reference* A document used as a guide by software vendors and schools to program their systems and process records through COD. It provides a COD system overview, a list of changes, processing information (e.g., business rules and edits), print specifications, and technical specifications. The appendices also contain additional reference information, such as conversion tables, report layouts, and Extensible Markup Language (XML) examples. Located at [fsadownload.ed.gov/TechnicalReferences](http://fsadownload.ed.gov/TechnicalReferences).

*Common Record* A file layout used by schools and the COD system to exchange Pell Grant, TEACH Grant, and Direct Loan data. The Common Record is a document formatted in XML.

*Community Defender Organizations* A defender organization established in accordance with section 3006A(g)(2)(B) of title 18, United States Code.

*Community Service Work-Study Jobs* Services that are identified by an institution of higher education through formal or informal consultation with local nonprofit, government, and community-based organizations, as designed to improve the quality of life for community residents, particularly low-income individuals, or to solve particular problems related to their needs. In order to be considered community service, the job has to be in an area that is open, accessible, and used by the community at large. For a more detailed list of community services see 34 CFR 675.2.

*Compensating Balance* An offsetting balance. A requirement by some banks that a borrower maintain a minimum balance in a checking or savings account as a condition of a loan.

*Compliance* Conformity in fulfilling requirements under various statutes and regulations.

*Composite Score* The composite score standard combines different measures of the elements of financial health to yield a single measure of a school's overall financial health. This method allows financial strength in one area to make up for financial weakness in another area, and provides an equitable measure of the financial health of schools of different sizes. Included in the calculation are the following ratios:

Primary Reserve, Equity, and Net Income.

*Comprehensive Student Work-Learning-Service Program* A student work-learning-service program that

- ♦ is an integral and stated part of the institution's educational philosophy and program;
- ♦ requires participation of all resident students for enrollment and graduation;
- ♦ includes learning objectives, evaluation, and a record of work performance as part of the student's college record;
- ♦ provides programmatic leadership by college personnel at levels comparable to traditional academic programs;
- ♦ recognizes the educational role of work-learning-service supervisors; and
- ♦ includes consequences for nonperformance or failure in the work-learning-service program similar to the consequences for failure in the regular academic program.

*Comprehensive Transition and Postsecondary Program* A degree, certificate, nondegree, or noncertificate program that

- ♦ is offered by a participating institution;
- ♦ is delivered to students physically attending the institution;
- ♦ is designed to support students with intellectual disabilities who are seeking to continue academic, career and technical, and independent living instruction at an institution of higher education in order to prepare for gainful employment;
- ♦ includes an advising and curriculum structure;
- ♦ requires students with intellectual disabilities to have at least one-half of their participation in the program, as determined by the institution, focus on academic components through courses or activities taken jointly with students without disabilities; and



- ♦ provides students with intellectual disabilities opportunities to participate in coursework and other activities with students without disabilities.

*Computer Controls* Internal controls performed by computer software as opposed to manual controls. Also means general and application controls over the computer processing of data.

*Concurrent Deferment* In the Perkins Program, automatic deferments schools must grant during periods of service for which schools also grant loan cancellation. Borrowers do not need to apply for these automatic deferments.

*Conditional Acceptance* Condition whereby a student is admitted to an academic program provisionally until the student can demonstrate ability to succeed in the program by either furnishing documentation (such as transcripts or test scores) or receiving acceptable grades in program coursework. Students admitted in this manner are regular students only if the school accepts them into an eligible degree or certificate program.

*Conflicting Information* A discrepancy in the information that a school has regarding a student that affects his or her eligibility for federal student aid. A school must resolve conflicting information about a student before that student can receive federal student aid.

*Consolidated Financial Statements* Financial statements that reflect the total economic entity (all entities with same management are presented together and all related party transactions are eliminated from the statements). For example, on a consolidated income statement a corporation that owns several individual schools would report the total of all of its schools' activities. A consolidated balance sheet would report the combined assets except for claims against schools within its group.

*Consolidation* The process of combining one or more loans into a single new loan.

*Consortium* A group of two or more eligible schools that interacts with the Department in the same manner as other schools, except that the business between the

Department and the schools is channeled through a single point.

*Consortium Agreement* A written agreement between two or more eligible schools.

*Consumer Information* The information that a school must provide about financial aid and its campus, facilities, student athletes, and gainful employment programs as well as information to promote campus security and fire safety and prevent drug and alcohol abuse, as required under HEA Sec. 485(f) and 34 CFR 668.41–49.

*Continuing Education* Coursework usually intended for adult and non-traditional students in which a student receives instruction that supplements a his or her previous education. Student can only receive Title IV aid for continuing education classes and credits only when those courses and credits are applicable to a degree or certificate program.

*Contra Account* One of two or more accounts which partially or wholly offset another or other accounts; on financial statements, they may be either merged or appear together.

*Contractual Agreement* A written agreement between an eligible school and an ineligible school.

*Control* Documented activities, policies, and procedures that help an organization meet its objectives, attain its goals, and accomplish its mission.

*Control Account* A general ledger account containing the correct total amount without containing the details. For example, Accounts Receivable could be a control account in the general ledger. Each day the total of the day's credit and collections are posted to this account. However, the details involving students' accounts will be found in a subsidiary ledger.

*Control Activities* Control activities are actions supported by policies and procedures that help ensure management directives are carried out properly and in a timely manner. Control activities can be classified either as preventive or detective. Preventive controls (e.g., approvals) attempt to deter or prevent undesirable events. Detective controls (e.g., reconciliations) attempt to detect undesirable events.



*Control Environment or Internal Control Environment*

The overall attitude, awareness, and actions of directors and management (i.e., “those charged with governance”) regarding the internal control system and its importance to the entity. A positive control environment is the foundation for all internal control standards. It provides discipline and structure as well as the climate of the workplace, which influences the quality of internal control.

*Control Objectives* Goals or standards for reducing or eliminating potential risks to an organization’s mission.

*Control Systems* The organizational structure, operational procedures, and administrative practices adopted by all levels of management to provide reasonable assurance that programs and administrative activities are effectively carried out.

*Coordinating Official* A capable individual responsible for administering all the Title IV, HEA programs in which a school participates and for coordinating those programs with the institution’s other federal and nonfederal programs of student financial assistance. An individual is “capable” if certified by the state in which the school is located and the state requires certification of financial aid administrators. Other factors in determining capability include, but are not limited to, the individual’s successful completion of Title IV program training provided or approved by the Secretary and previous experience and documented success in administering the Title IV programs properly.

*Correcting Entry* A journal entry to correct an erroneous amount previously entered in the general ledger.

*Correction Edit Codes (Pell Grant program only)* If schools select to have their Pell Grant data corrected rather than rejected, the COD system automatically corrects the data and sends a response to the school that submitted the record indicating that a correction took place, the element corrected, the original value, and the corrected value. Edits that can be corrected, rather than rejected, are indicated with a C/R in the Volume II, Section 4 – Edit codes in the COD Technical Reference.

*Corrective Action* Actions needed to address an issue of noncompliance.

*Corrective Action Plan (CAP)* Statement of the corrective actions related to noncompliance, to include a responsible official, milestones toward completion of the action, metrics which measure progress and remediation, and dates when these milestones will be addressed. CAPs are to be maintained by the organization, and the status is to be reported as directed.

*Correspondence Course* A course provided by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and student is limited, is not regular and substantive, and is primarily initiated by the student. Correspondence courses are typically self-paced. If a course is part correspondence and part residential training, the Department considers the course to be a correspondence course. Note: A correspondence course is not distance education.

*Correspondence Student Limitation* The requirement that less than 50% of a school’s regular students be enrolled in correspondence courses for the school to be eligible to participate in the Title IV programs. This limitation may be waived for a school that offers a 2-year associate degree or 4-year baccalaureate degree program if it demonstrates to the Department that in that award year the students enrolled in correspondence courses receive no more than 5% of the total FSA program funds received by all of the school’s students.

*Cost* The monetary value of resources used or sacrificed, or liabilities incurred to achieve an objective, such as to acquire or produce a product, or to perform an activity or service. Depending on the nature of the transaction, cost may be charged to operations immediately, i.e., recognized as an expense of the period, or to an asset account for recognition as an expense of subsequent periods.

**Cost of Attendance (COA)** The cost in dollars, of a period of enrollment (such as an academic year). The COA for a student is an estimate of that student's educational expenses for the period of enrollment. Defining a student's COA is the first step in establishing a student's financial need. It sets the limit on the total need-based federal student aid a student may receive and is one of the components of the Pell Grant calculation. For a detailed explanation of the components included in Cost of Attendance see the Higher Education Act, as amended, Part F, Section 472.

**Coverdell Education Savings Account** A type of tax-advantaged savings vehicle for college education.

**Covered Institution** Any institution of higher education, proprietary institution of higher education, postsecondary vocational institution, or institution outside the United States, that receives any federal funding or assistance.

**CPS/SAIG Technical Support** Call center that responds to questions about the Central Processing System (CPS), the Student Aid Internet Gateway (SAIG), Web products such as FAA Access to CPS Online, and assistance with software products such as EDconnect and EDExpress. Phone: 800-330-5947, 8:00 a.m. to 8:00 p.m. (ET), Monday through Friday.

**Credit Balance** See Title IV Credit Balance.

**Credit Bureau** An agency that gathers and stores credit information on individuals, and provides reports of that information to organizations from whom the individuals are seeking to obtain credit. Borrowers whose federal education loans are in default are reported to credit bureaus.

**Credit Check** A check of a Direct PLUS Loan applicant's credit record performed by COD to determine whether the individual has an adverse credit history. A credit check is generated when: (1) the COD system receives a Direct PLUS Loan Award; (2) the Direct PLUS Loan applicant completes a Direct PLUS Loan request via studentLoans.gov; or (3) the school (after obtaining the applicant's authorization) initiates a credit check on the web through COD.

**Credit Hour** Except as provided in 34 CFR 668.8(k) and (l), a credit hour is an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates not less than

- ♦ one hour of classroom or direct faculty instruction and a minimum of two hours of out of class student work each week for approximately 15 weeks for one semester or trimester hour of credit, or 10 to 12 weeks for one quarter hour of credit, or the equivalent amount of work over a different amount of time; or
- ♦ at least an equivalent amount of work as required in paragraph (1) of this definition for other academic activities as established by the institution including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

**Critical Audit Matters** Those matters addressed during the audit that (1) involved the most difficult, subjective, or complex auditor judgments; (2) posed the most difficulty to the auditor in obtaining sufficient appropriate evidence; or (3) posed the most difficulty to the auditor in forming the opinion on the financial statements. Critical audit matters ordinarily are matters of such importance that they are included in the matters required to be (1) documented in the engagement completion document that summarizes the significant issues and findings from the audit; (2) reviewed by the engagement quality reviewer; (3) communicated to the audit committee; and (4) any combination of the three.

**Critical Matter Standard in the Auditor Report** Requires an auditor to communicate in the auditor's report (when the auditor expresses an unqualified opinion) critical audit matters that were addressed during the audit of the current period's financial statements. If the auditor determines that there are no critical audit matters, the auditor would state in the auditor's report that the auditor determined that there are no such matters to communicate.

**Crossover Payment Period** A payment period that spans two award years.

**Current Funding Level (CFL)** Total amount of cash available for a school to draw down at any point in time, and is a subset of the school ceiling amount (SCA). A school's current funding level may be adjusted based on the amount of substantiated cash. A change in CFL will directly impact the SCA. In G5, the CFL is call the *Authorization*.

**Current Liabilities** Amounts owed by an entity for which the financial statements are prepared, and which need to be paid within the fiscal year following the reporting date.

## D

**Data Match** The check that the CPS makes against other databases such as NSLDS and those maintained by other federal agencies: the Department of Defense, the Department of Justice, the Social Security Administration, the Department of Veterans Affairs, the Department of Homeland Security, and the Selective Service System. Data matches help to determine students' eligibility for federal student aid.

**Data Release Number (DRN)** A four-digit unique student identifier that schools may use in combination with an applicant's identifying information to access the student's record if the school was not listed on the Free Application for Federal Student Aid (FAFSA).

**Data Universal Numbering System (D-U-N-S) Number** Identification code assigned to a school by Dun & Bradstreet. The D-U-N-S number represents a school as a unique financial entity.

**Dear Colleague Letter (DCL)** An ad hoc publication by the Department of Education addressing significant policy, system, and training issues and intended for college financial aid administrators and other customers.

**Death Master File** A list of SSNs associated with people who have died, maintained by the Central Processing System (CPS).

**Debarment of School Owners or Staff** Suspension of one of the principals or employee of a school by a federal agency. Debarment prohibits that person

from participating in any FSA program as long as the agency's procedures include due process protections that are equivalent to those provided by ED.

**Debt Resolution Services** Office (within Federal Student Aid's Default Division) to which schools refer students who have received an overpayment of Title IV funds for collection.

**Default** The failure to meet any obligation or term of a credit agreement, grant, or contract.

**Default (Loan)** A status that a loan is placed in if the borrower has failed to make a payment when due for the number of days allowed by the applicable regulations, or if the borrower violates other terms and conditions of the promissory note. Borrowers who default on federal education loans lose eligibility for further federal student aid, will have their default reported to national credit bureaus, and may have their wages garnished or tax refunds offset by the government.

**Default Division** Office within Federal Student Aid responsible for the management collecting defaulted loans and student overpayments.

**Default Prevention and Management Plan** A plan that new schools, those with a change of ownership control, and those whose status as a main or branch campus changes must implement. New schools are exempt in certain circumstances. Schools with a cohort default rate  $\geq 30\%$  must establish a default prevention task force that prepares a plan that

- ♦ identifies the factors causing the default rate to exceed the threshold;
- ♦ establishes measurable objectives and steps the school will take to improve the default rate; and
- ♦ specifies the actions the school will take to improve student loan repayment, including counseling students on repayment options.

**Defense Of Infancy** A legal defense whereby a borrower asserts that they were too young to enter into an agreement. A borrower may not use a defense of infancy as part of any attempt to refuse to repay Title IV loans. HEA Section 484A(b)(2).

*Deferment (Loan)* A period during which a borrower is entitled to have payments of principal and interest on federal education loans postponed if he or she meets the eligibility criteria for the deferment. Examples of reasons that entitle a borrower to deferment include enrollment in postsecondary education on at least a half time basis, unemployment, economic hardship, or qualifying active duty military service.

*Degree or Certificate Seeking Student* A student enrolled in a course of credit who is recognized by the institution as seeking a degree or certificate.

*Dependency Override* Action a financial aid administrator may take to change a student's status for federal student aid from dependent to independent (the reverse is not permitted). There must be unusual circumstances to warrant an override, and the FAA must document those circumstances in the student's file.

*Dependent of the Student* The student's dependent children and other persons (except the student's spouse) who live with and receive more than one-half of their support from the student and will continue to receive more than half of their support from the student during the award year.

*Dependent Student* Any student who does not qualify as an independent student (see Independent Student). A FAFSA for a dependent student must include parent information.

*Dependents (of a student's parents)* The student, other dependent children of the student's parents (whether or not they reside with the parents), including those children who are deemed to be dependent students when applying for aid under this title, and other persons who live with and receive more than one-half of their support from the parent and will continue to receive more than half of their support from the parent during the award year.

*Designated Department Official* An official of the Department of Education to whom the Department has delegated responsibilities indicated in this part.

*Destination Point* In the Electronic Data Exchange, the transmitter of FSA data (applications and/or corrections) through the FAA Access to CPS Online

interface with EDEXpress or through Third-Party software. The results of processing (ISIRs) as well as COD data and reports are transmitted to the destination point through the Student Aid Internet Gateway. This may be a postsecondary school servicing one or more schools or a service agent servicing multiple schools.

*Destination Point Administrator (DPA)* The school employee responsible for ensuring secure access to the SAIG (a communication system between the school and ED systems). The DPA is responsible for assigning and providing access via SAIG for other employees of the school.

*Deviation* Departure from prescribed internal control procedures. Often expressed as a rate at which the departure occurs.

*DHS Match Flag* Code on a SAR/ISIR indicating the results of a match with the Department of Homeland Security (DHS). An applicant's FAFSA is sent to DHS if the applicant indicates on the FAFSA that he or she is an eligible noncitizen.

*DHS Secondary Confirmation Match Flag* Code on a SAR/ISIR indicating the results from a secondary match with DHS for an applicant who failed primary confirmation of immigration status.

*Diploma Mill* An entity that:

- ♦ charges someone a fee and requires him to complete little or no education or coursework to obtain a degree, diploma, or certificate that may be used to represent to the general public that he has completed a program of education or training; and
- ♦ lacks accreditation by an agency or association that is recognized as an accrediting body for institutions of higher education by the Secretary (pursuant to Part H, Subpart 2 of Title IV) or a federal agency, state government, or other organization that recognizes accrediting agencies or associations. Note that merely lacking accreditation does not make a school a diploma mill.



*Diploma School of Nursing* A school affiliated with a hospital or university, or an independent school, which provides primarily or exclusively a two-year program of postsecondary education in professional nursing, leading to the equivalent of a diploma in the United States or to equivalent indicia that the program has been satisfactorily completed.

*Direct Assessment Program* An instructional program that, in lieu of credit hours or clock hours as a measure of student learning, utilizes direct assessment of student learning, or recognizes the direct assessment of student learning by others. The assessment must be consistent with the accreditation of the institution or program utilizing the results of the assessment.

*Direct Consolidation Loan* A Direct Loan created from the outstanding balances of other pre-existing federal education loans.

*Direct Cost* The cost of resources directly consumed by an activity. Direct costs are assigned to activities by direct tracing of units of resources consumed by individual activities.

*Direct Disbursement (to a student or parent)* Paying FSA funds directly to a student or parent by

- ♦ issuing a check or other instrument payable to and requiring the endorsement or certification of the student or parent (a check is issued if the school releases or mails the check to a student or parent, or notifies the student or parent that the check is available for immediate pickup); or
- ♦ initiating an EFT to a bank account designated by the student or parent, including transferring funds to stored-value cards and debit cards (see the discussion under Paying FSA Credit Balances later in this chapter); or
- ♦ providing cash to the student or parent, provided that the school obtains a signed receipt from the student or parent.

*Direct Loan 30-Day Warning Report* A listing of unbooked loans for which COD has not received the elements required for booking. The report also lists MPNs received by COD that do not have an accepted origination record. The report is sent to the school's

SAIG mailbox on a monthly basis (if data for the given month exists for the report). The report is also available via the COD website ([cod.ed.gov](http://cod.ed.gov)).

*Direct Loan Counseling Report* Lists students who have completed entrance counseling, financial awareness counseling, and exit counseling on the StudentLoans.gov website. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Delinquent Borrower Report* Lists borrowers who are at least 31 days delinquent in their Direct Loan payments. The report gives the most recent contact information for the borrower and can be used in default reduction efforts by helping schools identify and contact borrowers. The Delinquent Borrower Report is available by subscription or on request from the Direct Loan Servicing Center. A report of borrowers delinquent in payment to loan servicers is available through the National Student Loan Data System (NSLDS).

*Direct Loan Duplicate Student Borrower Report* Lists student borrowers for which the COD system has multiple subsidized/unsubsidized awards with overlapping academic years within the same award year. Schools should monitor this report and contact other schools involved to verify that the student's academic and award years are correct in both COD and the schools' systems. Failure to monitor this report may cause records to reject in COD for going over the annual Stafford limits. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Exit Counseling Completion Report* Lists students who have completed exit counseling on the StudentLoans.gov website, or students who completed counseling by another means whose information was uploaded by the school to NSLDS. Schools should monitor this report to assist with their default reduction efforts and insure compliance with exit counseling requirements. This report is available from the NSLDS Professional Access website, in detail and summary versions and online, both as a scheduled report or on demand. Note that although students complete entrance and exit counseling on Studentloans.gov, it is NSLDS that exit counseling reports to schools.

*Direct Loan Expired MPN Report* Lists MPNs that have expired (become inactive) within the last 30 days. This report is available via at [cod.ed.gov](http://cod.ed.gov) and the schools SAIG mailbox.

*Direct Loan Inactive Loans Report* Lists all the loans a school has reduced to zero (\$0) for the reporting period. This report is available at [cod.ed.gov](http://cod.ed.gov) and the schools SAIG mailbox.

*Direct Loan MPN Discharge Report* Lists MPNs that have become inactive within the last 30 days due to discharges for death, unauthorized signature, or identity theft. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan MPNs Due to Expire Report* Lists MPNs that will expire (become inactive) within the next 60 days. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Pending Disbursement Listing Report* Informs schools of loans with anticipated disbursement dates (Disbursement Release Indicator (DRI) set to false) on file at COD and the dates of those anticipated/pending disbursements. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Program Loan* A loan made under the William D. Ford Federal Direct Loan Program.

*Direct Loan Rebuild File* A file that can be used to rebuild a lost or corrupted Direct Loan Database, or recreate specific student records. School may request this file at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Repayment Plan* Any of the repayment plans under which Direct Loan borrowers can repay their loans. Available repayment plans are the: Standard Repayment Plan, Graduated Repayment Plan, Extended Repayment Plan, Income-Based Repayment (IBR) Plan, Pay As You Earn Plan, and Income-Contingent Repayment (ICR) Plan. Parent Direct PLUS Loan borrowers may only choose from the Standard, Graduated, and Extended plans.

*Direct Loan School Account Statement (SAS)* A COD-generated statement, created monthly (comparable to a bank statement), that summarizes a school's processing activity for the month. The SAS provides the Department's official ending cash balance

from records submitted by the school, and a school will receive this report on a monthly basis until the Department has officially closed the school's activity for a program year. This report is available at [cod.ed.gov](http://cod.ed.gov).

*Direct Loan Tools* A multi-year Windows-based application available at [fsadownload.ed.gov](http://fsadownload.ed.gov) that schools can use to

- ◆ compare the SAS to loans and actual disbursements recorded in the school's database or the DL Tools cash database;
- ◆ print the SAS in a readable format;
- ◆ track cash receipts and refunds of cash; and
- ◆ rebuild DL origination and disbursement records in EDEExpress.

*Direct PLUS Consolidation Loan* The portion of a Direct Consolidation Loan attributable to Direct PLUS Loans, Direct PLUS Consolidation Loans, Federal PLUS Loans, and Parent Loans for Undergraduate Students that were repaid by a consolidation loan. The borrower is responsible for the interest that accrues during any period.

*Direct PLUS Loan* A loan made under the Federal Direct PLUS Program.

*Direct Subsidized Consolidation Loan* The portion of a Direct Consolidation Loan attributable to certain subsidized Title IV education loans that were repaid by a consolidation loan. Interest is not charged to the borrower during deferment periods or for a borrower whose consolidation application was received before July 1, 2006, during in-school and grace periods.

*Direct Subsidized Loan* A loan made under the Federal Direct Stafford Ford Loan Program.

*Direct Unsubsidized Consolidation Loan* The portion of a Direct Consolidation Loan attributable to unsubsidized Title IV education loans, certain subsidized title IV education loans, and certain other federal education loans that were repaid by a consolidation loan. The borrower is responsible for the interest that accrues during any period.



*Direct Unsubsidized Loan* A loan made under the Federal Direct Unsubsidized Stafford Ford Loan Program.

*Disaster-Affected Student* In FWS, A student enrolled at an institution who (1) received an FWS award for the award period during which a major disaster occurred; (2) earned FWS wages from an institution for that award period; (3) was prevented from fulfilling his or her FWS obligation for all or part of the FWS award period because of the major disaster; and (4) was unable to be reassigned to another FWS job.

*Disbursement* The crediting of a student's account or paying a student or parent directly with

- ◆ FSA funds received from the Department; or
- ◆ school funds labeled as FSA funds in advance of receiving actual FSA funds.

*Disbursement Record* An electronic record sent from a school to COD notifying the Department when a Pell, TEACH Grant or Direct Loan disbursement will be or has been made to a student.

*Disbursement Release Indicator (DRI)* A “tag” on the Common Record that designates a record as an Actual Disbursement Record. It signals the COD System to post the amount of disbursement to an award (loan/grant).

*Discharge (Loan)* Cancellation of the balance due on a federal education loan. Reasons for discharge of a loan include the borrower's death (or the death of the student on whose behalf a parent obtained a Direct PLUS Loan), the borrower's total and permanent disability (as defined in the Department's regulations), school closure, and certain other conditions as specified in the Department's regulations.

*Disclosure Statement* See Loan Disclosure Statement.

*Disclosures* Information that postsecondary institutions must make available to students and the public generally, such as information about their academic programs, costs, withdrawal procedures, refunds, accreditation, athletic programs, crime and safety, etc.

*Discount* The difference between the estimated worth of a future benefit and its present value; a compensation for waiting or an allowance for returns from using the present value of these returns in other ways.

*Discretionary Program* Program for which outlays are controlled by annual appropriation acts. Annual appropriation acts are required to fund the continuing operation of all federal programs that are not “mandatory” (compare to *Entitlement Programs*).

*Disposable Income* That part of an individual's compensation from an employer and other income from any source, including spousal income, that remains after the deduction of any amounts required by law to be withheld, or any child support or alimony payments that are made under a court order or legally enforceable written agreement. Amounts required by law to be withheld include, but are not limited to, federal, state, and local taxes, Social Security contributions, and wage garnishment payments.

*Distance Education* Training that uses one or more of the technologies below to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously. The technologies may include

- ◆ the internet;
- ◆ one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
- ◆ audio conferencing; or
- ◆ video cassettes, dvds, and cd-roms, if the cassettes, DVDS, or CD-Roms are used in a course in conjunction with any of several other technologies.

*Documentation* A written explanation that describes a topic so that an independent third party can understand it. Documentation includes explanations of program mission and functions, component control techniques, summary of the steps taken in conducting an internal control review, and the operation of a financial system.

## E

*DoD Match* The result on a SAR/ISIR from the match with the Department of Defense (DoD) to determine if the applicant’s parent was a member of the armed forces who died as a result of service in Iraq or Afghanistan after September 11, 2001.

*Draft Cohort Default Rate* The rate the Department issues for review before issuing an official cohort default rate. A draft cohort default rate is used only for the purposes described in 34 CFR 668.185.

*Drawdown (also Cash Receipt)* A school’s request for and subsequent transmission of funds to the school via G5. A drawdown occurs when a school (or COD) initiates a request for funds through G5, and the funds are transmitted from the U.S. Department of the Treasury to the school’s bank account.

*Drawdown Adjustment* An adjustment made in G5, where a drawdown is moved from one award year to another award year. This usually is done to correct an error (mistakenly requesting funds from the wrong award year, or to change the amount of the request before the funds are received by the school).

*Drug Abuse Hold* A legal judgment that bars an applicant from receiving certain federal benefits, including Title IV aid, due to a federal or state conviction for drug possession or trafficking. The Central Processing System (CPS) maintains a file of individuals who have received a drug abuse hold, and all applicants are checked against this list.

*Due Diligence (in the loan programs)* The use of extensive persistent procedures for servicing and collecting student loans. Also the full and timely disclosure to student borrowers of their rights and obligations.

*Duplicate SSN Flag* This flag on a SAR/ISIR is set to “Yes” if another record was found in the CPS database with the same SSN but a different last name.

*Early Disbursement* A disbursement of federal student aid made to a student up to 10 days before the first day of classes for a payment period or period of enrollment, as applicable.

*Early Intervention Services* Those services defined in section 632(4) of the Individuals with Disabilities Education Act that are provided to infants and toddlers with disabilities.

*Earned* In cash accounting, an item is “earned” and reported as revenue when cash is received. Under accrual accounting an item has been “earned” and is reported as revenue when a service has been performed or product delivered, not when cash is received.

*ED Pubs* The website where customers can order hard copies of Department publications and download an electronic copy in Portable Document Format (PDF).

*EDExpress* A PC application that processes, packages, and manages FSA records. FSA provides EDExpress free of charge to postsecondary schools that participate in its Electronic Data Exchange (EDE) process.

*Edit Codes* These codes communicate unique messages from the COD System when a school’s reported student data is found to be in error or inconsistent with related data.

*Edit Only Record* In the COD process, a record sent with anticipated disbursement information for editing purposes only. Edit Only Records may originate an award, but are not intended to request or report funds. Schools using the Common Record submit a record with the Disbursement Release Indicator set to False.

*Education Central Automated Processing System (EDCAPS)* Department of Education system that integrates the Department’s financial processes, including financial management, contracts and purchasing, grants administration, and payment management. EDCAPS integrates four formerly separate system modules into a single system consisting of

- ◆ Financial Management Systems Software;
- ◆ Travel Management;
- ◆ Contracts and Purchasing Support System; and
- ◆ Grant Management System (G5).

*Education Department Central Automated Processing System (EDCAPS)* A centralized financial management system for ED’s financial processes, including financial management, contracts and purchasing, grants administration, and payment management.

*Education Loan* Except when used as part of the term “private education loan,”

- ◆ any loan made, insured, or guaranteed under the Federal Family Education Loan (FFEL) Program;
- ◆ any loan made under the William D. Ford Federal Direct Loan Program; or
- ◆ a private education loan.

*Educational Program* A legally authorized postsecondary program of organized instruction or study that leads to an academic, professional, or vocational degree, or certificate, or other recognized educational credential, or is a comprehensive transition and postsecondary program.

*Educational Service Agency* A regional public multi-service agency authorized by state law to develop, manage, and provide services or programs to local educational agencies as defined in section 9101 of the Elementary and Secondary Education Act of 1965, as amended.

*Effective Internal Control* Reasonable assurance that operational objectives are achieved, that published financial statements are reliably prepared, and that the entity complies with applicable laws and regulations.

*Electronic Data Exchange (EDE)* An electronic exchange system between the central processor and an institution under which

- ◆ a student is able to transmit his or her application information to the central processor through his or her institution and an ISIR is transmitted back to the institution;
- ◆ a student through his or her institution is able to transmit any changes in application information to the central processor; and
- ◆ an institution is able to receive an ISIR from the central processor for a student.

*Electronic Data Request (in COD)* A file sent by a school to the Common Origination and Disbursement (COD) system containing a request for information. A school can receive reconciliation files, multiple reporting records, year-to-date (YTD) data, electronic statements of account (ESOA) data, Potential Overaward Project (POP) reports, and/ or verification status reports.

*Electronic Funds Transfer (EFT)* Generic term describing any transfer of funds between parties or depository institutions through electronic data systems.

*Electronic Processes* The connections that schools are required to make to various Department websites (e.g., the COD website) to be in compliance with administrative capability requirements.

*Electronic Signatures in Global and National Commerce Act (E-Sign Act)* Enacted on June 30, 2000, the E-Sign Act provides, in part, that a signature, contract or other record relating to a transaction may not be denied legal effect, validity or enforceability solely because it is in electronic form, or because an electronic signature or electronic record was used in its formation. Voluntary consent to participate in electronic transactions is required for all financial information provided or made available to student loan borrowers, and for all notices and authorizations to FSA recipients required under 34 CFR 668.165.

*Electronic Statement of Account (ESOA)* An official statement from ED that sets a school’s authorization level for the upcoming award year and projects adjustments to the school’s FSA program funding needs. It summarizes the status of a school’s Current Funding Level (CFL) as it compares to the net drawdowns for the award year. An ESOA also details the amount expended to date. ESOAs are produced for the Federal Pell Grant Program. ED produces an ESOA whenever there is an adjustment to a school’s current FSA program authorization.

*Elementary School* A nonprofit institutional day or residential school, including a public elementary charter school, that provides elementary education, as determined under State law.

*Eligibility Used (Pell)* A percentage calculated by summing all of the accepted actual disbursement records for a student at the attended institution in a award year and dividing that amount by the Scheduled Federal Pell Grant Award at the attended institution.

*Eligible Institution* An institution that qualifies as

- ♦ an institution of higher education, as defined in 34 CFR 600.4;
- ♦ a proprietary institution of higher education, as defined in § 600.5; or
- ♦ a postsecondary vocational institution, as defined in § 600.6; and
- ♦ meets all the other applicable provisions of § 600.

*Eligible Applicant* A student in an approved course of study who has submitted a Free Application for Federal Student Aid (FAFSA) and meets the eligibility requirements for Title IV financial aid. The student must be currently enrolled or be a prospective student at a postsecondary school which is eligible to participate in the Title IV programs.

*Eligible Citizen (Categories)* Individuals in these citizenship categories are potentially eligible to receive at least one type of Title IV aid. Categories of eligible citizenship include: U.S. citizens, U.S. nationals, citizens of the Freely Associated States, U.S. permanent

residents, and certain eligible non-U.S. citizens. Not all types of eligible citizen are eligible to receive all types of Title IV aid. See also Freely Associated States, eligible noncitizen.

*Eligible Noncitizen* An immigration status that meets the requirements of 34 CFR 668.33(a)(2). That is, a student who is not a U.S. citizen, but is still potentially eligible to receive at least one type of Title IV aid. Types of eligible noncitizens include: lawful permanent residents, conditional resident aliens, refugees, persons granted asylum, persons paroled into the U.S. for at least one year, Cuban-Haitian entrants, conditional entrants, victims of human trafficking, battered immigrants-qualified aliens, students of the Freely Associated States, and Jay treaty students. Not all types of eligible noncitizen are eligible to receive all types of Title IV aid.

*Eligible Postbaccalaureate Program* A postbaccalaureate academic program in teacher certification that is Pell-Grant-eligible. A student may receive a Pell Grant for enrollment in such a program, if

- ♦ the program does not lead to a graduate degree;
- ♦ the school offering the program does not also offer a bachelor’s degree in education;
- ♦ the student is pursuing an initial teacher certification or licensing credential within a state; and
- ♦ the program consists of the courses required by a state to receive a professional certification or licensing credential necessary for employment as a teacher in an elementary or secondary school in that state.

*Eligible Program* An educational program that is provided by a participating institution and meets the requirements in 34 CFR 668.8(c) and (d) for participating in the FSA programs. For a detailed explanation of an Eligible Program see the Higher Education Act, as amended, Part F, Section 481(b).

**Eligible Student** A regular student enrolled, or accepted for enrollment, in an eligible program at an eligible institution, who meets the general and program requirements in 34 CFR 668.32 and 668.38, the citizenship requirements in 34 CFR 668.33, and satisfactory academic progress requirements in 34 CFR 668.34, who is not in default of a debt to the department under the HEA, and not in violation of the prohibitions of 34 CFR 668.40. Male students who are 18, or are above the age of 18, must be registered with the Selective Service to be eligible. For a detailed explanation of Student Eligibility see the Higher Education Act, as amended, Part F, Section 484.

**Eligibility and Certification Approval Report (ECAR)** A summary of an institution's eligibility/certification information (Title IV program participation, institution's accreditor, state authorization, staff, additional locations and eligible vocational programs).

**Eligible Nonparticipating School** A school that chooses to establish eligibility for the FSA programs but not to participate in them. Designation as an eligible institution qualifies a school or its students to take advantage of non-FSA programs or benefits, such as the American Opportunity and Lifetime Learning tax credits and qualifies its students for deferments of federal student loans.

**Eligible Program** An educational program that meets regulatory requirements for participating in Title IV programs.

**Emergency Action** Action taken by the Department to suspend a school's or third-party's participation in the Title IV programs if the Department:

- ♦ receives reliable information that the school or third-party servicer is in violation of applicable laws, regulations, special arrangements, agreements, or limitations entered into under the authority of statutes applicable to Title IV of the HEA;
- ♦ determines that immediate action is necessary to prevent the likelihood of substantial losses by the federal government, parent borrowers, or students; and

- ♦ determines that the likelihood of loss exceeds the importance of following the procedures for limitation, suspension, or termination.

**Emergency Response and Evacuation Plan** The procedures a school must develop for emergency response and evacuation and of which it must include a description in its annual security report to the campus community. A school must develop procedures to immediately notify the campus community upon the confirmation of a significant emergency or dangerous situation involving an immediate threat to the health or safety of students or employees occurring on the campus.

**Employer Identification Number (EIN)** Identifying number issued by the IRS to businesses for tax filing purposes. The EIN preceded by the letters "ED" is the password for accessing the Electronic Application (E-App) that schools use to apply for and update institutional FSA eligibility.

**Endorser** An individual who agrees to repay a Direct PLUS Loan if the borrower does not repay the loan.

**Endowed Fund** Usually a permanently restricted asset for which the principal portion must be retained indefinitely. The earnings from an endowed fund could be unrestricted or temporarily restricted.

**English Language Acquisition** The process of acquiring English as a second language.

**Enrolled** The status of a student who has

- ♦ completed the registration requirements (except for the payment of tuition and fees) at the institution that he or she is attending; or
- ♦ been admitted into an educational program offered predominantly by correspondence and has submitted one lesson, completed by him or her after acceptance for enrollment, and without the help of a representative of the institution.

**Enrollment Date** The earliest date a student was enrolled in an eligible program for the designated award year.



*Enrollment Reporting* (in NSLDS) The process used by schools to report student enrollment data to the Department. Enrollment reporting can occur online in real time, or through file exchange using SAIG.

*Enrollment Reporting Profile* (in NSLDS) A webpage that displays information about the school for the enrollment reporting process. The page displays the set up for organizations that report or receive enrollment status information about students receiving federal student aid. The Profile includes file preferences, administrator relationships for school locations sharing the same OPEID, and the reporting schedule one year into the future and six months into the past.

*Enrollment School Code* The 8 digit code (Office of Postsecondary Education Identification Number {OPE ID}) for the physical location where the student is attending classes that is reported in the COD disbursement record to ensure a student is listed on the correct NSLDS Enrollment Roster.

*Enrollment Status* Full-time, three-quarter-time, half-time, or less-than-half-time, depending on a student's credit-hour work load per academic term, at an institution using semesters, trimesters, quarters, or other academic terms and measuring progress by credit hours. All levels are relative to full time. At an institution using clock hours, 24 hours a week is full time and 12 hours a week is half-time.

*Entitlement Program* A program in which the federal government becomes automatically obligated to provide benefits to members of a specific group who meet the requirements mandated by law. Programs for which outlays are not controlled by annual appropriation acts (compare to *Discretionary Program*).

*Entity Identifier* On the Common Record, the unique routing identifier for each data exchange partner (e.g., school, third-party servicer, vendor, etc.). When performing entity searches via COD website, the Entity ID is the school's COD identifier, Pell ID, Direct Loan ID or OPE ID.

*Entrance Counseling* Information about loan terms and conditions, along with debt management strategies, that first-time student borrowers are required to receive before they may receive their first Direct Loan disbursement.

*Equity Ratio* A measure of a school's capital resources and its ability to borrow, used when calculating the composite score. The equity ratio is expressed as a fraction with the modified equity as the numerator and the modified expenses as the denominator.

*Equivalent of an Associate Degree* An associate degree, or the successful completion of at least a two-year program that is acceptable for full credit toward a bachelor's degree and qualifies a student for admission into the third year of a bachelor's degree program.

*Escheat* The reversion of funds to an unintended Third-Party, (e.g., when a FSA credit balance check to a student is not cashed, and the funds remain in the school's account or are transferred to the state's escheatment account). Schools must have a process to ensure that FSA program funds never escheat to the state or any other third party.

*ESL Program* English as a Second Language program. Students enrolled in a program consisting solely of ESL instruction are eligible for FSA funds only from the Pell Grant program.

*Estimated Financial Assistance (EFA)* Funds that must be considered during the Title IV aid packaging process. EFA includes aid received from Title IV programs (exception: Iraq & Afghanistan Service Grant), as well all other as grants, scholarships, loans and need-based employment that can be anticipated at the time a school is packaging aid for a student. The student's packaged Title IV aid plus EFA may not exceed a student's need.

*Excess Cash* Any amount of federal student aid funds, other than Federal Perkins Loan Program funds, that an institution does not disburse to students or parents by the end of the third business day following the date the institution

- ♦ received those funds from the Department; or
- ♦ deposited or transferred to its federal account previously disbursed federal student aid program funds received from the Department, such as those resulting from award adjustments, recoveries, or cancellations.



*Excess Liquid Capital* (in Perkins) The amount by which the funds a school has available (cash on hand plus anticipated collections) to make Perkins loans in an award year significantly exceeds the loans a school anticipates making for that award year.

*Exit Counseling* Information about loan terms and conditions, with emphasis on repayment requirements and debt management strategies, that each school participating in the federal education loan programs must ensure is provided to student borrowers. For Perkins Loan borrowers, the counseling must take place before the borrower leaves school, or as soon as possible after the school becomes aware that the borrower is no longer attending classes. For Direct Loan and FFEL student borrowers, the counseling must take place shortly before the borrower ceases to be enrolled at least half time, or as soon as possible after the school becomes aware that the borrower is no longer enrolled half time.

*Expected Family Contribution* (EFC) The amount a student and the student's family may be reasonably expected to contribute toward the student's postsecondary education for the academic year.

*Expedited Determination Letter* (EDL) Fast-track versions of the preliminary report and final determination letter to the institution regarding findings identified during a program review. Used only under conditions described in the procedures.

*Expired Appropriations or Accounts* Appropriation accounts in which the balances are no longer available for incurring new obligations because the time available for incurring such obligations has passed.

*Extended Processing* (Direct Loan) The Direct Loan Program provides relief from close-out processing deadlines for extenuating circumstances. An institution may request extended processing if it is unable to meet the processing deadline (also known as Closeout Deadline). The Department grants extended processing due to either an event such as a natural disaster, or a processing error.

*Extended Processing* (Pell Grant) The Federal Pell Grant Program provides relief from processing deadlines in extenuating circumstances. A school may request administrative relief when it is unable to meet

the September 30th deadline for submitting records, due to either an event, such as a natural disaster, or a processing error.

*eZAudit* A web application designed by the U.S. Department of Education that provides schools with a paperless, single point of submission, for financial statements and compliance audits required by Title IV participants.

## F

*FAA Access to CPS Online* A website that financial aid administrators use to enter application data, view ISIR information, and make corrections. It is located at [fafsa.ed.gov/FOTWWebApp/faa/faa.jsp](http://fafsa.ed.gov/FOTWWebApp/faa/faa.jsp).

*Faculty Member at a Tribal College or University* An educator or tenured individual who is employed by a Tribal College or University, as that term is defined in section 316 of the HEA, to teach, research, or perform administrative functions. For purposes of this definition, an educator may be an instructor, lecturer, lab faculty, assistant professor, associate professor, full professor, dean, or academic department head.

*FAFSA* See *Free Application for Federal Student Aid*

*FAFSA on the Web* <sup>SM</sup> (FOTW) The online version of the FAFSA and the website where it is accessed.

*FAFSA Processor* The data entry processor for a processing year under contract with the U.S. Department of Education. The FAFSA processor receives paper applications, paper SAR corrections, and paper signature pages in the mail, performs document analysis to ensure that the data is acceptable, and handles missing or unacceptable responses. The processor images the application, enters the information from the application, and transmits the data and image electronically to the CPS.

*Failure to Register* A condition wherein a male student knowingly and willingly failed to register for the Selective Service before his 26th birthday.

*Fair Value* The amount at which an asset or liability could be exchanged in a current transaction between willing parties, other than in a forced or liquidation sale.

*Family* (for purposes of separation of functions) A parent, sibling, spouse, child, spouse’s parent or sibling’s, or child’s spouse.

*Family Contribution or Expected Family Contribution* The amount which the student and the student’s family may be reasonably expected to contribute toward the student’s postsecondary education for the academic year for which the determination is made. For a detailed explanation of the components included in Cost of Attendance see the Higher Education Act, as amended, Part F, Sections 473–477.

*Family Educational Rights and Privacy Act (FERPA)* The Act that sets limits on the disclosure of personally identifiable information from school records and defines the rights of the student to review the records and request a change to the records. FERPA generally gives postsecondary students the right to

- ◆ review their education records,
- ◆ seek to amend inaccurate information in their records, and
- ◆ provide consent for the disclosure of their records.

*Family Size* In the case of a dependent student, family size includes

- ◆ if the parents are not divorced or separated, family members include the student’s parents, and the dependents of the student’s parents including the student. (Unmarried parents living together are both considered part of the household, and both incomes must be reported.);
- ◆ if the parents are divorced or separated, family members include the parent whose income is included in computing available income and that parent’s dependents, including the student; and
- ◆ if the parents are divorced and the parent whose income is so included is remarried, or if the parent was a widow or widower who has remarried, family members also include, in addition to those individuals referred to

in subparagraph (B), the new spouse and any dependents of the new spouse if that spouse’s income is included in determining the parents’ adjusted available income.

In the case of an independent student, family size includes

- ◆ the student, the student’s spouse, and the dependents of the student; and
- ◆ if the student is divorced or separated, family members do not include the spouse (or ex-spouse), but do include the student and the student’s dependents.

*Federal Accounting Standards Advisory Board (FASAB)* Group authorized by the accounting profession to establish generally accepted accounting principles (GAAP) applicable to federal government entities.

*Federal Capital Contribution (FCC)* In the Perkins Loan Program, federal funds allocated or reallocated to an institution in an award year for deposit into the institution’s federal funds account under section 462 of the HEA.

*Federal Direct Consolidation Loan Program* One of the components of the Direct Loan Program. Loans made under this program are referred to as Direct Consolidation Loans and provide loans to borrowers who consolidate certain federal educational loans.

*Federal Direct PLUS Program* A component of the Federal Direct Loan Program. It provides loans to parents of dependent students attending schools that participate in the Direct Loan Program. The Federal Direct Graduate/Professional PLUS Program provides loans to graduate or professional students attending schools that participate in the Direct Loan Program. Direct PLUS borrowers are responsible for the interest that accrues during any period. Loans made under this program are referred to as Direct PLUS Loans.

*Federal Direct Stafford/Ford Loan Program* One of the components of the Direct Loan Program. It provides loans to undergraduate, graduate, and professional students attending schools that participate in the Direct Loan Program. The Department subsidizes the interest while the borrower is in an in-school, grace, or deferment period. Loans made under this program are referred to as Direct Subsidized Loans.

*Federal Direct Unsubsidized Stafford/Ford Loan Program* One of the components of the Direct Loan Program. It provides loans to undergraduate, graduate, and professional students attending schools that participate in the Direct Loan Program. The borrower is responsible for the interest that accrues during any period. Loans made under this program are referred to as Direct Unsubsidized Loans.

*Federal Family Education Loan (FFEL) Programs* This former loan program included the Federal Stafford Loan, Federal PLUS, Federal Supplemental Loans for Students (Federal SLS), and Federal Consolidation Loan programs. Lenders used their own funds to make loans to enable students or their parents to pay the costs of the students' attendance at eligible institutions.

*Federal Pell Grant Program* A grant program authorized by the HEA under which grants are awarded to help financially needy students meet the cost of their postsecondary education.

*Federal Perkins Loan Program* The student loan program authorized by Title IV of the HEA. The Federal Perkins Loan Program includes loans made under the National Direct Student Loan Program and the National Defense Student Loan Program. This Campus-Based Program provides low-interest loans to financially needy students attending institutions of higher education to help them pay their educational costs.

*Federal Public Defender Organization* A defender organization established in accordance with section 3006A(g)(2)(A) of title 18, United States Code.

*Federal Register* The daily journal of the U.S. federal government. It contains notices, proposed and final regulations, and presidential documents. Regulations first appear in the register and, when final, are incorporated in the Code of Federal Regulations.

*Federal Reserve Banks (FRB)* A nationwide system for clearing and settling checks drawn on depository institutions located in all regions of the United States.

*Federal Share* The percentage of a school's annual expenditures in the Campus-Based Programs paid in an award year from a school's current authorization or from federal funds carried forward or back.

(The Office of) *Federal Student Aid (FSA)* The office within the U. S. Department of Education that manages the Federal Student Aid Programs.

*Federal Student Aid (the programs)* Programs authorized under Title IV of the Higher Education Act (as amended) that provide financial assistance to eligible students enrolled in postsecondary educational programs.

*Federal Student Aid Assessments (FSA Assessments)* web-based management assessment modules for helping schools assess their compliance with FSA program requirements and enhance services. Each assessment is self-guided and contains links to applicable laws and regulations. Available at [ifap.ed.gov/ifap/](http://ifap.ed.gov/ifap/).

*Federal Student Aid Coach (FSA Coach)* A comprehensive, introductory course on school requirements for administering the FSA programs. The 36 lessons can be completed individually, allowing you to tailor the training to your schools specific needs. A version for foreign schools, FSA COACH for Foreign Schools contains 23 lessons designed specifically for staff at non-U.S. schools who administer FFEL loans used by U.S. students at participating foreign schools. Available at [www.ed.gov/FSA/training](http://www.ed.gov/FSA/training).

*Federal Student Aid Handbook (The Handbook)* Annual Department publication that explains the requirements for participation in the FSA programs.

*Federal Student Aid Personal Identification Number for Students and Parents (PIN)* The PIN and the user's personal information serve as an electronic signature when entered on the FAFSA on the WebSM site. The PIN also serves as an identifier to let students access their personal information in various U.S. Department of Education systems.

*Federal Student Aid Information Center (FSAIC)* Serves the public by providing information, in both English and Spanish, about the FSA programs and the application process. Customers include students, parents, and financial aid administrators seeking general information about federal grant and loan programs and specific assistance with the FAFSA. 800/4-FED-AID (800-433-3243); 319-337- 5665; TDD/TTY 800-730-8913 for the deaf or hearing impaired.

*Federal Student Aid's Research and Customer Care Center (RCCC)* A call center providing information about and assistance with Title IV policy, regulations, application processing questions, and contacting other federal student aid staff.

*Federal Supplemental Educational Opportunity Grant (FSEOG) Program* The Campus-Based Program that provides grants to eligible students who demonstrate exceptional financial need.

*Federal Work-Study (FWS) Program* A Campus-Based Title IV program that provides part-time employment to students attending institutions of higher education who need the earnings to help meet their costs of postsecondary education and encourages students receiving FWS assistance to participate in community service activities.

*Fedwire* The Federal Reserve Bank's nationwide real time gross settlement electronic funds and securities transfer network. Fedwire® is a credit transfer system. Each funds transfer is settled individually against an institution's reserve or clearing account on the books of the Federal Reserve. The transaction is considered an irrevocable payment when processed.

*Fiduciary* (n.) An entity that holds assets in trust. A school holds federal student aid funds in trust for recipients, their parents in the case of Parent PLUS Loans and the federal government.

*Fiduciary* (adj.) Relating to the collection or receipt, management, protection, accounting, investment and disposition of cash or other assets in which federal student aid recipients, their parents in the case of Parent PLUS Loans and the federal government have an ownership interest.

*Fiduciary Activity* An activity that relates to the collection or receipt, management, protection, accounting, investment and disposition by a school of cash or other assets in which federal student aid recipients, their parents in the case of Parent PLUS Loans and the federal government have an ownership interest that the school must uphold.

*Fiduciary Relationship* A fiduciary relationship exists when a school recognizes, agrees to, or consents to undertake fiduciary activity. Participating institutions have a fiduciary responsibility to ensure federal student aid funds are used as intended.

*Final Audit Determination* The written notice of a determination issued by a designated department official based on an audit of

- ◆ an institution's participation in any or all of the Title IV, HEA programs; or
- ◆ a third-party servicer's administration of any aspect of an institution's participation in any or all of the Title IV, HEA programs.

*Final Demand Letter* A letter that a lender sends to a borrower demanding full payment of a delinquent account. A demand letter is required as part of the due diligence procedures for collecting a loan that is about to go into default or a loan made to an ineligible student.

*Final Funding Authorization* An electronic notification that tells a school the final allocations for each Campus-Based program in which it participates.

*Final Funding Worksheet* Document containing the data used by the Department to determine a school's allocation for each Campus-Based Program in which the school participates and how each final allocation was determined.



*Final Program Review Determination (FPRD)*

The letter from the Department that follows an institution's response to the Program Review Report (PRR). The FPRD informs the institution of ED's final determination regarding each of the findings in the PRR and identifies liabilities, if any; provides instructions for payment of liabilities; notifies the institution of its right to appeal the existence of and amount of liabilities; and closes the program review if appropriate.

*Financial Accounting Standards Board (FASB)*

Independent, private, non-government group which is authorized by the accounting profession to establish generally accepted accounting principles in the United States.

*Financial Need* The cost of attendance for a student, minus

- ♦ the expected family contribution for such student, and
- ♦ any estimated financial assistance not received under Title IV.

*Financial Aid Administrator Access to CPS Online* In

EDExpress, FAA Access to CPS Online is available from the "View" menu and from the FAFSA and Student Inquiry tabs. FAAs can use the site to access saved applications, submit FAFSAs, make corrections, request Institutional Student Information Records (ISIRs), compare ISIRs, verify ISIR data, apply a student signature, and check the processing status of student records. compare ISIRs, verify ISIR data, apply a student signature, and check the processing status of student records.

*Financial Aid Management System (FMS)* This system is the general ledger for FSA. FMS works with G5 to communicate financial information and to deliver federal cash to schools.

*Financial Aid Appeal* A process through which a student appeals a negative finding on his or her Satisfactory Academic Progress (SAP) status. A student's right to appeals is granted at the option of the school. If the school agrees to consider the appeal, the school may place the student on financial aid probation in the interim. See *Satisfactory Academic Progress*.

*Financial Aid Package* The total student assistance—loans, grants, scholarships, and need-based employment—offered to a student.

*Financial Aid Probation* A status under which a student can remain Title IV-eligible after being found not to be making Satisfactory Academic Progress. A student placed on probation must either be on-track to meet Satisfactory Academic Progress (SAP) requirements by the end of the subsequent payment period (no academic plan required, based on the financial aid appeal), or, if the student will require more than one payment period to meet SAP requirements, the school must require the student to develop an academic plan to meet the SAP requirements. This status is available only when a school permits an appeal. The student's progress towards meeting the SAP requirements must be assessed after each payment period, and the student may retain Title IV eligibility as long as they are meeting the progress requirements of their academic plan.

*Financial Aid Warning* A temporary, one payment-period status which allows a student who failed to achieve Satisfactory Academic Progress (SAP) to continue receiving aid. Failing to achieve SAP after one payment period results in a loss of eligibility. Students may, at the option of the school, appeal their SAP status. This status may only be used by schools that check SAP at the end of each payment period.

*Financial Need* An eligible student's Cost of attendance minus Expected Family Contribution (EFC) minus estimated financial assistance not received under Title IV.

*Financial Reporting* The main financial statements (income statement, balance sheet, statement of cash flows, statement of retained earnings, statement of owner's equity) plus other financial information, such as annual reports, press releases, etc.

*Financial Responsibility* The obligation for a school to

- ◆ provide the services described in its official publications and statements;
- ◆ properly administer the FSA programs in which it participates; and
- ◆ meet all of its financial obligations.

The financial responsibility standards (34 CFR 668 Subpart L) can be divided into two categories: (1) general standards, which are the basic standards used to evaluate a school's financial health, and (2) performance and affiliation standards, which are standards used to evaluate a school's past performance and to evaluate individuals affiliated with the school.

*Financial Statements* The presentation of financial data, including accompanying notes derived from accounting records and intended to communicate an entity's economic resources or obligations at a point in time, or the changes therein for a period of time, in accordance with a comprehensive basis of accounting.

*Financial Statements Opinion* An opinion that the financial statements present fairly, in all material respects, the financial position of the company as of the balance sheet date and the results of its operations and its cash flows for the period then ended in conformity with the applicable financial reporting framework. The opinion also includes an identification of the applicable financial reporting framework.

*Final Regulations* Regulations that apply to the general public and have final legal effect.

*Fire* Any instance of open flame or other burning in a place not intended to contain the burning or in an uncontrolled manner.

*Fire Drill* A supervised practice of a mandatory evacuation of a building for a fire.

*Firefighter* A firefighter is an individual who is employed by a federal, state, or local fire fighting agency to extinguish destructive fires; or provide fire fighting related services such as

- ◆ providing community disaster support and, as a first responder, providing emergency

medical services;

- ◆ conducting search and rescue; or
- ◆ providing hazardous materials mitigation.

*Fire-Related Death* Any instance in which a person is killed as a result of a fire, including death resulting from a natural or accidental cause while involved in fire control, attempting rescue, or escaping from the dangers of a fire; or dies within one year of injuries sustained as a result of the fire.

*Fire-Related Injury* Any instance in which a person is injured as a result of a fire, including an injury sustained from a natural or accidental cause, while involved in fire control, attempting rescue, or escaping from the dangers of the fire. The term "person" may include students, employees, visitors, firefighters, or any other individuals.

*Fire Safety System* Any mechanism or system related to the detection of a fire, the warning resulting from a fire, or the control of a fire. This may include sprinkler systems or other fire extinguishing systems, fire detection devices, stand-alone smoke alarms, devices that alert one to the presence of a fire, such as horns, bells, or strobe lights; smoke-control and reduction mechanisms; and fire doors and walls that reduce the spread of a fire.

*First-Time Borrower (Direct Loan)* An individual who has no outstanding balance of principal or interest on a Direct Loan Program or FFEL Program loan on July 1, 2013, or on the date the borrower obtains a Direct Loan Program loan after July 1, 2013.

*First-Time Undergraduate Student* An entering undergraduate who has never attended any institution of higher education. It includes a student enrolled in the fall term who attended a postsecondary institution for the first time in the prior summer term, and a student who entered with advanced standing (college credit earned before graduation from high school).

*FISAP Technical Reference* A reference document that provides programmer specifications and record layouts for schools or other organizations needing to design customer software systems to interface with the U.S. Department of Education's FISAP on the Web process.



*Fiscal Operations Report* Parts III, IV, V, and VI of the FISAP on which schools report on their activities in the Campus-Based Programs. Sometimes referred to as the FISOP.

*Fiscal Operations Report and Application to Participate (FISAP)* Electronic application through which schools provide information on Campus-Based expenditures made during the award year just completed, and the apply for funds in the Campus-Based Programs in the upcoming award year.

*Fiscal Records* Financial records that reflect each federal student aid program transaction; and general ledger control accounts and related subsidiary accounts that identify each federal student aid program transaction, and separate those transactions from all other institutional financial activity, including the records specified in 34 CFR 668.24(c).

*Fiscal Year* An accounting year that ends on a date other than December 31. For example, a school district might have a fiscal year of July 1, 2011 through June 30, 2012.

*Fixed Cost* A cost that does not vary in the short term with the volume of activity.

*Fixed Interest Rate* An interest rate on a loan that remains the same for the entire term of the loan.

*Forbearance* A period during which a borrower may temporarily stop making loan payments, temporarily make smaller payments, or extend the time for making payments. A borrower who does not meet the eligibility requirements for a deferment may, at the discretion of the loan holder, receive a forbearance if the borrower does not meet the eligibility requirements for a deferment but is temporarily unable to make loan payments for reasons including, but not limited to, financial hardship or illness. Borrowers are also entitled to receive forbearance if they meet certain regulatory eligibility criteria.

*Forbearance (Perkins)* A temporary postponement of payments. In the Perkins Program forbearance is available for all loans, regardless of when they were made. Under Perkins forbearance, a borrower may alternatively request an extension of time allowed for making payments, or the acceptance of smaller payments than were previously scheduled.

*Foreclosure* A method of enforcing payment of a debt secured by a mortgage by seizing the mortgaged property. Foreclosure terminates all rights that the mortgagor has in the mortgaged property upon completion of due process through the courts.

*Foreign School* A school not located in a state, territory, or possession of the United States, or otherwise administered by the government of the United States. For the purposes of the Direct Loan Program, a state includes a State of the Union, American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau.

*Forgiveness* In the Direct Loan and FFEL programs, cancellation of a loan debt in exchange for the borrower performing certain types of service.

*Free Application for Federal Student Aid (FAFSA)* The student aid application provided for under section 483 of the HEA, which is used to determine an applicant's eligibility for the federal student aid programs. See *Student Aid Application*.

*Freely Associated States (Micronesia, Palau, Marshall Islands)* Students from one of the Freely Associated States are potentially eligible for Pell Grants, but are not eligible for Title IV loans. Citizens of Palau are also eligible for FWS and FSEOG. Citizens of these states are eligible noncitizens, but do not have A-numbers or (usually) Social Security Numbers.

*Freeze Cash* A period during which a school is temporarily prevented from drawing down cash until unsubstantiated cash previously drawn down is substantiated by submitting actual disbursements. Pertains to schools using the Advance Payment funding method.

*FSAPubs* Federal Student Aids site for ordering publications found at [www.FSAPubs.gov](http://www.FSAPubs.gov).

## G

**FSATECH Listserv** An e-mail listserv through which schools can ask technical questions about Federal Student Aid systems, software, and mainframe products. Answers are provided by technical experts at FSA. For more information on subscribing to FSATECH, go to [ed.gov/offices/OSFAP/services/fsatechsubscribe.html](http://ed.gov/offices/OSFAP/services/fsatechsubscribe.html).

**Full-time Student** An enrolled student who is carrying a full-time academic workload, as determined by the institution, under a standard applicable to all students enrolled in a particular educational program. For more complete information, see 34 CFR 668.2.

**Full-time Teacher (in the TEACH Program)** A teacher who meets the standard used by a state in defining full-time employment as a teacher. For an individual teaching in more than one school, the determination of full-time is based on the combination of all qualifying employment.

**Fund (Federal Perkins Loan Fund)** A fund established and maintained according to § 674.8(a).

**Funds Available for Awards** In the Campus-Based Programs, the principal that the amount available for awards is the federal share, plus the institutional match, minus the applicable *Administrative Cost Allowance*.

**Fund-Specific Basis** One of the ways a school can match its federal allocation in the FSEOG Program. In this approach, the school establishes an FSEOG account for federal program funds and deposits the required 25% qualified nonfederal matching share into the fund. The matching funds must be deposited at the same time the federal funds are deposited. Awards to FSEOG recipients are then made from this mixed fund. Schools using the fund-specific method must deposit their institutional match at the time they receive the federal share funds.

**G5** Formerly known as GAPS, this system is used by Federal Student Aid to process school-specific obligations and to make payments (drawdowns) against those obligations. G5 communicates with the COD system through FMS. G5 is part of EDCAPS and interfaces directly with U.S. Treasury's Federal Reserve System. G5 is the system through which schools request and return Federal Student Aid funds.

**G5 Online Guide for the G5 Payment System** An online guide for the G5 system to assist Department staff, applicants and recipients with G5 regarding the grant management and payment activities and other operational activities of G5.

**G5 External Award Activity Report (Activity Report)** A statement for a school's G5 awards that displays both cumulative and detailed information on drawdown activity, refunds, adjustments, available balances, and authorization changes for each award.

**G5 Hotline** Department of Education call center responsible for assisting G5 customers. The hotline phone number is 888-336-8930, the email address is [edcaps.user@ed.gov](mailto:edcaps.user@ed.gov).

**G-845 Form** This form is completed by the FAA and sent to DHS with a student's eligible noncitizen documentation to support a claim of being an eligible noncitizen for Title IV purposes, after primary and secondary electronic verification has failed. The G-845 can only be used after primary and secondary confirmation with DHS has been performed.

**Gainful Employment Programs** All nondegree educational programs offered by public and nonprofit institutions and virtually all academic programs offered by proprietary institutions of higher education. These programs prepare students for "gainful employment in a recognized occupation."

**Garnishment** The withholding of an individual's funds by an entity for the payment of a debt in accordance with a court order or other legal or equitable procedure. No FSA grant, loan, or work assistance (or property traceable to that assistance) is subject to garnishment or attachment except to satisfy a debt owed to the Department.

*General Fund* Accounts for receipts not earmarked by law for a specific purpose.

*General Journal* A book of original entry that requires that the account being debited and the account being credited be listed along with the respective amounts. Because of accounting software and special journals there are relatively few entries made into the general journal.

*General Ledger* That part of the accounting system which contains the balance sheet and income statement accounts used for recording transactions.

*Generally Accepted Accounting Principles (GAAP)* Uniform minimum standards of and guidelines to financial accounting and reporting. Currently, the Financial Accounting Standards Board (FASB), the Governmental Accounting Standards Board (GASB), and the Federal Accounting Standards Advisory Board (FASAB) are authorized to establish these principles.

*Generally Accepted Auditing Standards (GAAS)* Standards governing the conduct of external audits by CPAs, as determined by the Auditing Standards Board (ASB) of the AICPA.

*Gift Aid* Financial assistance, such as grants and scholarships, that do not need to be repaid.

*Going Concern Assumption* The accounting guideline that allows the readers of financial statements to assume that the organization being audited will continue in operation long enough to realize its investment in assets through operations (as opposed to sale). An audit statement must note an opinion if the accountant performing the audit believes that the assumption is in doubt.

*Government Accountability Office (GAO)* Independent, non-partisan agency that assists Congress in investigating and reporting on government's effectiveness in using public funds.

*Government Auditing Standards or Generally Accepted Government Auditing Standards (GAGAS)* Commonly referred to as the "Yellow Book," it contains standards for audits of government organizations, programs, activities, and functions,

and of governmental funds received by contractors, nonprofit organizations, and other non-government organizations. Revisions are issued as required by the Comptroller General of the United States.

*Governmental Accounting Standards (GAS)* Official promulgations by the Governmental Accounting Standards Board (GASB) and, if not superseded, part of generally accepted accounting principles applicable to state and local governmental entities.

*Governmental Accounting Standards Board (GASB) Group* authorized by the accounting profession to establish generally accepted accounting principles (GAAP) applicable to state and local governmental entities.

*Grace Period* A period of time following a borrower's period of enrollment and preceding the repayment period start date for a loan during which the borrower is not required to make payments.

*Grade Level* Classification of a student by academic year at a school; e.g. freshman, sophomore, or first-year, second-year, etc. A student's grade level is measured according to standards established by the school. Grade level helps determine a student's annual loan limit.

*Grade-Level Progression* A student's movement through their academic program for purposes of determining when a borrower becomes eligible for a new annual loan limit.

*Grade Point Average (GPA)* A cumulative measure of a student's grades over time where the grades have been converted to a numerical scale.

*Graduate or Professional Student* A student who

- ♦ is not receiving federal student aid as an undergraduate student for the same period of enrollment;
- ♦ is enrolled in a program or course above the baccalaureate level or is enrolled in a program leading to a professional degree;
- ♦ has completed the equivalent of at least three years of full-time study either prior to entrance into his or her program or as part of the program itself.

**Grant Award Number** Unique, 11-character “number” that identifies each grant award issued by a specific program office to a specific grantee. All funds are requested (and returned) using the Grant Award Number. The following is an example of a Grant Award Number and an explanation of the parts that make up the number: P031B151234

- ♦ P—Program Office issuing the award
- ♦ 031—Catalog of Federal Domestic Assistance (CFDA) numeric suffix of the program
- ♦ B—Alphabetic subprogram identifier
- ♦ 15—The trailing year in the academic year for DL and TEACH and the beginning year in the academic year for Pell and all other awards.
- ♦ 1234—Unique identifier

**Grantee** an entity (not a person) that applies for and receives a grant award from the Department. The grantee is responsible for ensuring the grant is administered in accordance with program regulations.

**Guaranty Agency** A state or private nonprofit organization that has an agreement with the Department under which it will administer a loan guarantee program under the Act.

## H

**Half-time Student** An enrolled student who is carrying a half-time academic workload, as determined by the institution, that amounts to at least half of the workload of the applicable minimum requirement outlined in the definition of a full-time student, except that a student enrolled solely in a program of study by correspondence must be carrying a workload of at least 12 hours of work per week, or is earning at least six credit hours per semester, trimester, or quarter. Note that regardless of the work, no student enrolled solely in correspondence study is considered more than a half-time student.

**Handicapped Children** Children ages 3 through 21, inclusive, who require special education and related services because they are

- ♦ mentally retarded,
- ♦ hard of hearing,
- ♦ deaf,
- ♦ speech and language impaired,
- ♦ visually handicapped,
- ♦ seriously emotionally disturbed,
- ♦ orthopedically impaired,
- ♦ specific learning disabled, or
- ♦ otherwise health impaired.

**Hardship Payment Reduction** In the Perkins Program, lowering a borrower’s scheduled payments, for up to one year at a time, if the borrower is scheduled to pay the \$40 minimum monthly payment and the school determines that the borrower is unable to make the scheduled payments due to hardship, such as prolonged illness or unemployment.

**Header** A summer term that is, for Pell Grant awarding purposes, uses funds from the subsequent award year. See also *Trailer*.

**Heightened Cash Monitoring** There are two payment methods (Cash Monitoring and Reimbursement) and three levels of heightened cash monitoring—Heightened Cash Monitoring 1 (HCM1), Heightened Cash Monitoring 2 (HCM2), and Reimbursement through which the Department more closely monitors the expenditure of federal funds by schools whose policies and procedures have been called into question.

**High-Need Field (in the TEACH Program)** Any field documented as high-need by the federal government, a state government, or a local education agency (LEA), and approved by the Department and listed in the Department’s annual Teacher Shortage Area Nationwide Listing (Nationwide List) in accordance with 34 CFR 682.210(q).



*High-Risk Children* Individuals under the age of 21 who are low-income or at risk of abuse or neglect, have been abused or neglected, have serious emotional, mental, or behavioral disturbances, reside in placements outside their homes, or are involved in the juvenile justice system.

*Higher Education Act (HEA)* Federal legislation passed in 1965, with amendments and reauthorizations subsequently passed, authorizing federal postsecondary student financial aid programs and mandating that the programs be regulated and administered by the U.S. Department of Education.

*Holder* See *Loan Holder*.

*Home School* Under a consortium or contractual agreement, the school where a student is enrolled in a degree or certificate program.

*Host School* The school where students are taking part of their program requirements through either a consortium or contractual agreement.

*Household Size* See *Family Size*. Household size is the term used in the EFC calculation, and in verification.

*Immediate Need* The amount of FSA program funds a school needs to make disbursements within three business days following the date the school receives the funds. This definition of immediate need applies to all FSA program funds (other than Perkins Loan funds), regardless of whether the school draws down funds by electronic funds transfer (EFT) through the ACH or through FEDWIRE.

*Immigration and Naturalization Service (INS)* A federal agency abolished when the Department of Homeland Security was created in 2003 and its responsibilities were split into three different agencies. (See *U.S. Citizenship and Immigration Services*.)

*Immigration Status* The status conferred on a noncitizen under the Immigration and Nationality Act of 1952, as amended, 8 U.S.C. 1182.

*Improper Payment* Any payment made or that was made in an incorrect amount (including overpayments and underpayments) under statutory, contractual, administrative, or other legally applicable requirements and includes any payment to an ineligible recipient, any payment for an ineligible service, any duplicate payment, payments for services not received, and any payment that does not account for credit for applicable discounts. (See *Overaward* and *Overpayment*.)

*In School* The period during which borrowers are enrolled in a postsecondary educational program. For purposes of eligibility for loan deferments, a student must be enrolled at least half-time as an eligible student to be considered “in-school.”

*Inadvertent Overborrowing* An overpayment that occurs when a student inadvertently has received FSA loan funds in excess of annual or aggregate loan limits and is no longer eligible for FSA funds. A school must determine that a borrower’s receipt of loan funds in excess of an annual or aggregate loan limit was inadvertent before the borrower may regain FSA eligibility.

*Inadvertent Overpayment* Occurs when a school disburses FSA funds to a student who is no longer in attendance, for example, when a school makes a scheduled disbursement on Monday to a student who dropped out on the previous Friday. Inadvertent overpayments are included in Return calculations as Aid that could have been disbursed rather than Aid that was disbursed.

*Incarcerated Student* A student who is serving a criminal sentence in a federal, state, or local penitentiary, prison, jail, reformatory, work farm, or other similar correctional institution. A student is not considered incarcerated if that student is in a half-way house or home detention or is sentenced to serve only weekends.

*Incarcerated Student Limitation* The requirement that no more than 25% of a school’s regular students be incarcerated for the school to be eligible to participate in the Title IV programs. A public or private nonprofit school can ask the Department to waive this limitation in certain circumstances.

*Incentive Compensation Prohibition* The requirement that a school not provide any commission, bonus, or other incentive payment based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid to any person or entity engaged in any student recruitment or admission activity or in making decisions regarding the award of Title IV, HEA program funds.

*Incentive Repayment Program* Steps a school (in the Perkins Program) may take to encourage a borrower to make regular payments. Included are reducing a loan's interest rate by up to 1% if the borrower makes 48 consecutive monthly payments; and discounting (Reducing) the balance a borrower owes on a loan if he or she pays the loan in full before the end of the repayment period. With the Department's approval, a school may establish any other repayment incentive options that reduces default and replenishes the funds available to lend to students.

*Incompatible Duties* Internal control systems rely on separation of function or duties to reduce the chance of errors or fraud. Duties are incompatible if they should be separated for control. For example, one person should not be in a position to both embezzle funds and to hide the embezzlement by changing the recorded accountability.

*Increased Unsubsidized Eligibility for Health Professions Students* To replace loan funds that otherwise would have been available under the former HEAL Program, schools can award increased Direct Unsubsidized Loan amounts to graduate or professional students who are enrolled at least half-time in a health professions discipline that was eligible under the HEAL Program, or in certain naturopathic medical programs.

*Incurred* A word used by accountants to communicate that an expense has occurred and needs to be recognized on the income statement even though no payment was made. The second part of the necessary entry will be a credit to a liability account.

*Independent Auditor* A certified public accountant or a government auditor who meets the *Government Auditing Standards* qualification and independence standards, including standards related to organizational independence.

*Independent Student* A student who qualifies as an independent student under section 480(d) of the HEA. A student who satisfies one of the following criteria:

- ♦ is 24 years of age or older by December 31 of the award year;
- ♦ is an orphan, in foster care, or a ward of the court, or was an orphan, in foster care, or a ward of the court at any time when the individual was 13 years of age or older;
- ♦ is, or was immediately prior to attaining the age of majority, an emancipated minor or in legal guardianship as determined by a court of competent jurisdiction in the individual's State of legal residence;
- ♦ is a veteran of the Armed Forces of the United States (as defined in subsection (c) (1)) or is currently serving on active duty in the Armed Forces for other than training purposes;
- ♦ is a graduate or professional student;
- ♦ is a married individual;
- ♦ has legal dependents other than a spouse;
- ♦ has been verified during the school year in which the application is submitted as either an unaccompanied youth who is a homeless child or youth or as unaccompanied, at risk of homelessness, and self-supporting; or
- ♦ is a student for whom a financial aid administrator makes a documented determination of independence by reason of other unusual circumstances.

*Indirect Cost* A cost that cannot be identified specifically with or traced to a given cost object in an economically feasible way.

*Individual Recipient Basis* One of the ways a school can match its federal allocation in the FSEOG Program. In this approach a school ensures that every student's FSEOG award consists of 75% federal funds and 25% qualified nonfederal funds.



*Infant or Toddler with a Disability* An infant or toddler from birth to age 2, inclusive, who needs early intervention services for specified reasons, as defined in section 632(5)(A) of the Individuals with Disabilities Education Act.

*Information for Financial Aid Professionals (IFAP)* Federal Student Aid website (<http://www.ifap.ed.gov>) that provides information to financial aid professionals about the Title IV federal programs.

*Initial Allocation* For the Campus-Based Programs, the amount that the Department first allocates to each participating school for an award year from new funds appropriated by Congress, according to statutory allocation formulas. An eligible school receives an initial allocation for each Campus-Based Program in which the school participates.

*Initial Grace Period* That period which immediately follows a period of enrollment and immediately precedes the date of the first required repayment on a loan. This period is generally nine months for Federal Perkins loans, Defense loans, and NDSLs made before October 1, 1980, and six months for Direct loans. A borrower is only entitled to one initial grace period.

*Initiating Official* The designated department official authorized to begin an emergency action under 34 CFR 668.83.

*In-Kind* Goods or services provided instead of money.

*Input Controls* Computer controls designed to provide reasonable assurance that transactions are properly authorized before processed by the computer, accurately converted to machine readable form and recorded in the computer, that data files and transactions are not lost, added, duplicated or improperly changed, and that incorrect transactions are rejected, corrected and, if necessary, resubmitted on a timely basis.

*Institution* An institution of higher education, or a proprietary institution of higher education, or a postsecondary vocational institution as defined in 34 CFR part 600.

*Institution-Affiliated Organization* Any organization that is directly or indirectly related to a covered institution; and is engaged in the practice of recommending, promoting, or endorsing education loans for students attending such covered institution or the families of such students.

An institution-affiliated organization may include an alumni organization, athletic organization, foundation, or social, academic, or professional organization, of a covered institution. An institution-affiliated organization does not include any lender with respect to any education loan secured, made, or extended by such lender.

*Institution of Higher Education* One of three types of institutions eligible for participation in the Federal Student Aid programs. The others are a *proprietary institution of higher education*, and a *postsecondary vocational institution*. For a more information see 34 CFR 600.4.

*Institutional Capital Contribution (ICC)* In the Perkins Loan Program, the institutional funds a school must provide if the school receives a Federal Capital Contribution in an award year.

*Institutional Control* The designation of an institution as public or private, nonprofit or for-profit. By definition, an institution of higher education or a postsecondary vocational institution can be either public or private but is always nonprofit. A proprietary institution of higher education is always a private, for-profit institution.

*Institutional Liability* Financial penalties or repayments that a school must pay to the Department as a result of incorrect school action or actions. A liability is the difference between the actual expenditures reported by the school in G5 for an Obligation Document Number for the award year and the final allowable expenditures as determined by the auditor, program reviewer, or hearing official.

*Institutional Loan* Loans specific to a college, university, or other post-secondary educational institution and made from institutional funds. Eligibility and loan characteristics will vary among institutions.

*Institutional Student Information Record (ISIR)* An electronic record that the Department transmits to an institution that includes an applicant’s FAFSA information; personal identification information; and EFC.

*Integrated Postsecondary Education Data System (IPEDS)* The system maintained by the Department’s National Center for Education Statistics. Via the IPEDS website, schools report their graduation, completion, and transfer-out rates.

*Interest* The cost of borrowing money. Interest is an expense calculated as a percentage of the outstanding (unpaid) principal balance.

*Interest-Only Payment* A payment that covers only accrued interest owed on a loan and none of the principal balance. Borrowers eligible for interest-only payments are not prohibited from making additional or larger payments.

*Interest Rate* The annual interest rate that is charged on a loan. The price charged per unit of money borrowed per year, or other unit of time, usually expressed as a percentage.

*Interim Disbursement* A disbursement made prior to verification by a school to an applicant selected for verification, when the school believes the applicant’s FAFSA information is accurate. A school is liable for any overpayment the student receives as an interim disbursement for which the student is later determined to be ineligible and any subsidized student financial aid the student received if the school does not receive a valid SAR/ISIR within the timeframe established under 34 CFR 668.60, that is not eliminated by adjusting other financial assistance or recovered from the student.

*Internal Control* A process, directed by a school’s management and other personnel, designed to provide reasonable assurance that the objectives of the school are being achieved in the following categories

- ◆ effectiveness and efficiency of operations including the use of the school’s resources;
- ◆ reliability of financial reporting, including reports on budget execution, financial

- ◆ statements, and other reports for internal and external use;
- ◆ compliance with applicable laws and regulations.

Internal controls consist of the control environment, risk assessment, control activities, information and communication, and monitoring. A necessary implication or subset of these objectives is the safeguarding of school and trust assets against unauthorized acquisition, use, or disposition. Consequently, the definition of internal control, as it relates to safeguarding assets can be extended to include processes, directed by a school’s management and other personnel, designed to provide reasonable assurance regarding prevention of or prompt detection of unauthorized acquisition, use, or disposition of the school’s assets.

*Internal Control Deficiency* Exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent or detect misstatements on a timely basis.

*Internal Control Standards* Standards that define the minimum level of quality acceptable for internal controls and provide the basis against which internal controls are to be evaluated.

*Internal Control System* The organization structure, operating procedures, and administrative practices that provide reasonable assurance that programs and administrative activities are efficiently carried out in accordance with the objectives of the Federal Managers’ Financial Integrity Act of 1982 (FMFIA) and OMB Circular A-123, “Management Accountability and Control.”

*Internal Revenue Service (IRS)* A bureau in the U.S. Department of the Treasury. It is responsible for collecting taxes and the interpretation and enforcement of the Internal Revenue Code.

*Institutional Methodology* The formula a postsecondary institution uses to allocate the school’s own financial aid funds and those federal student aid funds for which the student is eligible and over which the school has control.

*International Accounting Standards Board (IASB)* An organization whose members represent accounting bodies in member countries. The group is dedicated to bringing about the harmonization of international accounting standards.

*International Auditing and Assurance Standards Board (IAASB)* The committee authorized by the International Federation of Accountants (IFAC) to issue International Standards on Auditing (ISA) and guidance.

*International Financial Reporting Standards (IFRS)* A set of accounting standards, developed by the International Accounting Standards Board (IASB), that is becoming the global standard for the preparation of public company financial statements. The IASB is an independent accounting standards body, based in London, that is unaffiliated with the AICPA.

*Iraq and Afghanistan Service Grant* A Title IV Grant for dependents of soldiers who died as a result of service in the U.S. military in Iraq or Afghanistan after September 11, 2001. The program has a duration of 6 Scheduled Awards, which equals 600% Lifetime Eligibility (LEU).

*Iraq Afghanistan Service Grant Indicator* A field added to COD for Award Years 2011-2012 and forward. This indicator is checked by the school when entering the award on the COD website and notifies the Department of the school's desire to award the student Iraq & Afghanistan Service Grant.

*IRS Data Retrieval Tool (DRT)* The feature that allows students and parents who are using FAFSA on the Web and who have already submitted their federal tax return to electronically retrieve certain tax data from the IRS database for entry on their FAFSA.

*IRS Request Flags* The Student IRS Request Flag and Parent IRS Request Flag on the SAR/ISIR indicate whether the IRS data retrieval process was used and the result if used.

*ISIR Analysis Tool* Tool used to review and analyze a school's Institutional Student Information Record (ISIR) data, and better understand the verification process and the characteristics of its FSA applicant

population. The ISIR Analysis Tool is accessible through the FAA Main Menu of the FAA Access to CPS Online Website.

*ISIR Guide* Annual ED reference publication that aid administrators use to interpret student information on the ISIR. It also explains codes and flags that appear in the FAA Information section of the ISIR. Located at: [www.ifap.ed.gov](http://www.ifap.ed.gov).

## J

*Job Location and Development (JLD) Program* A school is allowed to use part of the federal funds it receives in under FWS to to encourage students to participate in community service activities and to expand off-campus job opportunities for students who are currently enrolled and who want jobs regardless of financial need. Jobs may be located and developed under the JLD Program for both FWS and non-FWS eligible students. The federal-share limitation for a JLD Program is 80% of the allowable costs.

*Journal* The record of journal entries in order by date. Often referred to as the book of original entry, since the entries are first recorded in a journal. From the journal the entries will be posted to the designated accounts in the general ledger.

*Journal Entry* The entry made in a journal. It will contain the date, the account name and amount to be debited, and the account name and amount to be credited. Each journal entry must have the dollars of debits equal to the dollars of credits.

## L

*Late Disbursement* A disbursement of federal student aid made to an otherwise eligible student after the date that

- ♦ for a loan under the Direct Loan Program, the student is no longer enrolled at the institution as at least a half-time student for the period of enrollment for which the loan was intended; or
- ♦ for an award under the Federal Pell Grant, FSEOG, Federal Perkins Loan, and TEACH Grant programs, the student is no longer enrolled at the institution for the award year.

**Late Fee or Charges** A fee that may be assessed if a scheduled FSA loan payment is not made by the due date.

**Lawful Permanent Resident (LPR)** Noncitizens who are legally permitted to live and work in the U.S. permanently. LPRs are potentially eligible for Title IV aid. Form I-551 is the standard document supporting LPR status (before 1997 “green cards” were used).

**Legal Guardian** An individual appointed by a court to be a “guardian” of a person and specifically required by the court to use his or her financial resources for the support of that person.

**Legally Authorized** The legal status granted to an institution through a charter, license, or other written document issued by the appropriate agency or official of the State in which the institution is physically located.

**Lender** The organization that initially made an education loan. The lender could be the U.S. Department of Education, the borrower’s school, or a lending institution.

**Letter of Credit** Document granted by banks stating that the bank will guarantee amounts that its customer incurred.

**Letter of Credit Requirement** If a school fails to meet the Refund Reserve Standard for returning funds in a timely manner in either of its two most recently completed fiscal years, the school may be required to submit an irrevocable letter of credit acceptable and payable to the Department equal to 25% of the returns the school made or should have made during its most recently completed fiscal year. Public schools and schools covered by a state tuition recovery fund that has been approved by the Department are not subject to the letter of credit requirements.

**Level Of Expenditure (LOE)** In the Perkins Loan Program, the maximum dollar amount the Department allows a school to expend from the school’s Perkins loan fund in a given award year. The LOE includes all authorized expenditures for the program, including loans to students, administrative cost allowance, and collection costs.

**Leveraging Educational Assistance Partnership (LEAP) Program** A grant program authorized by Title IV of the HEA.

**Liability** For federal accounting purposes, a probable future outflow or other sacrifice of resources as a result of past transactions or events.

**Librarian with a Master’s Degree** An information professional trained in library or information science who has obtained a postgraduate academic degree in library science awarded after the completion of an academic program of up to six years in duration, excluding a doctorate or professional degree.

**Lifetime Eligibility Used (LEU)** The sum of all annual Eligibility Used (EU) percentages for Pell Grant and Iraq & Afghanistan Service Grant recipients. The maximum a student may receive is the equivalent of 12 full-time semesters, or 6 scheduled awards. The COD system tracks a student’s Pell LEU percentage.

**Limitation (of participation)** The continuation of a school’s or third-party servicer’s eligibility to participate in the Title IV programs subject to compliance with special conditions established by agreement with the Department or imposed as the result of a limitation or termination proceeding.

**Liquidation** In the Perkins Loan Program, a series of steps a school must follow when withdrawing from the program or closing.

**Liquidation Period** One of the award periods in G5. The liquidation period is one month long, follows the performance period and is the first closeout phase. During the liquidation period

- ♦ no new expenditures may be processed against a grant award;
- ♦ schools can draw down funds for obligations incurred during the performance period; and
- ♦ schools may use the period to adjust draw-downs for expenditures incurred during the performance period.

The last date a school can draw down cash from the Department without special permission from the program office is the end of the liquidation period.

**Liquidity** The availability of cash or ability to obtain it quickly. Debt paying ability.

**Loan Balance** The amount owed on a loan that if paid will retire the loan. See *Loan Principal*.

**Loan Disclosure Statement (Direct Loan)** A document that provides a Direct Loan borrower with important loan-specific information, such as the anticipated loan disbursement amounts, the anticipated loan disbursement dates, and the amount of the borrower's loan fee. It is provided to the borrower before or at the time of the first disbursement of a Direct Loan.

**Loan Forgiveness** The cancellation or reduction of a loan debt under the FFEL or Direct Loan programs for certain types of public service.

**Loan Guarantee** Any guarantee, insurance, or other pledge with respect to the payment of all or part of the principal or interest on any debt obligation of a borrower to a nonfederal lender.

**Loan Holder** The organization that owns a loan. Examples include the U.S. Department of Education, banks, and schools. Most federal student loans made since July 1, 2010, are owned by the U.S. Department of Education. The current loan holder may be different than the organization that originally made the loan. The loan holder may be different than the loan servicer.

**Loan Period** See *Period of Enrollment*.

**Loan Principal** Initially, the amount borrowed plus any fees charged by the lender. Later, it includes capitalized interest, charges and fees allowed by regulation, less any amount paid and credited to principal, and any amount cancelled, forgiven, or discharged.

**Loan Proration** Proportionally reducing an undergraduate Direct Loan borrower's annual loan limit if the borrower is enrolled in a program shorter than a full academic year, or in a program that is more than one academic year in length but is in a remaining period of study shorter than a full academic year.

**Loan Servicer** An entity that collects payments on loans, responds to customer service inquiries, and performs other administrative tasks associated with maintaining a loan (e.g., processing requests for a change in repayment plans). A federal loan servicer is a loan servicer for the U.S. Department of Education.

**Local Educational Agency (LEA)** (1) A public board of education or other public authority legally constituted within a state to administer, direct, or perform a service function for public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a state; or such combination of school districts of counties as are recognized in a state as an administrative agency for its public elementary or secondary schools. (2) Any other public institution or agency having administrative control and direction of a public elementary or secondary school.

**Lockbox (bank lockbox)** Speeds the availability of funds from cash collections by reducing the time from the customer mailing the check until the funds are available to spend. Remittances are sent to a bank near the customer and the bank deposits funds speedily to the payee's account.

**Loss (n.) (financial)** Any expense or irrecoverable cost, often referred to as a form of nonrecurring charge; an expenditure from which no present or future benefit may be expected.

**Low-Income Community** A community where there is a high concentration of children eligible to be counted under title I of the Elementary and Secondary Education Act of 1965, as amended.

**Low-Income Individual** A person whose income falls below the Income Protection Allowances published annually by the Department in the Federal Register.



## M

*Major Disaster* Any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, land-slide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance to supplement the efforts and available resources of states, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

*Mandatory Forbearance (or Mandatory Administrative Forbearance)* Forbearance a lender is required to grant because a borrower satisfies criteria such as military or domestic service, residence in a designated disaster area, changes in certain repayment plans, and medical and dental residency. The Direct Loan and Perkins loan program have different qualifying requirements.

*Master Promissory Note (MPN)* A promissory note that can be used to make one or more loans for one or more academic years (up to 10 years). An MPN lists the terms and conditions under which the borrower agrees to repay the loan and explains the borrowers rights and responsibilities.

*Matching* In the Campus-Based Programs, with certain exceptions, schools that participate in the Campus-Based Programs must provide nonfederal funds as a match for the federal funds they receive. The specific matching requirements for each Campus-Based Program are different. The institutional matches are known as the institutional nonfederal share in the FWS and FSEOG programs and the institutional capital contribution in the Perkins Program.

*Material Weaknesses (in financial reporting)* Reportable condition or combination of reportable conditions, that results in more than a remote likelihood that a material misstatement of the financial statements, or other significant financial reports, will not be prevented or detected.

*Maximum Eligibility Period (Direct Loan)* A period of time, measured in academic years, equal to 150 percent of the length of the educational program, as published by the institution, in which the borrower is currently enrolled.

*Measurable* Can be determined with reasonable certainty or is reasonably estimable.

*Medical Technician* An allied health professional (working in fields such as therapy, dental hygiene, medical technology, or nutrition) who is certified, registered, or licensed by the appropriate state agency in the state in which he or she provides health care services. An allied health professional is someone who assists, facilitates, or complements the work of physicians and other specialists in the health care system.

*Merit-Based Aid* Financial aid awarded on the basis of specific accomplishments or talents rather than financial need.

*Module* A period of enrollment that is shorter than a school's regularly scheduled academic periods that either falls within but does not span an entire semester, or falls between of a school's regularly scheduled academic periods. Often referred to by schools as a *mini-session*.

*Misrepresentation* Any false, erroneous or misleading statement an eligible institution, one of its representatives, or any ineligible institution, organization, or person with whom the eligible institution has an agreement to provide educational programs, or to provide marketing, advertising, recruiting, or admissions services makes directly or indirectly to a student, prospective student or any member of the public, or to an accrediting agency, to a state agency, or to the Department. A misleading statement includes any statement that has the likelihood or tendency to deceive or confuse. A statement is any communication made in writing, visually, orally, or through other means. Misrepresentation includes the dissemination of a student endorsement or testimonial that a student gives either under duress or because the institution required the student to make such an endorsement or testimonial to participate in a program.



*Modules or Offered in Modules* A program is “offered in modules” if a course or courses in the program does not span the entire length of the payment period or period of enrollment.

*MPN Acknowledgement* The COD response sent to schools upon receipt of an MPN once edits have been performed and the linking attempted by COD.

*MPN ID* The unique identifier printed on the MPN. It is made up of a student’s SSN, ‘M’ – for subsidized or unsubsidized, ‘N’ – for Parent PLUS and Grad PLUS, the last two digits of the award year, a school’s Direct Loan code, and a three-digit sequence number. Example: 123456789M07G12345001.

*Multi-Year (MY) Feature* The feature of the Master Promissory Note that allows multiple Direct Loans for the same student borrower to be disbursed under the same MPN. Once an MPN has been accepted and remains open, schools that use this feature do not have to obtain a new promissory note each academic year. The MPN may be valid for up to 10 years.

*Multiple Disbursement Requirement* The requirement that FSA funds, except the Federal Work-Study wages, be paid in two or more installments of approximately equal increments.

*Multiple Reporting Record (MRR)* For the Pell Grant program, the MRR identifies originations and disbursements being reported by more than one institution for the same student during the same period of time. The multiple report records are designed to provide institutions with information to identify and resolve potential overaward payments and concurrent enrollments before they occur.

## N

*National Committee on Foreign Medical Education and Accreditation (NCFMEA)* The operational committee of medical experts established by the Department to determine whether the medical school accrediting standards used in other countries are comparable to those applied to medical schools in the United States, for purposes of evaluating the eligibility of accredited foreign graduate medical schools to participate in the title IV, HEA programs.

*National Credit Bureau or Nationwide Consumer Reporting Agency* A credit bureau with a service area that encompasses more than a single region of the country. Any one of the national credit bureaus with which the Department has an agreement.

*National Early Intervention Scholarship and Partnership (NEISP) Program* The scholarship program authorized by Chapter 2 of subpart 1 of Title IV-A of the HEA.

*National Science and Mathematics Access to Retain Talent Grant (National SMART Grant) Program* A previously offered grant program under which grants were awarded during the third and fourth academic years of study to eligible financially needy undergraduate students pursuing eligible majors in the physical, life, or computer sciences, mathematics, technology, or engineering, or foreign languages determined to be critical to the national security of the United States.

*National Student Loan Data System (NSLDS)* The Department of Education’s central database for student financial aid. It contains student-level data received from schools, the Direct Loan Program, the Pell Grant Program, and other ED programs and offices. NSLDS provides a centralized, integrated view of federal student aid loans and Pell grants and tracks them through their entire cycle. Located on the web at [https://www.nslsdfap.ed.gov/nsls\\_FAP/default.jsp](https://www.nslsdfap.ed.gov/nsls_FAP/default.jsp)

*Nationally Recognized Accrediting Agency* An agency or association that the Department recognizes as a reliable authority to determine the quality of education or training offered by an institution or a program offered by an institution. The Department recognizes these agencies and associations under the provisions of 34 CFR part 602 and publishes a list of the recognized agencies in the Federal Register.

*Need-based Employment* Employment provided by an institution itself or by another entity to a student who has demonstrated to the institution or the entity (through standards or methods it establishes) a financial need for the earnings from that employment for the purpose of defraying educational costs of attendance for the award year for which the employment is provided.

*Negative Assurance* A statement of what the CPA does not know as opposed to what the CPA believes (positive assurance) that is, a statement that nothing came to his attention that caused him to believe that the accounts examined did not meet a specified standard. A statement that the CPA was “not aware of material modifications that should be made to financial statements for them to conform with U.S. generally accepted accounting principles” is negative assurance.

*Negotiated Rulemaking (Neg. Reg)* Section 492 of the Higher Education Act (HEA) requires that, before publishing any proposed regulations to implement programs under Title IV of the HEA, the Department obtain public involvement in the development of those proposed regulations. *Negotiated Rulemaking* is the process the Department uses to obtain input from organizations and groups that represent the interests significantly affected by the proposed regulations.

*Net Accepted and Posted Disbursements* Total actual disbursements [Disbursement Release Indicator (DRI) = True] that have been accepted and posted on the COD System plus accepted actual disbursement adjustments (upward or downward).

*Net Assets* The current market value at the time of application of the assets (not including a home or farm) minus the outstanding liabilities or indebtedness against the assets.

*Net Drawdowns or Payments* Cash Receipts (funds drawn through G5) minus Refunds of Cash (funds returned through G5) minus Returns of Cash (drawdowns rejected by the school’s bank). This figure will also include drawdown adjustments.

*Net Income Ratio* A measure of a college’s profitability, used when calculating the composite score. The net income ratio is expressed as a fraction with the income before taxes as the numerator and the total revenues as the denominator.

*Net Price Calculator* An online tool providing estimated net price information to current and prospective students and based, as much as possible, on their individual circumstances. Net price is defined as the cost of attendance minus the average yearly

grant and scholarship aid, and all Title IV schools that enroll full-time, first-time degree- or certificate-seeking undergraduate students must have on their website a net price calculator.

*Nominal (or Face or Par) Value or Amount* The amount of a bond, note, mortgage, or other security as stated in the instrument itself, exclusive of interest or dividend accumulations. The nominal amount may or may not coincide with the price at which the instrument was first sold, its present market value, or its redemption price. Often referred to as the stated value.

*Noncampus Building or Property* Any building or property owned or controlled by a student organization that is officially recognized by the institution; or any building or property owned or controlled by an institution that is used in direct support of, or in relation to, the institution’s educational purposes, is frequently used by students, and is not within the same reasonably contiguous geographic area of the institution.

*Noncash Contribution* The paying of a school’s share of a student’s Federal Work-Study wages through a contribution of services or equipment—for example, tuition and fees, room and board, and books and supplies.

*Non-conformance (in financial reporting)* A condition in which financial management systems do not substantially conform to financial systems requirements. Financial management systems include both financial and related (or mixed) systems.

*Non-Credential Teacher Certification Program Coursework* Coursework for which a school does not award an academic credential for a course that is required for teacher certification or recertification in the state where the student plans to teach.

*Nonfederal Audit* A school financial statement and/or compliance audit conducted by an independent public accountant (as defined by the audit standards of the U.S. General Accounting Office) who has been hired by the school. Also called an Independent Audit or an OMB Circular A-133 audit.

*Nonfederal Share of FWS (Institutional Share)* The share of a student’s wages paid by a school from school or other eligible funds. In general, a school must contribute (match) 25% of the student’s total wages. There are exceptions for employment

- ♦ in civic education and community service projects;
- ♦ as a reading tutor for preschool-age children or elementary school children;
- ♦ as a mathematics tutor for children in elementary school through ninth grade;
- ♦ in a family literacy projects that provide services to families with preschool or elementary age children; and
- ♦ at a private nonprofit organization or a federal, state, or local public agency.

A school may also pay the nonfederal share with noncash contributions.

*Nonfederal Share of FSEOG* The share of FSEOG grants made to students from the school’s own resources. In general, this “match” must equal 25% of the total FSEOG awards made to students. The school’s resources may include the following:

- ♦ institutional scholarships and grants;
- ♦ waivers of tuition or fees;
- ♦ the nonfederal portion of state scholarships and grants; and
- ♦ funds from foundations or other charitable organizations.

The types of nonfederal FSEOG matching include the individual recipient basis, aggregate basis, and fund-specific basis.

*Non-Material Weaknesses* (in financial reporting) Control problems that can be corrected at the Principal Office level without the approval or attention of the next higher level of management.

*Nonprofit Institution (Domestic)* An institution that

- ♦ is owned and operated by one or more nonprofit corporations or associations, no part of the net earnings of which benefits any private shareholder or individual;
- ♦ is legally authorized to operate as a nonprofit organization by each state in which it is physically located; and
- ♦ is determined by the U.S. Internal Revenue Service to be an organization to which contributions are tax-deductible in accordance with section 501(c)(3) of the Internal Revenue Code.

*Nonprofit Institution (Foreign)* An institution that is owned and operated only by one or more nonprofit corporations or associations; and

- ♦ if a recognized tax authority of the institution’s home country is recognized by the Department for purposes of making determinations of an institution’s nonprofit status for title IV purposes, is determined by that tax authority to be a nonprofit educational institution; or
- ♦ if no recognized tax authority of the institution’s home country is recognized by the Department for purposes of making determinations of an institution’s nonprofit status for title IV purposes, the foreign institution demonstrates to the satisfaction of the Department that it is a nonprofit educational institution; or
- ♦ is determined by the U.S. Internal Revenue Service to be an organization to which contributions are tax-deductible in accordance with section 501(c)(3) of the Internal Revenue Code (26 U.S.C. 501(c)(3)).

*Nonprofit Organization* An organization owned and operated by one or more nonprofit corporations or associations where no part of the organization’s net earnings benefits, or may lawfully benefit, any private shareholder or entity. An organization may show that it is nonprofit by meeting the provisions of § 75.51 of the Education Department General Administrative Regulations (EDGAR), 34 CFR 75.51.

**Nonstandard Term** Academic or payment period in which classes are expected to begin and end within fixed starting and ending dates but the terms are not the length of standard terms (14-17 weeks long).

**Nonterm** An academic or payment period in which classes do not to begin and end within a fixed dates. A program measuring progress in clock-hours is always considered a nonterm program. A credit-hour program is considered nonterm if it has:

- ◆ courses that do not begin and end within a set period of time;
- ◆ courses that overlap terms;
- ◆ self-paced and independent study courses that overlap terms; or
- ◆ sequential courses that do not begin and end within a term.

**Normal Time** The amount of time necessary for a student to complete all requirements for a degree or certificate according to the institution's catalog. This is typically four years for a bachelor's degree in a standard term-based institution, two years for an associate degree in a standard term-based institution, and the various scheduled times for certificate programs.

**Notice** Notification about the availability of information an institution is required to disclose and provide to an individual on a one-to-one basis through an appropriate mailing or publication, including direct mailing through the U.S. Postal Service, campus mail, or electronic mail. Posting on an Internet website or an Intranet website does not constitute a notice.

**Notice of Proposed Rulemaking (NPRM)** An announcement of an agency's plan to draft regulations that solve problems and accomplish goals and to give interested persons an opportunity to submit comments to improve the final regulations.

**NSLDS Match Flag** The result on a SAR/ISIR of the match with NSLDS for identifying potential default or overpayment issues in the applicant's financial aid history.

**NSLDS Postscreening** The process through which NSLDS assists schools to detect significant changes to a student's financial aid history that may affect a student's aid eligibility. If NSLDS detects such a change, it will inform CPS. CPS generates a new ISIR and a new NSLDS transaction number.

**Number in College** The number of persons in the household size that are enrolled at least half time in a degree or certificate program at a Title IV-eligible postsecondary school. *Number in college* is used in the EFC calculation and is subject to verification.

**Nurse** A licensed practical nurse, a registered nurse, or other individual who is licensed by the appropriate State agency to provide nursing services.



**Obligated Balances** The net amount of obligations in a given account for which payment has not yet been made.

**Obligation** Binding agreements that will result in outlays immediately or in the future.

**Obligations** Amounts of orders placed, contracts awarded, services received, and other transactions occurring during a given period that would require payments during the same or a future period.

**Office of the General Counsel (OGC)** An office within the Department of Education. OGC provides legal services to all units within of the Department.

**Office of the Inspector General (OIG)** An office within the Department of Education. Within the office, *Investigation Services (IS)* is responsible for all investigative activities relating to the Department's programs and operations and the prevention and detection of fraud and abuse in these programs and operations.

**Official Cohort Default Rate** The official cohort is the cohort default rate the Department publishes for an institution under 34 CFR 668.186. Cohort default rates calculated for the FFEL and Direct Loan programs are not related in any way to cohort default rates that are calculated for the Federal Perkins Loan Program.



*Official Reporting Date* The date on which an institution must report fall enrollment data to either the state, its board of trustees or governing board, or some other external governing body.

*On-Campus Student Housing Facility* A dormitory or other residential facility for students that is located on an institution's campus, as defined in § 668.46(a).

*On-Time Payment* A federal student loan payment made within 15 days of the scheduled due date.

*One-Academic-Year Training Program* An educational program that is at one academic year in length as defined under 34 CFR 668.2.

*One-Third of an Academic Year* A period that is one-third of an academic year as determined by an institution. At a minimum, one-third of an academic year must be a period that begins on the first day of classes and ends on the last day of classes or examinations and is a minimum of 10 weeks of instructional time during which, for an undergraduate educational program, a full-time student is expected to complete at least eight semester or trimester hours or 12 quarter hours in an educational program whose length is measured in credit hours or 300 clock hours in an educational program whose length is measured in clock hours.

For an institution whose academic year has been reduced under § 668.3, one-third of an academic year is the pro-rated equivalent, as measured in weeks and credit or clock hours, of at least one-third of the institution's academic year.

*Office of Postsecondary Education Identification Number (OPEID)* An eight-digit number assigned to an institution upon approval to participate in Federal Student Aid programs. It is used throughout multiple systems to identify a school entity (the first six digits) and its individual locations (the last two digits).

*Origination* The process through which and point at which a school creates and certifies a loan.

*Origination Fee* The amount a borrower is required to pay the Department to help defray the costs of subsidizing a Direct Loan.

*Other Financial Assistance* For purposes of determining a student's eligibility for funds Title IV, estimated financial assistance includes all scholarships, grants, loans, or other assistance known to the institution at the time the determination of the student's need is made, including and national service educational awards or post-service benefits under Title I of the National and Community Service Act of 1990 (42 U.S.C. 12511 et seq.), but excluding veterans' education benefits as defined in subsection (c). In general, tuition prepayment plans shall reduce the cost of attendance by the amount of the prepayment, and shall not be considered estimated financial assistance. For a detailed explanation of the components included in Other Financial Assistance see the Higher Education Act, as amended, Part F, Section 480(j).

*Other Information Standard in Auditor's Report* Information other than the audited financial statements and the related auditor's report, included in a company's annual report. The other information standard requires an auditor to focus on the responsibility to identify material inconsistencies between the other information and the company's audited financial statements and on the identification of material misstatements of fact, based on relevant evidence obtained and conclusions reached during the audit.

*Outlay* The issuance of checks, disbursement of cash, or electronic transfer of funds made to liquidate an obligation.

*Output Document* The Student Aid Report (SAR), Electronic Student Aid Report (ESAR), or other document or automated data generated by the Department of Education's central processing system or Multiple Data Entry processing system as the result of the processing of data provided in the Free Application for Federal Student Aid (FAFSA).

*Overaward* Amount by which a student's aid package exceeds his or her need. An overaward exists whenever a

- ◆ school awards aid either to a student who is ineligible for a specific program or to a student who is ineligible for any FSA program assistance;
- ◆ student's award in an individual program exceeds the regulatory maximum, e.g., lifetime limit for Pell Grant, annual or aggregate loan limits, annual limit on Supplementary Educational Opportunity Grant (FSEOG) awards, or a Pell award based on the wrong payment schedule or enrollment status;
- ◆ student's aid package exceeds his or her need (including when the student's Expected Family Contribution [EFC] is revised upward after initial packaging);
- ◆ student's award exceeds his or her cost of attendance (COA); and
- ◆ student is receiving a Pell Grant or Iraq and Afghanistan Service Grant at multiple schools for the same period.

*Overpayment* Funds disbursed to a student in excess of his or her need. That is, an overpayment exists when some or all of the funds that make up an overaward have been disbursed to the student.

*Ownership Interest* The possession of substantially all of the benefits and risks incident to ownership.

## P

*Pace of Completion* The quantitative component (along with the qualitative component, i.e. grades) of Satisfactory Academic Progress (SAP). The minimum amount of academic credit/hours a student must complete to remain on track to finish the academic program within SAP limits. See *Satisfactory Academic Progress*.

*Packaging* A school's process for determining the type and amount assistance (from all sources) that will be offered to a student.

*Paper Secondary Confirmation* The process for documenting that a student is an eligible noncitizen used when a student doesn't pass automated secondary confirmation or a school has conflicting information. Paper secondary confirmation is accomplished by use of the G-845 form and supporting documents.

*Parent* A student's biological or adoptive mother or father or the student's stepparent, if the biological parent or adoptive mother or father has remarried at the time of application.

*Participating Institution* An eligible institution that meets the standards for participation in federal student aid programs in subpart B and has a current program participation agreement with the Department.

*Past Performance and Affiliation Standards* The financial responsibility standards that look at schools' and affiliated officials' past performance (34 CFR 668.174) as it relates to the Title IV programs.

*Pass-Through Charges* Cost of housing or education supplies (books and materials) assessed by a third-party but paid (with a student's authorization) from a student's FSA funds if the school has entered into a contract with the third party to provide institutional housing and/or bookstore services.

*Pastoral Counselor* A person who is associated with a religious order or denomination, is recognized by that religious order or denomination as someone who provides confidential counseling, and is functioning within the scope of that recognition as a pastoral counselor.

*Payee* is an entity (designated by the grantee) to request and manage federal funds on its behalf. The grantee and payee can be the same entity.

*Payee (in G5)* The recipient (organization or individual) of Department of Education funds responsible for accounting for those funds. The payee may be a single entity, such as a college or a central finance office, that requests funds and prepares financial reports for several organizations within its system.

*Payment (in G5)* Funds deposited into payees' accounts. The payment must be disbursed within three business days.



**Payment Analyst** Formerly Reimbursement Analyst. An FSA employee who ensures that schools subject to heightened cash management have accurately determined FSA eligibility of, and payment to each student, with sufficient funds in the school's G5 account, and submits documentation to that effect.

**Payment Data** An electronic record that is provided to the Department by an institution showing student disbursement information.

**Payment Methods** The methods through which the Department provides funds to schools, including the advance payment method, the reimbursement payment method, and the cash monitoring payment methods.

**Payment Period** The academic period or period of enrollment established by an institution for which financial aid is disbursed. Payments for all federal student aid programs except FWS must be made on a payment period basis.

**Payoff Amount** The total required to pay off a loan. It includes the loan principal, capitalized interest, accrued interest, late charges, and other charges, fees, and costs allowed by the applicable regulations.

**Payoff Date** The date on which a loan payoff calculation is based.

**Peak Enrollment** Occurs when at least 25 percent of a school's students start classes during a given 30-day period. A school is given some leeway under the excess cash rules during this period.

**Peer Review** A monitoring program in which the audit documentation of one CPA firm is periodically reviewed by independent partners of other firms to determine that it conforms to the standards of the profession.

**Pell Eligible Flag** The field in the ISIR that alerts schools to an applicant's Pell Grant eligibility status. A Y confirms that a student's EFC and undergraduate or qualifying graduate status make him or her eligible for a Pell Grant and that the record has been included in the payment system database. This flag does not take into account whether students have reached their Pell lifetime eligibility used limit.

**Pell Formula(s)** Formulas used to calculate an eligible student's annual Pell Grant. The formula used for an individual student are differentiated by a student's enrollment status and program type.

**Pell Grant Payment and Disbursement Schedule** (Pell Disbursement or Payment Schedule) A table showing the annual awards that three-quarter, half-time, and less-than-half-time students at term-based institutions using credit hours would receive for an academic year in the Pell Grant Program. This table is published annually by the Department and is based on

- ♦ a student's expected family contribution (EFC), as determined in accordance with title IV, part F of the HEA;
- ♦ a student's attendance costs as defined in title IV, part F of the HEA; and
- ♦ the amount of funds available for making Federal Pell Grants.

**Pell Grant Pending Disbursement List** This list is automatically generated by COD and sent to a school's SAIG mailbox. It produces a listing of anticipated disbursements Disbursement Release Indicator (DRI) set to false and actual disbursements (DRI) set to true with dates set 8 to 30 days in the future. The list can be used to monitor anticipated disbursements nearing disbursement dates to either set the DRI to true for confirmed eligible students, or to cancel the award for ineligible students. The list also can be used to monitor awards scheduled for upcoming disbursements to determine current eligibility.

**Pell Grant Reconciliation Report** Sent annually by COD just prior to the close of the award year (September 30), the report provides a one-record per student summary of the total YTD Pell Grant disbursements in COD. Pell Grant Reconciliation Reports can also be ordered by a school through the COD web and are useful for both monthly and year-end reconciliation.

*Pell Grant Verification Status Report* Provides a list of students selected by the CPS for verification who have either a blank or W verification status in COD. Students whose verification status is “W” must be updated to be reconciled. Students whose verification status is blank” must be updated to be disbursed. COD automatically sends the report to the school’s SAIG mailbox on a monthly basis through the last day of December for the award year ending on July 31.

*Pell Grant Year-to-Date (YTD) Record* Contains detailed award and disbursement information at a transaction level. Pell Grant YTD Records are created only upon school requests. They can be requested on a per student, or all students, basis and they are a good tool for reconciling of student Pell data and rebuilding a school’s corrupted data base. On an “all student” basis, the Pell Grant YTD Record shows the number of recipients at the school; the number of award and/or disbursement records that were accepted, corrected, and rejected; and, for certain edit codes, the number of times a school received that specific edit code on a response document.

*Percentage of Period Completed* For Return of Title IV Funds purposes, the percentage determined by dividing the number of days or clock-hours in a payment period or period of enrollment, as applicable, completed by a student before he or she withdrew by the total length of the payment period or period of enrollment in days or clock hours.

*Percent of Scheduled Award Used by Award Year (in Pell)* The percent of his or her Pell eligibility a student has used in an award year. The percentage is calculated by summing all of the accepted disbursement records for a student within an award year across all schools and dividing that amount by the Scheduled Federal Pell Grant Award for the student for the award year.

*Performance Period* One of the award periods in G5. The period between the FSA program award begin date and the FSA program end date. During this period, schools can draw down cash. Once the performance period ends, the closeout process begins. During the performance period:

- ◆ schools may request payments;
- ◆ schools may modify payment requests;

- ◆ schools may adjust drawdowns; and
- ◆ changes may be made to the Federal Student Aid (FSA) program’s grant awards authorizations.

*Period of Enrollment* The period for which a federal education loan is intended. The period of enrollment must coincide with a period established by the school for which institutional charges are generally assessed (e.g., semester, trimester, quarter, length of the student’s program or academic year). The period of enrollment is also referred to as the loan period.

*Perkins Loan Selection Criteria* In awarding Perkins Loans a school must give priority to those students with exceptional financial need (as defined by the school). A school’s Perkins selection procedures must be in writing, uniformly applied, and kept on file at the school.

*Perkins Promissory Note* The legally binding document that is evidence of a borrower’s indebtedness to a school.

*Personally Identifiable Information (PII)* Any information about an individual that can be used to distinguish or trace an individual’s identity (some examples are name, social security number, date and place of birth).

*Plain Language Disclosure (PLD)* Document that summarizes the information contained in the Borrower’s Rights and Responsibilities Statement. A PLD is provided to students (and parents borrowing on behalf of students) who attend schools that use the multiyear feature of the MPN. Since borrowers at these schools don’t sign a new promissory note for each loan, a PLD is forwarded with each disclosure statement to remind Direct Loan borrowers of their rights and responsibilities.

*Positive Assurance* A statement as to what the CPA believes. An example is an opinion that the financial statements are presented fairly in conformity with U.S. GAAP. The opposite is negative assurance.

*Post-Baccalaureate or Equivalent Medical Program* A program offered by a foreign graduate medical school that requires, as a condition of admission, that its students have already completed their non-medical undergraduate studies and that consists solely of courses and training leading to employment as a doctor of medicine or doctor of osteopathic medicine.

*Post-Baccalaureate Program (in the TEACH Program)* A program of instruction for individuals who have completed a baccalaureate degree, that

- ♦ does not lead to a graduate degree;
- ♦ consists of courses required by a state in order for a student to receive a professional certification or licensing credential that is required for employment as a teacher in an elementary school or secondary school in that state, except that it does not include any program of instruction offered by a TEACH Grant-eligible institution that offers a baccalaureate degree in education; and
- ♦ is treated as an undergraduate program of study for the purposes of federal student aid.

*Post-Deferment Grace Period* That period of six consecutive months which immediately follows the end of certain periods of deferment and precedes the date on which the borrower is required to resume repayment on a loan.

*Postsecondary Education Participants System (PEPS)* Department system that maintains eligibility, certification, demographic, program review, financial and audit review and default rate data about institutions and lenders and guarantors participating in the Title IV programs.

*Post-Withdrawal Disbursement* For Return of Title IV Funds purposes, the amount of federal student aid funds a student is eligible to receive after withdrawing. It is equal to the amount by which the federal student aid earned by a student exceeds the total federal student aid disbursed to the student.

*Posting* Recording an entry in an account in the general ledger or in a subsidiary ledger.

*Postsecondary Vocational Institution* One of three types of institutions eligible for participation in the Federal Student Aid programs. The others are an *institution of higher education*, and a *proprietary institution of higher education*. For a more information see 34 CFR 600.6.

*Potential Overaward Process (POP)* Communication through which COD warns schools that have reported Pell Grant or Iraq and Afghanistan Service Grant disbursements to a student if COD calculates that (a) the reported Pell or Iraq and Afghanistan Service Grants disbursements for a student in an award year exceed 100 percent of the student's full scheduled award, or (b) a student might be receiving a Pell disbursements at two schools for the same period of time.

*Poverty Guideline* The income categorized by state and family size in the poverty guidelines published annually by the United States Department of Health and Human Services pursuant to 42 U.S.C. 9902(2).

*Preaccredited* A status that a nationally recognized accrediting agency, recognized by the Department to grant that status, has accorded an unaccredited public or private nonprofit institution that is progressing toward accreditation within a reasonable period of time.

*Pre-Collection Activities* In the Perkins Program, a series of contacts a school must make during a student's grace period that increase the likelihood that a student will begin satisfactory repayment on his or her Federal Perkins Loan.

*Preferred Lender Arrangement* An arrangement or agreement between a lender and a covered institution or an institution-affiliated organization of such covered institution under which a lender provides or otherwise issues education loans to the students attending such covered institution or the families of such students; and that relates to such covered institution or such institution-affiliated organization recommending, promoting, or endorsing the education loan products of the lender.

*Prepaid Tuition Plan* A savings vehicle that allows families to set aside funds for college expenses. Prepaid tuition plan funds are not considered Estimated Financial Assistance (EFA) in the packaging process, but such funds are considered an asset of the owner of the account, unless the owner of the account is a dependent student.

*Preparatory Coursework* Coursework required in order to be eligible for enrollment in an eligible program. Students may be eligible for Direct Loans for one consecutive 12 month period based on enrollment in coursework the school has documented is necessary for the student to enroll in a Title IV-eligible program.

*Prepayment* A loan payment made before it is due under the terms of the applicable promissory note.

*Preschool-Age Child* A preschool-age child is a child from infancy to the age at which his or her state provides elementary education.

*Preventive Controls* Preventive controls deter risks from being realized. Examples of preventive controls are documentation, approvals, authorizations, access controls, and file security.

*Primary Confirmation* A process by which the Department, by means of a matching program conducted with the Department of Homeland Security (DHS), compares the information contained in a Application for Federal Student Aid or a multiple data entry application regarding the immigration status of a noncitizen applicant for federal student aid with records of that status maintained by the DHS in its Alien Status Verification Index (ASVI) system for the purpose of determining whether a student's immigration status meets the requirements of 34 CFR 668.33(a)(2) and reports the results of this comparison on an output document.

*Primary Accrediting Agency* An agency that has the authority to accredit all of a postsecondary institution's programs. A school must have only one primary accreditor. (See also, *Programmatic Accrediting Agency*.)

*Prime Rate* The interest rate lending institutions charge their most credit-worthy customers — also called also the prime interest rate. Interest rates on some Direct Loans are set in relation to the prime rate.

*Primary Reserve Ratio* A measure of a school's viability and liquidity, used when calculating the composite score. The primary reserve ratio is expressed as a fraction with the adjusted equity as the numerator and the total expenses as the denominator.

*Principal* The loan amount borrowed plus any capitalized interest.

*Principal Balance* The principal that remains unpaid on a loan.

*Prior-Year Charges* Institutional charges for tuition and fees, room, or board (and with permission, educationally related charges) incurred prior to the current award year. In general, FSA funds may only be used to pay for the student's costs for the period for which the funds are provided. However, with a student's authorization, a school may use current-year funds to satisfy prior award year for a total of not more than \$200.

*Prior-Year Recoveries* Funds a school collects in a given award year from money disbursed in prior award years. Schools must adjust award expenditures and administrative cost allowances (ACAs) in an award years in which recoveries are made.

*Private Education Loan* A loan provided by a private educational lender that is not a federal student aid loan and that is issued expressly for postsecondary education expenses to a borrower, regardless of whether the loan is provided through the educational institution that the student attends or directly to the borrower from the private educational lender.

*Proceeds* The amount received from a loan or realized from a financial transaction.

*Professional Counselor* A person whose official responsibilities include providing mental health counseling to members of the institution's community and who is functioning within the scope of his or her license or certification.



*Professional Degree* A degree that signifies both completion of the academic requirements for beginning practice in a given profession and a level of professional skill beyond that normally required for a bachelor's degree. Professional licensure is also generally required. Examples of a professional degree include but are not limited to Pharmacy (Pharm.D.), Dentistry (D.D.S. or D.M.D.), Veterinary Medicine (D.V.M.), Chiropractic (D.C. or D.C.M.), Law (L.L.B. or J.D.), Medicine (M.D.), Optometry (O.D.), Osteopathic Medicine (D.O.), Podiatry (D.P.M., D.P., or Pod.D.), and Theology (M.Div., or M.H.L.).

*Program Offered in Modules* A program in a payment period or period of enrollment, in which one or more courses in the program do not span the entire length of the payment period or period of enrollment.

*Program Participation Agreement (PPA)* The agreement between the Department of Education and a school that affirms the school has been approved to participate in the federal student aid programs. A program participation agreement conditions the initial and continued participation of an eligible institution in any federal student aid program on compliance with the all applicable regulations, and any additional conditions specified in the program participation agreement that the Department requires the institution to meet. An institution's program participation agreement applies to each branch campus and other location of the institution that meets the applicable requirements of this part unless otherwise specified by the Department.

*Program Records* A school's application for federal student aid funds and other records that document

- ◆ a school's eligibility to participate in the federal student aid programs;
- ◆ the eligibility of a school's educational programs for federal student aid program funds;
- ◆ the school's administration of the federal student aid programs in accordance with all applicable requirements;
- ◆ the school's financial responsibility;

- ◆ all information included in any application for federal student aid program funds made by the school; and
- ◆ the school's disbursement and delivery of federal student aid program funds.

*Program Review* A routine investigation by the Department of schools to ensure that they are properly administering the Title IV programs. Program reviewers will, among other actions, analyze school records, identify weaknesses, and set forth corrective measures.

*Programmatic Accrediting Agency* An agency that accredits only individual educational programs that prepare students for entry into a profession, occupation, or vocation. A school may be accredited by one or more programmatic accrediting agencies. Cf. primary accrediting agency.

*Promissory Note* A legally binding contract between a lender and a borrower that contains the terms and conditions of the loan, including how the loan is to be repaid. It becomes legally binding when signed (executed) by the borrower. Most federal education loans are made under a Master Promissory Note (MPN).

*Proof of Cash* A reconciliation of the general ledger cash balance at both the beginning and end of a period, combined with a reconciliation of cash deposited for the period with the cash receipts journal, and a reconciliation of checks for the period with the cash disbursements journal.

*Proprietary Institution of Higher Education* One of three types of institutions eligible for participation in the Federal Student Aid programs. The others are an *institution of higher education*, and a *postsecondary vocational institution*. For a more information see 34 CFR 600.5.

*Proration* Assigning institutional charges or Title IV assistance to a specific time period. For example: Title IV assistance can be prorated to the period for which it is received or the period for which it was intended; institutional charges can be prorated to the period in which they are incurred or the amount retained by the school for a period.

*Prospective Employee* An individual who has contacted an eligible institution for the purpose of requesting information concerning employment with that institution.

*Prospective Student* An individual who has contacted an eligible institution requesting information concerning admission to that institution.

*Provisional Certification* The status that the Department may permit a proprietary or private nonprofit school to participate under for up to three years. The Department may permit a school to participate under provisional certification if the school is not financially responsible because it does not satisfy the general standards, has an unacceptable audit opinion or has a past performance problem that has been resolved. In such cases the school will need to

- ◆ submit to the Department a letter of credit, payable and acceptable to the Department, for a percentage (10%–100%) of the FSA program funds received by the school during its most recent fiscal year and
- ◆ demonstrate that it has met all of its financial obligations and was current on its debt payments for its two most recent fiscal years.

*Public Interest Work* Work performed for the welfare of the nation or a community rather than work performed for a particular interest or group.

*Public Property* All public property, including thoroughfares, streets, sidewalks, and parking facilities, that is within the campus, or immediately adjacent to and accessible from the campus.

## Q

*Quality Assurance Program (QA Program)* FSA Program that helps schools attain, sustain, and advance exceptional student aid delivery and service excellence. You can find it at [ifap.ed.gov/qahome/Default.html](http://ifap.ed.gov/qahome/Default.html).

*Qualified Education Benefit* A qualified tuition program (as in the Internal Revenue Code of 1986) or other prepaid tuition plan offered by a state; and a Coverdell education savings account (as defined in section 530(b)(1) of the Internal Revenue Code of 1986).

*Qualified Opinion (Auditor's)* Auditor's statement that, except for the effects of the matter to which a qualification relates, the financial statements fairly present financial position, results of operations, and cash flows in conformity with generally accepted accounting principles. (See also, *Unqualified Opinion*.)

*Qualified Professional Provider of Early Intervention Services* A provider of services as defined in section 632 of the Individuals with Disabilities Education Act (IDEA).

*Qualifying National Guard Duty* Service as a member of the National Guard on full-time National Guard duty under a call to active service authorized by the President or the Secretary of Defense for a period of more than 30 consecutive days in connection with a war, other military operation, or a national emergency declared by the President and supported by federal funds.

*Quality Assurance Program (QA Program)* A program authorized under Section 487A of the Higher Education Act (HEA) of 1965, as amended in 1998 that allows schools to develop their own verification criteria in lieu of verifying applicant selected by the Department. The QA process allows schools to focus on applicants who make changes that effect their EFC and FSA eligibility based on the analysis the school conducts using the ISIR Analysis Tool.

## R

*Ratio* The relation between two quantities expressed as the quotient of one divided by the other. The ratio of 8 to 2 is written  $8/2$  and equals 4. Financial statement ratios are used as analytical procedures in audits.

*Reallocated FWS Funds* FWS funds that were initially awarded to one participating institution that are returned to the Department and re-awarded to another participating institution.

*Reasonable Assurance* A judgment based upon all available information that the systems of internal controls are operating in accordance with Federal Managers Financial Integrity Act of 1982 (FMFIA).



**Recalculation** One or more additional determinations (after the initial calculation or disbursement) of a student's eligibility for a Pell Grant or other Title IV aid, because of changes in one or more of the factors on which the student's award was based e.g., EFC, enrollment status, dependency, etc.

**Recertification** The process through which a school that is presently certified to participate in the FSA programs applies to have its participation extended beyond the expiration date of its current Program Participation Agreement (PPA). (A school may be certified to participate for up to six years.) The Department will notify a school six months prior to the expiration of its PPA, and the school must submit a complete application before the expiration date.

**Receiving Entity** An entity to which functions are transferred.

**Recipient of Title IV Grant or Loan Assistance** A student for whom the requirements of 34 CFR 668.164(g)(2) have been met.

**Recognize (a financial transaction)** Formally recording or incorporating an item into the financial statements of an entity as an asset, liability, revenue, expense, or the like. Recognition includes determining the amount, timing, classification, and other conditions precedent to the acceptance and entry of a transaction. Recognition includes both initial recognition of an item and recognition of subsequent changes in or removal of a previously recognized item.

**Recognized Equivalent of a High School Diploma** The following are the equivalent of a high school diploma

- ♦ a General Education Development Certificate (GED);
- ♦ a state certificate received by a student after the student has passed a state-authorized examination that the state recognizes as the equivalent of a high school diploma;
- ♦ an academic transcript of a student who has successfully completed at least a two-year program that is acceptable for full credit toward a bachelor's degree; or

- ♦ for a person who is seeking enrollment in an educational program that leads to at least an associate degree or its equivalent and who has not completed high school but who excelled academically in high school, documentation that the student excelled academically in high school and has met the formalized, written policies of the institution for admitting such students.

**Recognized Occupation** An occupation that is

- ♦ identified by a Standard Occupational Classification (SOC) code established by the Office of Management and Budget or an Occupational Information Network O\*NET-SOC code established by the Department of Labor and available at <http://online.onetcenter.org> or its successor site; or
- ♦ determined by the Department of Education in consultation with the Department of Labor to be a recognized occupation.

**Reconciliation** A process in which financial records are compared and discrepancies resolved. Monthly reconciliation is required in most federal student aid programs.

**Reconciliation (in the Direct Loan Program)** Required monthly comparison the funds schools have received (from the G5 system to pay its students) with the actual disbursement records submitted to the Common Origination and Disbursement (COD) system. Schools are also required to complete a final reconciliation of their Direct Loan accounts (year-end closeout).

**Record (v.)** To give expression to a transaction on (or in) the books of account; to enter.

**Recourse** The rights of a holder in due course of a financial instrument (such as a loan) to force the endorser on the instrument to meet his or her legal obligations for making good the payment of the instrument if dishonored by the maker or acceptor.

**Red Flags Rule** Issued by the Federal Trade Commission (FTC), in concert with other federal agencies, these regulations require financial institutions and creditors to develop and implement a written identity theft prevention program to detect, prevent, and respond to patterns, practices, or specific activities that may indicate identity theft. The “Red Flags Rule” applies to institutions participating in the Federal Perkins Loan Program and may apply to other credit programs administered by an institution and to institutionally-mandated accounts into which students Title IV credit balances are deposited.

**Refund** The return of interest or excess cash to the Department from G5 drawdowns or the return of audit and program review liabilities and fines. Often incorrectly used by schools to refer to a school’s distribution of a FSA credit balance to a student.

**Refund Policy** The published institutional, state, or accrediting agency formula a school applies when a student withdraws or otherwise ceases attendance to determine whether funds paid by, or on behalf of the student must be returned to the payee.

**Refund Reserve Standard** One of the standards that a school must satisfy to be considered financially responsible is that it must have sufficient cash reserves to return federal student aid funds when a student withdraws.

**Regular Student** A person who is enrolled or accepted for enrollment in an eligible program at an eligible institution for the purpose of obtaining a degree, certificate, or other recognized educational credential offered by that institution. A school must document that an aid recipient is a regular student.

**Rehabilitation (of a defaulted loan)** Process by which a borrower may bring a loan out of default by adhering to specified repayment requirements.

**Reimbursement Payment Method** The most restrictive heightened cash management payment plan. Under reimbursement, the FSA School Participation Team initiates a drawdown through G5 on behalf of a school or direct cash payments are deposited in the school’s bank account based on actual disbursements submitted to and accepted by the COD System.

**Reinstatement (of borrower FSA eligibility)** A process by which a borrower who has outstanding debts to the Department or has a defaulted FSA loan regains eligibility for FSA funds by satisfying the debt, paying off the loan, or agreeing to and adhering to strict repayment requirements.

**Reject Codes** Alphabetic and numeric codes for the problems found with a student’s FAFSA. When there is a reject, no EFC is generated and the reason for the reject must be addressed. Alphabetic codes indicate reject reasons that are verifiable, that is, the student can verify the questionable value by re-entering it if it is correct or changing it if it is wrong. Numeric reject codes are not verifiable—the questioned data must be changed (or provided if the field was left blank).

**Related Parties** Those with whom the client has a relationship that might destroy the self-interest of one of the parties (accounting is based on measurement of arm’s length transactions). Related parties include affiliates of the client, principle owners, management (decision makers who control business policy), and members of their immediate families.

**Release Record** A record that changes an anticipated disbursement to an Actual Disbursement Record. Schools using the Common Record submit a new record with the DRI set to True.

**Religious Institution** A school that is owned, controlled, operated, and maintained by a religious organization lawfully operating as a nonprofit religious corporation; and awards only religious degrees or certificates including, but not limited to, a certificate of Talmudic studies, an associate of Biblical studies, a bachelor of religious studies, a master of divinity, or a doctor of divinity.

**Remaining Eligibility Period (Direct Loan)** The difference, measured in academic years, between the borrower’s maximum eligibility period and the sum of the borrower’s subsidized usage periods, except as provided in the regulations.

**Remaining Eligibility (Pell)** The percentage of a student’s Pell Grant Scheduled Award that has not yet been disbursed for an award year.

**Remedial Coursework** Coursework that prepares a student for study at the postsecondary level. A student enrolled solely in remedial coursework is not eligible for Title IV aid, however, if a student is enrolled in an eligible program which contains some remedial coursework, he/she can be considered a regular student and potentially eligible for Title IV aid, even if he is taking all remedial courses before taking any regular courses.

**Renewal FAFSA** The application, available on the FOTW site, that contains pre-filled information taken from the student's valid application the previous year.

**Repayment Period** The time during which a borrower is obligated to make payments on a loan according to the terms and conditions of the loan's promissory note and the repayment plan the borrower chooses. For Direct Subsidized Loans and Direct Unsubsidized Loans, repayment begins the day after the grace period ends. For Direct PLUS Loans, repayment begins the day after the loan is fully disbursed.

**Repayment Plan** An arrangement made to repay a loan or other financial obligation. Repayment plans vary substantially among federal education loans. (See *Direct Loan Repayment Plan*.)

**Repeated Coursework** Courses in which a student has enrolled previously and is enrolled again.

**Reportable Condition (financial reporting)** A control deficiency, or combination of control deficiencies, that adversely affects the entity's ability to initiate, authorize, record, process, or report external financial data reliably in accordance with generally accepted accounting principles, such that there is more than a remote likelihood that a misstatement of the entity's financial statements, or other significant financial reports, that is more than inconsequential will not be prevented or detected.

**Reportable Condition (overall)** A control deficiency or combination of control deficiencies that should be communicated because they represent significant weaknesses or deficiencies in the design or operation of internal control that could adversely affect the organization's ability to meet its internal control objectives.

**Reporting School** The school that sends and receives data for the campuses or students it serves. The Reporting School must be a school and cannot be a 3rd Party Servicer.

**Response** The Common Record document sent back to the school after processing of an incoming Common Record document is complete. This Common Record contains processing results and edit codes.

**Retiree (in the TEACH Program)** An individual who has decided to change his or her occupation for any reason and who has expertise, as determined by the institution, in a high-need field.

**Retroactive Disbursement** A disbursement for a payment period or period of enrollment that has ended.

**Return of Title IV Funds (R2T4/Return)** The calculation required when a recipient of Title IV aid withdraws from an institution during a payment period/period of enrollment in which the recipient began attendance. The calculation compares the amount of Title IV aid the recipient earned to the amount disbursed and determines whether funds must be returned, or the student is eligible for a post-withdrawal disbursement.

**Returning Funds** The transfer or repayment of FSA funds required when a school must correct an overaward or an overpayment, and the return of funds that may be required when a student withdraws or otherwise ceases attendance during a payment period or period of enrollment.

**Revenue Adjustment** A contra revenue account that is used to report reduction in revenue when realization is not probable (less likely than not).

**Revolving Fund** A fund consisting of permanent appropriation and expenditures of collections, that are earmarked to finance a continuing cycle of business-type operations. A school's Perkins Loan fund is a revolving fund.

**Risk** The possibility of an act or event occurring that would have an adverse effect on the organization and its information systems.

**Risk Assessment** A prioritization of potential business disruptions based on severity and likelihood of occurrence. The risk assessment includes an analysis of threats based on the impact to the institution, its customers, and financial markets, rather than the nature of the threat.

**Roster File** The output document from the Enrollment Reporting process. The Roster File lists all Direct Loan Program borrowers at a school who were last reported as enrolled. Formerly known as Student Status Confirmation Report (SSCR). (See also *Enrollment Reporting Roster File*.)

**Routing Identifier** An identifier established by the U.S. Department of Education in Award as an identifier assigned to schools and third-party Servicers that is common across the Pell Grant and Direct Loan programs. It is a randomly generated eight-digit number that replaces the Pell Institution Number and Direct Loan (E/G) School code for the reporting of Pell Grant and Direct Loan data. It was previously referred to as the Common School Identifier (CSID).

## S

**SAR** See *Student Aid Report*.

**SAR Acknowledgement** An output document similar to the SAR but which has fewer and less detailed comments and can't be used for corrections as the SAR can. Students receive one when they apply electronically and don't provide an e-mail address.

**Satisfactory Academic Progress (SAP)** A required measurement of a student's academic progress towards their academic goal. Progress must be measured by both grade-based (qualitative) and time/pace of completion (quantitative) standards. For programs lasting one year or less, SAP must be assessed at the end of each payment period. For programs lasting more than one year, SAP must be assessed annually (corresponding with the end of a payment period). SAP must be measured cumulatively.

**Satisfactory Repayment Arrangement** For purposes of regaining eligibility for federal student aid funds, the agreement of an individual or borrower to make a predetermined number of on-time, voluntary monthly payments on a defaulted loan, or an overpayment of federal student aid. For the purpose of consolidating a defaulted loan, the making of three consecutive, voluntary, on-time, full monthly payments on a defaulted loan. The required monthly payment amount may not be more than is reasonable and affordable based on the borrower's total financial circumstances. A borrower may only obtain the benefit of this paragraph with respect to renewed eligibility once.

**Scheduled Academic Year (SAY)** A traditional academic year calendar as published in a school's catalogue or other materials. An SAY is a fixed period of time that begins and ends at a fixed time and is used to measure annual loan limit progression.

**Scheduled Award (in the TEACH Program)** The maximum amount of a TEACH Grant that a full-time student could receive for a year.

**Scheduled Break** An interruption in training that appears on a school's published calendar. In the Return of Title IV Aid, institutionally scheduled breaks of five or more consecutive days are excluded from the Return calculation as periods of nonattendance and therefore do not affect the calculation of the amount of earned FSA program funds.

**Scheduled Federal Pell Grant Award (Scheduled Award)** The amount of a Federal Pell Grant which would be paid to a full-time student for a full academic year.

**School Closeout** The process of identifying and submitting any outstanding records for an award year and returning any money for which there are no records to substantiate its use.

**School Participation Teams** Department of Education personnel in the regions and in Washington, DC, who are assigned a portfolio of schools. Each team is responsible for oversight functions for the schools in its portfolio. These functions include audit resolution, program reviews, financial statement analysis, initial eligibility and recertification, and method of payment.

*School Serving Low-Income Students* (low-income school) (in the TEACH Program) An elementary or secondary school that

- ♦ is in the school district of an local education agency (LEA) that is eligible for assistance pursuant to title I of the Elementary and Secondary Education Act (ESEA);
- ♦ has been determined by the Department to be a school in which more than 30 percent of the school's total enrollment is made up of children who qualify for services provided under title I of the ESEA; and
- ♦ is listed in the Department's Annual Directory of Designated Low-Income Schools for Teacher Cancellation Benefits. The Department considers all elementary and secondary schools operated by the Bureau of Indian Education (BIE) in the Department of the Interior or operated on Indian reservations by Indian tribal groups under contract or grant with the BIE to qualify as schools serving low-income students.

*School Transfer Profile* The information a school provides to the NSLDS pertaining to its participation in the Transfer Student Monitoring Process. The profile designates the school's contact, email address where Alert Notification Messages should be sent, and Inform and Alert options.

*Secondary Confirmation* A type of citizenship match test done by the Department of Homeland Security's Office of Citizenship and Immigration Services (USCIS) when primary confirmation does not satisfactorily resolve a student's status. If a student's eligible noncitizen status is not confirmed in DHS's automated Primary match, the student's record is held at DHS for up to three days to check other DHS databases for a match.

*Secondary School* A school that provides secondary education, as determined by (a) state law; or (b) the Department, if the school is not in a state. However, state laws notwithstanding, secondary education does not include any education beyond grade 12.

*Section 529 Plans* Qualified tuition programs that offer tax benefits and enable individuals to save money for a student's college education. They are covered in section 529 of the IRS tax code, hence the name.

*Segregation or Separation of Duties or Function* The requirement that schools must separate the functions of authorizing payment and disbursing or delivering funds so that no single person or office exercises both functions for any student receiving FSA funds. Separation of function is a preventive control.

*Selective Service* A federal agency system that collects the names of male U.S. citizens and male immigrant non-citizens between the ages of 18 and 25 on a list for potential conscription into the U.S. military. Males in this age group must register with Selective Service to receive Title IV aid. The CPS performs a match with the Selective Service System to determine if students are registered.

*Selective Service Match Flag* The result on a SAR/ISIR of the Selective Service (SS) match, which determines whether relevant applicants are registered with the SS.

*SE9W* A credit-hour program that has nonstandard terms which all terms are substantially equal in length, and each term is at least 9 weeks in length.

*SEOG First Selection Group* Students with the lowest expected family contributions (EFC) who will also receive Pell Grants in an award year at a school. A school must make SEOG awards to all students in its first selection group before awarding SEOG funds to students in its second selection group.

*SEOG Second Selection Group* Students with the lowest EFCs who are not receiving Pell Grants. If a school has SEOG funds remaining after making awards to all its Pell Grant recipients for the award year, it may make SEOG awards to students in the second selection group.

*Show-Cause Official* The designated Department official authorized to conduct a show-cause proceeding for an emergency action under 34 CFR 668.83.



*Simplified EFC Formulas* A variation of the regular EFC formulas that does not use assets in calculating the EFC. The simplified formulas are used when an independent student or a dependent student's parents have income below a specific threshold (< \$50,000) and meet one of a group of other criteria, such as not needing to file a Form 1040 U.S. tax return. See *Automatic Zero EFC*. For a detailed explanation of Simplified EFC Formulas and Tests see the Higher Education Act, as amended, Part F, Section 479.

*Significant Risk* An identified and assessed risk of material misstatement that, in the auditor's judgment, requires special audit consideration.

*Single Year (SY) Feature* The option that allows schools or borrowers not to use the Multi-Year Feature of the Master Promissory Note. If a school or borrower chooses to use this feature, a new promissory note must be signed each academic year.

*SSN Match* A CPS data match performed to confirm a student's identity and citizenship status, as part of the process of establishing student eligibility. See *Social Security Number*.

*Social Security Number (SSN)* A nine-digit number issued to U.S. citizens, permanent residents, and temporary (working) residents. Applicants submitting a FAFSA must have a valid Social Security Number. SSNs are matched with the Social Security Administration. Students from the Freely Associated States do not usually have SSNs, but may receive some forms of aid. See *Freely Associated States* for more information.

*Special Combat Pay* Pay received by a member of the Armed Forces because of exposure to a hazardous situation.

*Special Journals* Journals other than the general journal. Special or specialized journals include the cash receipts journal, the cash disbursements journal, the purchases journal, and the sales journal.

*Specified year* The calendar year preceding the first calendar year of an award year, i.e., the base year; or the year preceding the base year.

*Speech Language Pathologist with a Master's Degree* An individual who evaluates or treats disorders that affect a person's speech, language, cognition, voice, swallowing and the rehabilitative or corrective treatment of physical or cognitive deficits or disorders resulting in difficulty with communication, swallowing, or both and has obtained a postgraduate academic degree awarded after the completion of an academic program of up to six years in duration, excluding a doctorate or professional degree.

*SSA Citizenship Code* Code on SAR indicating the results of the citizenship match with Social Security Administration (SSA). The data for this field comes from the SSA Citizenship Flag field in the ISIR record layout.

*SSN/Name/Date of Birth Change Report* A report (separately for each program) sent to all schools whose students in the Pell, Direct Loan, and TEACH Grant programs have had changes to their identifiers (SSN, name, or date of birth). Changes can originate at your school; at another school attended by the student and in some cases (SSN change) by the Direct Loan Servicer.

*Standard Term* An academic or payment period that is generally 15 to 17 weeks long. Semester-based academic calendars traditionally have two terms, in the fall and spring, and trimester-based academic calendars traditionally have three terms, in the fall, spring, and summer.

*State* A State of the Union, American Samoa, the Commonwealth of Puerto Rico, the District of Columbia, Guam, the Virgin Islands, the Commonwealth of the Northern Mariana Islands, the Republic of the Marshall Islands, the Federated States of Micronesia, and the Republic of Palau. The latter three are also known as the Freely Associated States. An institution is physically located in a state if it has a campus or other instructional site in that state.

*State Education Agency* The State board of education; or an agency or official designated by the Governor or by State law as being primarily responsible for the State supervision of public elementary and secondary schools.



*Statement of Financial Position* One of the main financial statements of a nonprofit organization. This financial statement reports the amounts of assets, liabilities, and net assets as of a specified date. This financial statement is similar to the balance sheet issued by a company.

*Statutory Interest Rate* The maximum annual interest rate (under the Higher Education Act) that may be charged on a FSA loan.

*Stored Value Card* A prepaid debit card that can be used to withdraw cash from an automated teller machine (ATM) or to purchase goods from a merchant. A school may use stored-value cards as a way to make direct payments to students of FSA credit balances. We distinguish a stored-value card from a traditional debit card by defining a stored-value card as not being linked to a checking or savings account.

*Student Aid Application* An application approved by the Department and submitted by a person to have his or her EFC determined under the Federal Pell Grant, ACG, National SMART Grant, Federal Perkins Loan, FWS, FSEOG, Federal Stafford Loan, or William D. Ford Federal Direct Loan programs. See *Free Application for Federal Student Aid*.

*Student Aid Internet Gateway (SAIG)* The internet-based tool that allows Federal Student Aid trading partners to securely exchange batch data with Federal Student Aid Application Systems. Through SAIG, organizations are eligible to enroll to exchange and access data with:

- ◆ CPS (ISIR batch data, FAA Access to CPS Online services)
- ◆ COD (Exchange Direct Loan, Pell, Iraq Afghanistan Service Grant, TEACH Grant batch data, COD Online services)
- ◆ FISAP (eCampus-based access)
- ◆ NSLDS (Enrollment Rosters, Electronic Cohort Default Rate (eCDR), NSLDS Online services)
- ◆ FMS (Lender Reporting System/Guaranty Agency Financial Reports)
- ◆ CSB (Direct Loan Delinquency Reports, Borrower Services)

*Student Aid Report (SAR)* A report provided to an applicant by the Department showing the applicant's FAFSA information and the amount of his or her EFC. SARs are the paper or electronic (eSAR) output documents that are sent to students or printed from the FAFSA on the Web and FAA Access to CPS Online Web sites. SARs and ISIRs contain the same processed student information in different formats.

*Student Loan Interest Statement (1098-E)* Documentation of interest paid on a federal education loan provided by a financial institution, loan servicer, or school to the borrower.

*Student Services* Services that are offered to students that may include, but are not limited to, financial aid, library, peer guidance counseling, job placement, assisting an instructor with curriculum-related activities, security, and social, health, and tutorial services. Student services do not have to be direct or involve personal interaction with students. For purposes of this definition, facility maintenance, cleaning, purchasing, and public relations are never considered student services.

*Student with an Intellectual Disability* A student with mental retardation or a cognitive impairment characterized by significant limitations in

- ◆ intellectual and cognitive functioning; and
- ◆ adaptive behavior as expressed in conceptual, social, and practical adaptive skills.

A student who is currently, or was formerly, eligible for special education and related services under the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. 1401), including a student who was determined eligible for special education or related services under the IDEA but was home-schooled or attended private school.

*Study Abroad Program* A program in which a student enrolled in a U.S. school takes classes at a foreign one. A participating institution may establish study-abroad programs for which students may receive FSA funds. A study-abroad program is eligible if the home school awards academic credit for it and students in it remain concurrently enrolled at their home school.

**Subsidiary Accounts** Accounts outside of the general ledger which provide the detail for the balance reported in a general ledger account. (The account in the general ledger is known as the control account.) The total of the subsidiary accounts or records must agree to the balance in the general ledger control account.

**Subsidiary Ledger** Record of the details to support a general ledger account. The general ledger account is often referred to as the control account. For example, the accounts receivable subsidiary ledger provides the details to support the balance in the general ledger control account Accounts Receivable.

**Subsidized Usage Period (Direct Loan)** Except as provided for in *Remaining Eligibility Period*, a period of time measured in academic years and rounded down to the nearest quarter of a year calculated as: {Number of days in the borrower's loan period for a Direct Subsidized Loan divided by number of days in the academic year for which the borrower receives the Direct Subsidized Loan}

**Substantial Gainful Activity** A level of work performed for pay that involves doing significant physical or mental activities or a combination of both. A student must have a certification from a physician that they are unable to perform such to be classified as totally and permanently disabled for Title IV purposes. See *Total And Permanent Disability Discharge*.

**Substantially Equal in Length** Academic or payment periods are substantially equal in length if no period in the program is more than two weeks of instructional time longer than any other period in that program.

**Substantial Gainful Activity** A level of work performed for pay or profit that involves doing significant physical or mental activities, or a combination of both. See *Total and Permanent Disability*, and *Total And Permanent Disability Discharge*.

**Substantial Misrepresentation** Any misrepresentation on which the person to whom it was made could reasonably be expected to rely, or has reasonably relied, to that person's detriment.

**Substantiate** The act of accounting for funds already drawn. In the COD Process, institutions can substantiate funds by sending in an Actual Disbursement Record.

**Successfully Complete** Earning a passing grade and completing the instructional time associated with the credit or clock hours.

**Suspension (of participation)** The removal of a school's or third-party servicer's eligibility to participate in the federal student aid programs, for a specified period of time or until the school or servicer fulfills certain requirements.

**Supplemental Allocation** For the Campus-Based Programs, an additional amount of Campus-Based funds from the Department that is reallocated from the amount of unused Campus-Based funds returned from the previous award year by participating schools.

**Suspension Period** One of the award periods in G5. The suspension period is one month long and follows liquidation. Once an FSA program has entered the suspension period, no payment actions can take place without the approval of the program office. The Department program offices use this period to prepare for final closeout.

## T

**T-account** A visual aid used by accountants to illustrate a journal entry's effect on the general ledger accounts. Debit amounts are entered on the left side of the "T" and credit amounts are entered on the right side.

**Tax Identification Number (TIN)** Unique nine-digit number assigned to a grantee organization and used to report activity to the Internal Revenue Service. In other words, the TIN is the grantee's social security number.

**TEACH Grant** See *Teacher Education Assistance for College and Higher Education (TEACH) Grant Program*

*TEACH Grant Counseling* The required process of advising a potential TEACH Grant recipient about the full nature of the TEACH program, the service agreement and their obligations based upon receiving a TEACH Grant.

*TEACH Grant-Eligible Institution* An eligible institution as defined in 34 CFR part 600, 34 CFR part 668, subpart L, or 34 CFR 668.175, and that also fulfills the requirements of 34 CFR 686.2.

*TEACH Grant-Eligible Program* An eligible program, as defined in 34 CFR 668.8, is a program of study that is designed to prepare an individual to teach as a highly-qualified teacher in a high-need field and leads to a baccalaureate or master's degree, or is a post-baccalaureate program of study. A two-year program of study that is acceptable for full credit toward a baccalaureate degree is considered to be a program of study that leads to a baccalaureate degree.

*Teacher* A teacher is a person who provides

- ◆ direct classroom teaching;
- ◆ classroom-type teaching in a non-classroom setting; or
- ◆ educational services to students directly related to classroom teaching such as school librarians or school guidance counselors.

A supervisor, administrator, researcher, or curriculum specialist is not a teacher unless he or she primarily provides direct and personal educational services to students.

*Teacher (in the TEACH Program)* A person who provides direct classroom teaching or classroom-type teaching in a non-classroom setting, including special education teachers and reading specialists.

*Teacher Certification Coursework* Courses in a required for teacher certification or recertification in the state where the student plans to teach. Must be offered in credit or clock hours (courses using direct assessment in lieu of credit or clock-hour programs are not eligible). A student may be potentially eligible for Direct Loans, Perkins Loans, and a parent may

receive Direct PLUS Loans on behalf of a student for at least one-half-time enrollment in teacher certification coursework, even if it does not lead to a degree or certificate. See also *Non-Credential Teacher Certification Program Coursework*.

*Teacher Education Assistance for College and Higher Education (TEACH) Grant Program* A grant program authorized by Title IV of the HEA under which grants are awarded by an institution to students who are completing, or intend to complete, coursework to begin a career in teaching and who agree to serve for not less than four years as a full-time, highly-qualified teacher in a high-need field in a low-income school. If the recipient of a TEACH Grant does not complete four years of qualified teaching service within eight years of completing the course of study for which the TEACH Grant was received or otherwise fails to meet the requirements of 34 CFR 686.12, the amount of the TEACH Grant converts into a Federal Direct Unsubsidized Loan.

*Teacher Preparation Program (in the TEACH Program)* A state-approved course of study, the completion of which signifies that an enrollee has met all the state's educational or training requirements for initial certification or licensure to teach in the state's elementary or secondary schools. A teacher preparation program may be a regular program or an alternative route to certification, as defined by the state. For purposes of a TEACH Grant, the program must be provided by an institution of higher education.

*Teaching in a Field of Expertise* The majority of classes taught are in the borrower's field of expertise.

*Teach-Out Plan* A written plan developed by an institution that provides for the equitable treatment of students if an institution, or an institutional location that provides 100 percent of at least one program, ceases to operate before all students have completed their program of study, and may include, if required by the institution's accrediting agency, a teach-out agreement between institutions.

*Telecommunications Course* A course offered principally through the use of television, audio, or computer transmission, including open broadcast, closed circuit, cable, microwave, satellite, audio conferencing, computer conferencing, video cassettes, or discs. The term “telecommunications” does not include a course that is delivered using video cassettes or disc recordings unless the institution also delivers comparable instruction offered on the cassettes or discs to students physically attending classes at the institution during the same award year. If the course offered in the manner described above does not qualify as a telecommunications course, it is considered to be a correspondence course.

*Temporarily Totally Disabled* The condition of an individual who, though not totally and permanently disabled, is unable to work and earn money or attend school, during a period of at least 60 days needed to recover from injury or illness. With regard to a disabled dependent of a borrower, this term means a spouse or other dependent who, during a period of injury or illness, requires continuous nursing or similar services for a period of at least 90 days.

*Termination (of participation)* The removal of a school’s or third-party servicer’s eligibility to participate in the federal student aid programs, for an indefinite period of time.

*Testing (of controls)* Verifying the effectiveness of controls in operation by determining if they are, in fact, operating as intended, meeting the control objectives, and reducing risks. Testing may take several forms including document analysis, transaction testing, observation, or interview.

*Third-party Servicer* Any individual, any State, or any private, for-profit or nonprofit organization which enters into a contract with

- ◆ any eligible institution of higher education to administer, through either manual or automated processing, any aspect of such institution’s student assistance programs under this title; or

- ◆ any guaranty agency, or any eligible lender, to administer, through either manual or automated processing, any aspect of such guaranty agency’s or lender’s student loan programs, including originating, guaranteeing, monitoring, processing, servicing, or collecting loans.

*Three-Day Rule* A school must disburse FSA funds received under the advance payment method as soon as administratively feasible but no later than three business days following the date the school received those funds.

*Three-Quarter Time Student* An enrolled student who is carrying a three-quarter-time academic workload, as determined by the institution, that amounts to at least three quarters of the work of the applicable minimum requirement outlined in the definition of a full-time student.

*Title I Children* Children ages 5 through 17 who are counted under section 1124(c)(1) of the Elementary and Secondary Education Act of 1965, as amended.

*Title IV or Federal Student Aid (FSA) Credit balance* The balance that results when an institution disburses federal student aid funds by crediting a student’s account and the total amount of all federal student aid funds credited exceeds the amount of tuition and fees, room and board, and other authorized charges the institution assessed the student.

*Title IV, HEA Program* Financial aid programs for postsecondary students, authorized under Title IV of the Higher Education Act of 1965, as amended (Title IV, HEA) and administered by the U.S. Department of Education and listed in 34 CFR 668.1(c). Also known as the federal student aid programs.

*Title IV Recipient* A student who has actually received Title IV funds, or has met the conditions that entitle a student to a late disbursement.

*Total Eligibility Used* The sum of all Eligibility Used (EU) for the Award Year.

*Totally and Permanent Disabled* Condition of an individual who

- ♦ is unable to engage in substantial gainful activity by reason of a medically determinable physical or mental impairment that can be expected to result in death; has lasted for a continuous period of at least 60 months; or can be expected to last for a continuous period of at least 60 months; or
- ♦ has been determined by the Department of Veterans Affairs (VA) to be unemployable due to a service-connected disability.

*Total and Permanent Disability Discharge* Loan discharge granted to a borrower who meets the definition of totally and permanent disability.

*Total Income* Adjusted gross income plus untaxed income and benefits for the preceding tax year minus excludable income. For a detailed explanation of Total Income see the Higher Education Act, as amended, Part F, Section 480(a).

*Total Monthly Gross Income* The gross amount of income received by a borrower from employment (either full-time or part-time) and from other sources. It is used to determine the amount of the monthly payment a federal student aid loan borrower must make under certain repayment plans.

*Trailer* A summer term in which Pell Grant awards are funded from the award year. See also *Header*.

*Transfer Student* A student who withdraws or graduates from one school and enrolls at another school. See also *Transfer Monitoring*.

*Transfer (student) Monitoring* Process through which schools send student information to NSLDS for NSLDS so the schools can be notified of relevant changes to a student's financial aid history and eligibility.

*Transfer Student Monitoring School Transfer Profile (in NSLDS)* A webpage that displays information about the school for the Transfer Student Monitoring process. The page includes how a school is set up to submit Inform files, length of time for monitoring, and designation for alert notifications. This information is provided and updated by school users, and must be completed prior to submitting your school's first Inform.

*Transaction* Any submission to the CPS by a financial aid applicant or a school of an application or changes to it. Each transaction results in a new ISIR and SAR and is identified by a two-digit transaction number (for example, 01, 02, or 03). The initial FAFSA submission and SAR/ISIR for the award year is the first transaction and therefore has the transaction number 01.

*Transaction Receipt Date* The date the FAFSA processor or the CPS received the input information that generated the transaction. The Transaction Receipt Date changes with each new transaction. The date the FAFSA Processor or CPS received the initial submission of the FAFSA (the first transaction) is known as the Application Receipt Date and is fixed.

*Transfer of Campus-Based Funds* To help meet their students' need, schools may transfer funds from certain Campus-Based Programs into certain other Campus-Based Programs. The Department's permission is not required.

*Trial Balance* A statement of open debit and credit accounts in a ledger to test their equality. The total of the amounts in the debit column should equal the total of the amounts in the credit column.

*Tribal College or University* An institution that

- ♦ qualifies for funding under the Tribally Controlled Colleges and Universities Assistance Act of 1978 or the Navajo Community College Assistance Act of 1978; or
- ♦ is cited in section 532 of the Equity in Education Land Grant Status Act of 1994.



*Two-Year Rule for New Proprietary or Vocational Schools* The requirement that new proprietary or postsecondary vocational institutions must be legally authorized to give (and have continuously been giving) the same postsecondary instruction for at least two consecutive years prior to their application to participate in the Title IV programs.

*Two Plus Two Program* A partnership between a two-year and a four-year school that facilitates students completing the last two years of their four-year degree.

## U

*UCC-1 Form* Document a school is required to submit when the account that holds a school's FSA funds does not include the phrase federal funds in its name. Public institutions are exempt from the requirement.

*Unbooked Loan* A Direct Loan that does not have an accepted actual disbursement and/or is not linked to an accepted Direct Loan Promissory.

*Unbooked TEACH Grant* A TEACH Grant that does not have an accepted actual disbursement or is not linked to a TEACH Grant *Agreement to Serve*.

*Undergraduate Student* A student who

- ♦ is enrolled in an undergraduate course of study that usually does not exceed four years, or is enrolled in a longer program designed to lead to a degree at the baccalaureate level. In general, a student is only considered an undergraduate for purposes of the Federal Student Aid programs if the student has not yet earned a baccalaureate or professional degree;
- ♦ has completed a baccalaureate program of study and who is subsequently completing a state-required teacher certification program;
- ♦ for purposes of dual degree programs that allow individuals to complete a bachelor's degree and either a graduate or professional degree within the same program, is in at least the first three years of that program; or

- ♦ is enrolled in a four to five year program designed to lead to an undergraduate degree. A student enrolled in a program of any other, longer length is considered an undergraduate student for only the first four years of that program.

*Unearned Aid* For Return of Title IV Funds purposes, the amount determined by subtracting the federal student aid earned by a student for the payment period or period of enrollment, as applicable, from the federal student aid disbursed to the student for that period.

*Unprocessed Deobligations* Negative available balances in the Pell Grant program that are generally created when a school submits disbursement decreases and those decreases cause the CFL to fall below the amount already sent to the school by G5.

*U.S. Citizenship and Immigration Services (USCIS)* The federal agency that administers immigration and naturalization services within the United States. Formerly, the Immigration and Naturalization Service (INS).

*United States Code (USC)* Codification by subject matter of the general and permanent laws of the United States. It is divided by broad subjects into 50 titles and published by the Office of the Law Revision Counsel of the U.S. House of Representatives.

*Unqualified Opinion* A "clean" auditor's report. That is, the auditor has concluded the financial statements present fairly, in all material respects, financial position, results of operations, cash flows in conformity with generally accepted accounting principles.

*Unsubstantiated Cash* Calculated as net cash at school (i.e. net excess cash returns) received for the award year, not including cash at schools for the last 15 days minus total accepted disbursements (booked disbursements for DL) for award year.



*Untaxed Income and Benefits* The term “untaxed income and benefits” includes

- ◆ child support received;
- ◆ workman’s compensation;
- ◆ veteran’s benefits, such as death pension, dependency, and indemnity compensation, but excluding veterans’ education benefits;
- ◆ interest on tax-free bonds;
- ◆ housing, food, and other allowances (excluding rent subsidies for low-income housing) for military, clergy, and others (including cash payments and cash value of benefits);
- ◆ cash support or any money paid on the student’s behalf, except, for dependent students, funds provided by the student’s parents;
- ◆ untaxed portion of pensions;
- ◆ payments to individual retirement accounts and Keogh accounts excluded from income for federal income tax purposes; and
- ◆ any other untaxed income and benefits, such as Black Lung Benefits, Refugee Assistance, or railroad retirement benefits, or benefits received through participation in employment and training activities under Title I of the Workforce Investment Act of 1998.

## V

*Valid Institutional Student Information Record (valid ISIR)* An ISIR on which all the information reported on a student’s FAFSA is accurate and complete as of the date the application is signed.

*Valid Student Aid Report (valid SAR)* A SAR on which all of the information reported on a student’s FAFSA is accurate and complete as of the date the application is signed.

*Variable Interest Rate* An interest rate on a loan that fluctuates over the term of a loan on the basis of changes in an index that reflects changes in market rates.

*Verification* The process under which an applicant’s FAFSA information is selected by the Department

or a school and determined to be accurate (true and complete within certain parameters) or inaccurate.

*Verification Flag* Code on a SAR/ISIR transaction indicating that a student has been selected for verification. After the student is selected, he or she is always selected for the current processing year. This data comes from the Student Is Selected for Verification field in the ISIR record layout.

*Verification Selection Flag* The field on the SAR/ISIR that identifies a correction transaction that is selected for verification when the transaction being corrected was not initially selected for verification. This field is always blank on an initial transaction. This flag is set to Y only on the correction transaction that is initially selected for verification. If the Verification Selection Flag is set from the previous transaction, this field is blank.

*Verification Status Code* The code (V, W, S, or blank) that must be reported in the COD system for students who receive Pell grants, regardless of whether they are selected for verification.

*Verification Worksheets* A web-based tool available at [faaaccess.ed.gov](http://faaaccess.ed.gov) that schools can use to compare ISIR data with data an applicant provides on verification documents, such as a Verification Worksheet. It displays the differences between the ISIR and the verification document. The aid office can tell if the differences are within the verification tolerance level. Users can also update student and parent ISIR information and submit it to the CPS.

*Veteran* Any individual who

- ◆ has engaged in the active duty in the United States Army, Navy, Air Force, Marines, or Coast Guard (other than for training purposes); and
- ◆ was released under a condition other than dishonorable.

*Veterans’ Education Benefits* Benefits associated with his or her service that a student who is also a veteran will receive during the award year. For a detailed explanation of *Veterans’ Education Benefits* see the Higher Education Act, as amended, Part F, Section 480(c).

*Voluntary Payments* Payments made directly by a borrower or a student who owes a federal student aid debt and that do not include payments obtained by federal offset, garnishment, or income or asset execution.

## W

*Waiver* Relief from an obligation, e.g., to pay tuition, fees, or other institutional charges; or to fulfill an administrative requirement.

*Weakness (in controls)* An organization's inability to fulfill a responsibility or fully realize the benefit of a control. Weaknesses may be identified internally through self-examination or by an external organization and stated as a recommendation. Depending on the severity, it may be reported to the next level of management. Each material weakness requires a corrective action plan. (See *Material Weakness*.)

*Week of Instructional Time* Any period of seven consecutive days in which one day of regularly scheduled instruction, examination, or (after the last day of classes) at least one scheduled day of study for examinations occurs. Instructional time does not include periods of orientation, counseling, homework, vacation, or other activity not related to class preparation or examination.

*Willingness to Repay* When selecting Perkins Loan recipients, a school must consider evidence of a borrower's willingness to repay the loan. Delinquency, default, or other failure to meet obligations on a previous loan is evidence that the borrower is unwilling to repay a loan. Loans discharged in bankruptcy may be considered evidence of being unwilling to repay a loan. Schools may also consider a student's credit history in determining willingness to repay.

*Withdrawal* To cease attendance in all Title IV eligible classes in a payment period or period of attendance, as applicable. A student is considered to have withdrawn from a payment period or period of enrollment if

- ◆ in the case of a program that is measured in credit hours, the student does not complete

all the days in the payment period or period of enrollment that the student was scheduled to complete;

- ◆ in the case of a program that is measured in clock hours, the student does not complete all of the clock hours and weeks of instructional time in the payment period or period of enrollment that the student was scheduled to complete; or
- ◆ for a student in a non-term or nonstandard-term program, the student is not scheduled to begin another course within a payment period or period of enrollment for more than 45 calendar days after the end of the module the student ceased attending, unless the student is on an approved leave of absence, as defined later in this chapter.

*Withdrawal Date* The date a student ceases attendance (drops or withdraws) from all his or her Title IV eligible courses in a payment period or period of enrollment.

*Work-College* An eligible institution that

- ◆ is a public or private nonprofit, four-year, degree-granting institution with a commitment to community service;
- ◆ has operated a comprehensive work-learning-service program for at least two years;
- ◆ requires resident students, including at least one-half of all students who are enrolled on a full-time basis, to participate in a comprehensive work-learning-service program for at least five hours each week, or at least 80 hours during each period of enrollment, except summer school, unless the student is engaged in an institutionally organized or approved study abroad or externship program; and
- ◆ provides students participating in the comprehensive work-learning-service program with the opportunity to contribute to their education and to the welfare of the community as a whole.

*Withdrawal Rate* The percentage of a school's students who officially withdraw, unofficially drop out, are expelled, or receive a 100% refund of their tuition and fees. Withdrawing from one or more courses (e.g., reducing credit hours from 12 to 6) or programs but not entirely from the school does not meet the definition of a withdrawal. Instead, this action is considered a change in enrollment status. Schools seeking to participate in an FSA program for the first time must have an undergraduate withdrawal rate for regular students of no more than 33% during the last completed award year.

*Working Papers* Written records kept by an auditor of procedures applied, tests performed, information obtained, and pertinent conclusions in the engagement.

*Write-off* An action to remove an amount from an entity's assets. Costs incurred that have no future utility are charged (written-off) to an expense or loss account, not carried forward as an asset. A write-off of a loan occurs when an official determines, after all appropriate collection tools have been used, that no further collection activity is warranted. Active collection on an account ceases, and the account is removed from an entity's receivables.

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# Federal Student Aid Acronyms



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A-133	Office of Management and Budget Circular A-133
AACRAO	American Association of Collegiate Registrars and Admissions Officers
AAI	Adjusted Available Income
ACA	Administrative Cost Allowance
ACH	Automated Clearinghouse
ACN	Audit Control Number
ADB	Average Daily Balance
ADL	Anticipated Disbursement Listing
ADR	Actual Disbursement Roster
AGI	Adjusted Gross Income
AI	Available Income
AICPA	American Institute of Certified Public Accountants
ANN	Dear Colleague Letter designation for training announcements
APA	Asset Protection Allowance
APR	Annual Percentage Rate
ARN	Alien Registration Number (also known as A-number)
ASB	Auditing Standards Board
ATB	Ability to Benefit
ATS	Agreement to Serve
AVG	Application and Verification Guide
AVR	Automated Voice Response
AY	Academic Year (may refer to Award Year in some contexts)
BBAY	Borrower-Based Academic Year
BIA	Bureau of Indian Affairs
BLS	Bureau of Labor Statistics
BRR	Borrower's Rights and Responsibilities
CAP	Corrective Action Plan
CB	Campus-Based

CBO	Congressional Budget Office
CBT	Computer-Based Training
CCA	Cash Control Account
CCR	Central Contractor Registration
CDR	Cohort Default Rate
CDRG	Cohort Default Rate Guide
CEO	Chief Executive Officer
CFDA	Catalog of Federal Domestic Assistance
CFL	Current Funding Level
CFO	Chief Fiscal/Financial Officer
CFR	Code of Federal Regulations
CIP	Classification of Instructional Programs
COA	Cost of Attendance
COD	Common Origination and Disbursement
COH	Cash on Hand
COO	Chief Operating Officer
COTW	Corrections on the Web
CPA	Certified Public Accountant
CPS	Central Processing System
CPS/SAIG	Central Processing System / Student Aid Internet Gateway
CR	Credit
CS/JLD	Job Location and Development within the Community Service Work-Study Program
CSC	Customer Service Center
CSID	Common School Identifier
CSL	Community Service Learning (Program)
CSR	Customer Service Representative
CY	Continuing Year
DB	Debit
DCIA	Debt Collection and The Debt Collection Improvement Act of 1996
DCL	Dear Colleague Letter
DCS	Debt Collection Service (in ED) now Borrower Services and Collections
DD214	Department of Defense form 214. It is the form, received at separation, that certifies a veteran's service.
DHS	Department of Homeland Security
DL	Direct Loan

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DLC	Direct Loan Consolidation
DMRS	Deposit Message Retrieval System (Treasury Department)
DOB	Date of Birth
DOD	Department of Defense
DOJ	Department of Justice
DPA	Destination Point Administrator
DRAP	Default Reduction Assistance Program
DRI	Disbursement Release Indicator
DRN	Data Release Number
DRT	Data Retrieval Tool
D-U-N-S	Data Universal Numbering System (by Dun & Bradstreet)
E-App	Electronic Application to Participate (in the Federal Student Aid Programs)
eCDR	Electronic Cohort Default Rate
eCFR	Electronic Code of Federal Regulations
eMPN	Electronic Master Promissory Note
ECAR	Eligibility and Certification Approval Report
eCB	eCampus-Based
ED	United States Department of Education
EDCAPS	Education Central Automated Processing System
EDE	Electronic Data Exchange
EDGAR	Education Department General Administrative Regulations
EDP	Electronic Data Processing
EFA	Estimated Financial Assistance
EFC	Expected Family Contribution
EFT	Electronic Funds Transfer (see also ACH/EFT)
EIC	Earned Income Credit
EIN	Employer Identification Number
ESI	Experimental Sites Initiative authorized by Section 487A of the Higher Education Act.
eMPN	Electronic Master Promissory Note
ESAR	Electronic Student Aid Report
ESI	Experimental Sites Initiative
E-SIGN	Electronic Signatures in Global and National Commerce Act
ESL	English as Second Language



ESOA	Electronic Statement of Account
FAA	Financial Aid Administrator
FADL	Final Audit Determination Letter
FAFSA	Free Application for Federal Student Aid
FAO	Financial Aid Office (also, Officer)
FASB	Financial Accounting Standards Board
FC	Family Contribution
FCC	Federal Capital Contribution (Perkins)
FDLP/DL	The William D. Ford Federal Direct Student Loan Program
FEDWIRE	The Federal Reserve Communications System's Fund Transfer System
FERPA	Family Education Rights and Privacy Act
FISAP	Fiscal Operations Report and Application to Participate
FMFIA	Federal Managers' Financial Integrity Act of 1982
FMS	Financial Management System
FOIA	Freedom of Information Act
FOTW	FAFSA on the Web
FP	Dear Colleague Letter designation for financial partners (published before January 2013)
FPL	Federal Perkins Loan Program
FPRD	Final Program Review Determination (L letter)
FR	Federal Register
FRB	Federal Reserve Bank
FRCS	Federal Reserve Communications System
FS	Financial Services (in the U.S. Department of Education)
FSA	Federal Student Aid, an office of the Department of Education
FSAH	Federal Student Aid Handbook
FSAIC	Federal Student Aid Information Center
FSEOG	Federal Supplemental Educational Opportunity Grant Program
FT	Full Time
FTE	Full-time Equivalent
FWS	Federal Work-Study Program
FY	Fiscal Year
G	Dear Colleague Letter designation for guaranty agency letters (published before January 2013)
G5	Grants Payment System
GA	Guaranty Agency

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GAAP	Generally Accepted Accounting Principles
GAAS	Generally Accepted Auditing Standards
GAGAS	Generally Accepted Government Auditing Standards
GAN	Grant Award Number
GAO	Government Accountability Office (formerly General Accounting Office)
GAS	Government Auditing Standards
GASB	Governmental Accounting Standards Board
GE	Gainful Employment
GEAR UP	Gaining Early Awareness and Readiness for Undergraduates Program
GED	General Education Development certificate or General Equivalency Diploma
GEN	Dear Colleague Letter designation for general letters
GPA	Grade Point Average
GPO	Government Printing Office
HBCU	Historically Black Colleges and Universities
HCM	Heightened Cash Monitoring
HCM1	Heightened Cash Monitoring 1 Payment Method
HCM2	Heightened Cash Monitoring 2 Payment Method
HEA	Higher Education Act
HEAL	Higher Education Assistance Loan Program
HSI	Hispanic-Serving Institution
IBR	Income-Based Repayment Plan
ICC	Institutional Capital Contribution (Perkins)
ICR	Income-Contingent Repayment Plan
IFAP	Information for Financial Aid Professionals (web site)
IG	Inspector General
IHE	Institution of Higher Education
IIS	Institutional Improvement Specialist
INS	Immigration and Naturalization Service (INS is now part of Department of Homeland Security and known as U.S. Citizenship and Immigration Services.)
IPA	Income Protection Allowance, also Independent Public Auditor
IPEDS	Integrated Postsecondary Education Data System
IRS	Internal Revenue Service
IRS DRT	Internal Revenue Service Data Retrieval Tool
ISIR	Institutional Student Information Record
ISP	Internet Service Provider

JLD	Job Location and Development (Program)
L	Dear Colleague Letter designation for FFEL letters (published before January 2013)
LD	Dear Colleague Letter designation for limited distribution letters (published before January 2013)
LDA	Last Date of Attendance
LEA	Local Educational Agency
LEAP	Leveraging Educational Assistance Partnership Program
LEU	Lifetime Eligibility Used
LOA	Leave of Absence
LOE	Level of Expenditure (in the Federal Perkins Loan Program)
LOR	Loan Origination Record
LSDA	Late Stage Delinquency Assistance
LST	Limit, Suspend or Terminate (a school's participation in the federal student aid programs)
MD&A	Management's Discussion and Analysis
MDE	Multiple Data Entry
MOP	Method of Payment
MPN	Master Promissory Note
MPN ID	The unique identifier printed on the MPN
MRR	Multiple Reporting Record
MY	Multi-Year feature of Direct Loan promissory notes
NACUBO	National Association of College and University Business Officers
NAPD	Net Accepted and Posted Disbursements
NASFAA	National Association of Student Financial Aid Administrators
NASSGAP	National Association of State Student Grant and Aid Programs
NCES	National Center for Educational Statistics
NCSFMEA	National Committee on Foreign Medical Education and Accreditation
NDSL	National Direct (or Defense) Student Loan Program
NEISP	National Early Intervention Scholarship and Partnership (Program)
NFC	National Finance Center
NPRM	Notice of Proposed Rulemaking
NRM	Negotiated Rulemaking
NSC	National Student Clearinghouse
NSF	Non-Sufficient Funds
NSLDS	National Student Loan Data System
OC	Object Class/Objective Classification

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OCFO	Office of Chief Financial Officer
OCR	Office of Civil Rights
OGC	Office of General Council
OHA	Office of Hearings and Appeals
OIG	Office of Inspector General
OMB	Office of Management and Budget
OPD	Operations Performance Division
OPE	Office of Postsecondary Education (in the U.S. Department of Education)
OPE-ID	Office of Postsecondary Education Identifier
P	Dear Colleague Letter designation for Pell Grant Program letters (published before January 2013)
PL	Public Law
P-Note	Promissory Note (also PN)
PA	Payment Analyst (in Performance Improvement and Procedures Service Group)
PAN	Payee Account Number
PBO	Performance-Based Organization
PC	Parental Contribution
PDF	Portable Document Format
PEPS	Postsecondary Education Participation System
PII	Personally Identifiable Information
PIN	Personal Identification Number
PJ	Professional Judgment
PLD	Plain Language Disclosure
POP	Potential Overaward
PPA	Program Participation Agreement
PRCN	Program Review Control Number
PRR	Program Review Report
QA	Quality Assurance Program (Authorized by Section 487A of the HEA)
QC	Quality Control
R2TIV	Return of Title IV Funds (process also seen as R2T4)
RCCC	Research and Customer Care Center (FSA call center for schools)
RDE	Recipient Data Exchange
ROTW	Renewal FAFSA on the Web
SAIG	Student Aid Internet Gateway (successor to Title IV Wide Area Network [TIV WAN])
SAM	System for Award Management (federal procurement systems)

SAP	Satisfactory Academic Progress
SAR	Student Aid Report
SAS	Direct Loan School Account Statement (also, AICPA Statements on Auditing Standards)
SAY	Scheduled Academic Year
SE9W	Substantially Equal and at least Nine Weeks in length (one of several types of academic terms)
SEOG	See FSEOG
SID	Student Identifier in COD
SNT	Simplified Needs Test
SOA	Statement of Account
SPD	School Participation Division
SSA	Social Security Administration
SSI	Supplemental Security Income
SSN	Social Security number
SSAE	AICPA Statements on Standards for Audit Attestation Engagements
SSS	Student Support Services (A Title IV TRIO program), also Selective Service System
STEM	Science, Technology, Engineering and Math
SULA	Subsidized Usage Limit Applies (in the DL Program)
SY	Single-Year feature of Direct Loan promissory notes
TANF	Temporary Assistance for Needy Families
TEACH	Teacher Education Assistance for College and Higher Education
TFA	Two-Factor Authentication
TFAP	Training for Financial Aid Professionals
TFCFS	Treasury Financial Communications System
TIN	Taxpayer Identification Number
TIV	Title IV of the Higher Education Act (HEA)
TO	Training Officer
TPD	Total and Permanent Disability (usually modifies “discharge”)
UCC	Uniform Commercial Code (as in UCC-1 Statement)
USC	United States Code
USCIS	U.S. Citizenship and Immigration Services in Department of Homeland Security
VA	U.S. Department of Veterans Affairs
WBT	Web-Based Training
WWW	World Wide Web
YTD	Year to Date

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# Technical Resources and Assistance



*While nongovernmental organizations and their publications often provide useful information, the guidance they offer provides no defense in the case of audit and program review findings. For authoritative guidance on the Federal Student Aid program requirements, schools should refer first to Department of Education publications, and then to broader US Government publications.*

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## ELECTRONIC ASSISTANCE

### *Information for Financial Aid Professionals (IFAP)*

The Information for Financial Aid Professionals (IFAP) Website consolidates guidance, resources, and information related to the administration and processing of Title IV federal student aid into one online site for use by the entire financial aid community. Please note: we have omitted references to certain sections and items we felt were not relevant to business offices, so viewing IFAP online may look slightly different for certain sections and information on the IFAP website. IFAP will encompass more information than presented in this Appendix. You can find IFAP at

**[ifap.ed.gov/ifap/](http://ifap.ed.gov/ifap/)**

Depending on the nature of your information search on IFAP, you may find multiple paths to it. Here, we identify the areas on IFAP we believe will be the most helpful to the business. You will find the main headings within tool bars at the top and left side of IFAP and within the boxes in the middle of the home page.

- ◆ ***Getting Started*** - Provides an introduction to the IFAP Website for new users and others who want assistance in using IFAP. Federal Student Aid hopes that it will be particularly helpful to those new to financial aid by showing what information is available and where it can be found. It highlights what you need to know about accessing the many electronic systems that institutions must use to participate in the Federal Student Aid programs and provides information about obtaining guidance and training in the administration of the programs.



- ◆ *My IFAP* – Allows you to receive weekly updates to the Information for Financial Aid Professionals (IFAP) Website. Tags within my IFAP include:
  - Login
  - New User Registration
  - Help with My IFAP
- ◆ *Calendar* - The Federal Student Aid Calendar is a helpful tool to view the current conferences, trainings, deadlines or other events occurring within the financial aid community.
- ◆ *What's New* - The What's New area on IFAP lists all of the latest postings to the IFAP Website within the past 14 days. You may click on each link to access the file directly.
- ◆ *iLibrary*
- ◆ *Training*
- ◆ *Help*
- ◆ *Feedback*

*Major headings on the IFAP home page include:*

- ◆ Tools for Schools,
- ◆ Publications,
- ◆ Worksheets, Schedules and Tables, and
- ◆ Processing Resources.

### **Tools for Schools**

Tools for Schools (Federal Student Aid offers online and computer-based training resources to assist in working with Title IV federal student aid programs, software and systems.)

<http://ifap.ed.gov/ifap/toolsforschools.jsp>

Examples of tools include:

- ◆ Common Origination and Disbursement (COD) System Computer-Based Training
- ◆ Conference Presentations
- ◆ EExpress Training
- ◆ Campus Based Computer-Based Training - eCampus-Based System Training
- ◆ FSA Assessments - FSA Assessments helps schools with compliance and improvement activities and contains links to applicable laws and regulations.

- ◆ FSA COACH (WBT) - A comprehensive, introductory course on school requirements for administering the Federal Student Aid programs. The 37 lessons can be completed individually, allowing you to tailor the training to your specific needs.
- ◆ Net Price Calculator - Each postsecondary institution that participates in Title IV federal student aid programs must post a net price calculator on its website to provide estimated net price information to current and prospective students and their families based on a student's individual circumstances.

### **Publications**

Publications developed by FSA to assist in the administration of the Title IV federal student aid programs are located at

[ifap.ed.gov/ifap/publications.jsp](http://ifap.ed.gov/ifap/publications.jsp)

There are two types of publications - General Publications and Processing Publications. General program-related publications are found under General Publications. Processing-related publications are under Processing Publications.

Examples of general publications include:

- ◆ Audit Guidance
- ◆ Cohort Default Rate Guide
- ◆ Federal School Code List
- ◆ Federal Student Aid Handbook
- ◆ FSA New School Guide
- ◆ Gainful Employment Operations Manual
- ◆ Program Review Guide.

Examples of processing publications include:

- ◆ Application Processing System Specifications for Software Developers
- ◆ COD Technical Reference
- ◆ EDE Technical Reference
- ◆ EFC Formula Guide
- ◆ FISAP Form and Instructions
- ◆ FISAP Technical Reference
- ◆ ISIR Guide
- ◆ SAR Comment Codes and Text
- ◆ School Electronic Process Guide.

### **Worksheets, Schedules and Tables**

This section includes Federal Student Aid developed worksheets, schedules, and tables to assist in the administration of the Title IV federal student aid programs, including:

- ◆ Pell Grant Payment and Disbursement Schedules;
- ◆ Verification, Student Eligibility, EFC Formula, and Return of Aid worksheets; and
- ◆ a suggested format for use when referring overpayments to Borrower Services.

### **Processing Resources**

Application processing refers to the process through which the Free Application for Federal Student Aid (FAFSA) is evaluated and results are returned to students and institutions. Operational communications and guidance, technical documents, and related information specific to Application Processing are categorized under four areas:

- ◆ Application Processing Electronic Announcements,
- ◆ EDESuite (EDEXpress, DL Tools, and SSCR),
- ◆ FAFSA and SAR Materials, and
- ◆ CPS Quarterly Statistics.

## FSA DOWNLOADS FOR SOFTWARE AND MANUALS

If you need You can download any of Federal Student Aid’s software and associated documents or technical references and guides, you can do so at the U.S. Department of Education’s Federal Student Aid Download (FSAdownload) Website, located at

[fsadownload.ed.gov/](http://fsadownload.ed.gov/)

Examples of references include:

- ◆ COD Technical Reference
- ◆ CPS Test System
- ◆ Direct Loan Technical Reference
- ◆ EDExpress Packaging Technical Reference
- ◆ Electronic Data Exchange Technical Reference
- ◆ Guaranty Agency TEF File
- ◆ ISIR Guide
- ◆ Perkins TEF File
- ◆ Renewal FAFSA Process Guide
- ◆ SAR/ISIR Comment Codes and Text
- ◆ Summary of Changes to the Application Processing System.

Examples of Software Include:

- ◆ Direct Loan Tools
- ◆ EDExpress
- ◆ EDconnect Message Class Table
- ◆ GA DataPrep
- ◆ GA Loan Discharge Submittal
- ◆ NSLDS Enrollment Submittal
- ◆ NSLDS Exit Counseling Submittal
- ◆ NSLDS Gainful Employment Submittal
- ◆ NSLDA Teacher Loan Forgiveness Submittal
- ◆ FISAP
- ◆ ISIR Analysis Tools
- ◆ Perkins DataPrep
- ◆ SAIG Mailbox Software & Manuals:
- ◆ SUN Java Runtime Environment.



### School Participation Team

In addition to directly entering the URL provided, you can also get there through IFAP. From the home page of [ifap.ed.gov](http://ifap.ed.gov), go to the top horizontal gray tool bar and select Help. Within the Help menu select Contact Information. Within Contact Information select Federal Student Aid Offices. The School Participation Teams is the last office listed.

## School Participation Division

Call the appropriate School Participation Division for information and guidance on audit resolution, financial analysis, program reviews, technical assistance, and school and program eligibility/recertification.

You can find contact information for the regional offices of the School Participation Division at

[ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division](http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=School%20Participation%20Division)

### The Electronic Version of the Application for Approval to Participate in the Federal Student Financial Aid Programs

Postsecondary institutions use the E-App to apply for designation as an eligible institution, initial participation, recertification, reinstatement, change in ownership, or to update a current approval. Updates include changes such as, but not limited to, name or address change, new location or program, increased level of offering, change of officials, or mailing address for publications.

<http://www.eligcert.ed.gov/>

### Training Officers & Institutional Improvement Specialists

#### Training Officers

Training officers provide local, regional, and national training on a wide variety of Title IV topics. Training venues include financial aid associations, state organizations, Department of Education national conferences, Department of Education online training, and fundamental workshops for new schools and financial aid staff. In addition, training officers provide direct assistance to schools by answering questions, conducting research, and distributing information.

Though training officers train on a national scope, each training officer resides in a particular region made up of specific states. Due to state and school system differences, concentration of certain types of institutions and general workload issues, we encourage schools to contact those training officers located within their region for assistance.

#### Institutional Improvement Specialists

Institutional Improvement Specialists (IIS) are part of the regional School Participation Teams (SPTs). SPTs work with institutional eligibility, resolve institutional independent audits, review school financial statements, conduct TIV program reviews, and provide technical assistance.

IIS assist schools within their regions that are beginning their participation in the federal student aid programs. They conduct technical assistance visits (on-site and off-site), provide one-on-one training, and answer general questions. In addition, an IIS might work closely with schools to resolve eligibility, audit, and/or financial concerns.

### **FSATech Listserv**

By subscribing to this listserv financial aid professionals can get answers to their technical questions about FSA’s software or systems. They will also automatically get news flashes about processing and software issues.

**<http://www2.ed.gov/offices/OSFAP/services/fsatechsubscribe.html>**

### **FSAPubs**

The FSAPubs website allows schools to order paper publications and find electronic publications that can be saved and/or printed. You can login to the site by using their OPE ID for functions such as viewing their order history, managing their account and viewing their shopping cart.

**<http://www.fsapubs.gov/>**

### **Postsecondary Education Participants (PEPS) System Help Desk**

PEPS is the Office of Federal Student Aid (FSA) management information system of all organizations that have a role in administering student financial aid and other Higher Education Act programs. PEPS maintains eligibility, certification, demographic, financial, review, audit and default rate data about schools, lenders, and guarantors participating in the Title IV programs.

**<http://www2.ed.gov/offices/OSFAP/PEPS/index.html>**

#### **FSATech Listserv**



In addition to directly entering the URL provided, you can also get there through IFAP. From the home page of ifap.ed.gov, go to the left side vertical gray tool bar and select System & Processing Links – Application. Within the drop down menu FSATech Listserv is the fifth tag.

#### **FSAPubs**



In addition to directly entering the URL provided, you can also get there through IFAP. From the home page of ifap.ed.gov, go to the left side vertical gray tool bar and select Resource Links. Within the drop down menu FSAPubs.gov Publication Ordering is the fourth tag.

#### **PEPS**



In addition to directly entering the URL provided, you can also get there through IFAP. From the home page of ifap.ed.gov, go to the top horizontal gray tool bar and select Help. Within the Help menu select Contact Information. Within Contact Information select Service Centers for Schools.



## CENTERS FOR SERVICE

The U.S. Department of Education provides multiple service centers that can help you manage the Federal Student Aid. We have provided the necessary contact information for these centers as well as a brief description to help you identify the contact center that will serve your needs.

<b>Where to Find Information about Federal Student Aid Resources</b>		
<b>Service Center</b>	<b>Description</b>	<b>Contact Info Page URL</b>
Default Resolution Group	This service center provides assistance to borrowers with defaulted federal education loan debt and federal student aid grant recipients who owe overpayments.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Default Resolution Group">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Default Resolution Group</a>
Federal Student Aid Information Center (FSAIC)	The FSAIC provides parents and students with information and assistance (in English and Spanish) about the FAFSA application process and ED's grant and loan programs.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Information Center (FSAIC)">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Information Center (FSAIC)</a>
Health Education Assistance Loan (HEAL) Program for Borrowers	Provides information and assistance to borrowers who received HEAL Program loans between 1978 and 1998.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Borrowers">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Borrowers</a>
Loan Consolidation Information Center	Borrowers who are interested in consolidating their federal student loans should contact this center for information and technical assistance.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Loan Consolidation for Applicants">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Loan Consolidation for Applicants</a>
Office of the Ombudsman FSA	Individuals who have exhausted all other customer service avenues can often get help from the Ombudsman.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Office of the Ombudsman FSA">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Office of the Ombudsman FSA</a>
Total and Permanent Disability Discharge and Veterans Disability Discharge	The Nelnet Total and Permanent Disability Servicer is the Department's contact point for borrowers seeking assistance and information about total and permanent disability (TPD) discharge.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge</a>
Loan Servicing Centers for Students	For questions about loan repayment or other loan servicing issues, a borrower should contact his or her loan servicing center.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=2">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=2</a>
For complete information, visit <a href="http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=2">http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=2</a> .		

<b>Where to Find Information about Services for Schools</b>		
<b>Service Center</b>	<b>Description</b>	<b>Contact Info Page URL</b>
Campus-Based Call Center	Visit this center if you have questions about the Campus-Based Programs, the FISOP/FISAP or Federal Perkins Loan cohort default rates.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Campus-Based Call Center">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Campus-Based Call Center</a>
Closed School Contacts	This website can help answer your questions about school closures, unpaid refunds, and poor quality of education/student services.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Closed School Contacts">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Closed School Contacts</a>
COD School Relations Center	They provide assistance with processing Pell/Iraq and Afghanistan Service Grants, TEACH Grants, and Direct Loans.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=COD School Relations Center">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=COD School Relations Center</a>
CPS/SAIG Technical Support and the Two Factor Authentication (TFA) Support Center	Answers your questions about the Central Processing System (CPS), the Student Aid Internet Gateway (SAIG), Web products such as FAA Access to CPS Online, help with software products such as EDconnect and EDEXpress, and TFA.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=CPS/SAIG Technical Support and the TFA Support Center">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=CPS/SAIG Technical Support and the TFA Support Center</a>
eZ-Audit	For help submitting financial statements and compliance audits online.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=eZ Audit">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=eZ Audit</a>
Federal Student Aid Research and Customer Care Center (RCCC)	Contact the RCCC with your questions about the Title IV federal student aid programs, policies, and regulations.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Research and Customer Care Center (RCCC)">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Research and Customer Care Center (RCCC)</a>
Foreign School Contacts	Foreign schools that need help with institutional eligibility, Direct Loan setup and processing, SAIG, publications and school Assessments can get that help here.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Foreign School Contacts">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Foreign School Contacts</a>
G5 Hotline	Get help with G5, the Department of Education's electronic system for grants management and payments.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=G5 Hotline">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=G5 Hotline</a>
Health Education Assistance Loan (HEAL) Program for Lenders and Lender Servicers	Contact for information and assistance related to the Health Education Assistance Loan (HEAL) Program.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Lenders and Lender Servicers">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Lenders and Lender Servicers</a>
Direct Loan Consolidation for Loan Holders and Servicers	For answers to questions related to the Direct Consolidation Loan application process visit this page	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Loan Consolidation for Loan Holders and Servicers">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Loan Consolidation for Loan Holders and Servicers</a>
National Student Loan Data System (NSLDS)	The NSLDS Customer Support Center provides assistance with NSLDS functions including: enrollment reporting, exit counseling completion, loan history/detail online enrollment reporting, overpayments, transfer student monitoring, and school website access.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=National Student Loan Data System (NSLDS)">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=National Student Loan Data System (NSLDS)</a>
Total and Permanent Disability Discharge and Veterans Disability Discharge	Contact for information and assistance with the disability discharge process.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge</a>
Loan Servicing Centers for Schools	For questions about loan repayment or other loan servicing issues, a school should contact the appropriate loan servicing center.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=1">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=1</a>
For complete information, visit <a href="http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=1">http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=1</a> .		

<b>Where to Find Information About Services for Students and Borrowers</b>		
<b>Service Center</b>	<b>Description</b>	<b>Contact Info Page URL</b>
Default Resolution Group	This service center provides assistance to borrowers with defaulted federal education loan debt and federal student aid grant recipients who owe overpayments.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Default Resolution Group">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Default Resolution Group</a>
Federal Student Aid Information Center (FSAIC)	FSAIC provides parents and students with information and assistance (in English and Spanish) about the FAFSA application process and ED's grant and loan programs.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Information Center (FSAIC)">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Federal Student Aid Information Center (FSAIC)</a>
Health Education Assistance Loan (HEAL) Program for Borrowers	Provides information and assistance to borrowers who received HEAL Program loans between 1978 and 1998.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Borrowers">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Health Education Assistance Loan (HEAL) Program for Borrowers</a>
Loan Consolidation Information Center	Borrowers who are interested in consolidating their federal student loans should contact this center for information and technical assistance.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Loan Consolidation for Applicants">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Loan Consolidation for Applicants</a>
Office of the Ombudsman FSA	Individuals who have exhausted all other customer service avenues can often get help from the Ombudsman.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Office of the Ombudsman FSA">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?contactname=Office of the Ombudsman FSA</a>
Total and Permanent Disability Discharge and Veterans Disability Discharge	ED has one contact point, the Nelnet Total and Permanent Disability Servicer, for borrowers seeking assistance with all total and permanent disability (TPD) discharge questions.	<a href="http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge">http://ifap.ed.gov/ifap/helpContactInformation-DetailedList.jsp?contactname=Total and Permanent Disability Discharge and Veterans Disability Discharge</a>
Loan Servicing Centers for Students	For questions about loan repayment or other loan servicing issues, a borrower should contact his or her loan servicing center.	<a href="http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=2">http://ifap.ed.gov/ifap/helpContactInformationDetailedList.jsp?lsc=2</a>
For complete information, visit <a href="http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=2">http://ifap.ed.gov/ifap/helpContactInformationList.jsp?group=2</a> .		

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# Actions a School Should Take When a Current Student Dies



*Here we describe how a school should proceed when a currently enrolled recipient of federal student aid dies.*

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## **WHEN A SCHOOL RECEIVES INFORMATION THAT A STUDENT HAS DIED**

If, during the school year, a school receives information that a current recipient of Title IV aid has died, the school must determine the validity of that information. Until the school has determined whether or not the student remains in attendance, the school may not make additional disbursements of Title IV aid to the student (including releasing any Title IV credit balance that might exist on the student's account from a disbursement made previously).

In order to avoid causing distress to a student's family and friends based on an inaccurate report of a student's death received by the school, the school should first make internal inquiries and consult public information sources. If there is no local newspaper report of a student's death, a school can conduct an online search of the student's hometown newspaper and the newspapers where the death was reported to occur. A school can also search the student's home state vital records office (a list is available at [www.cdc.gov/nchs/w2w.htm](http://www.cdc.gov/nchs/w2w.htm)). Internally, a school should get attendance reports from the faculty in whose classes the student is currently enrolled. If the student lives on campus, the school should contact the appropriate residence hall staff to see what information the staff possesses. Faculty members and residence hall staff should be told that if the student is present, it is critical the student call or visit the financial aid office. The school should also write the student at the local residence of record and at any electronic address available (email and social media) to inform the student that it will not be making further disbursements of financial aid to the student until he or she calls or visits the financial aid office.

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### **CPS Match with the U.S. Social Security Administration**

The Social Security numbers of applicants currently in Federal Student Aid's Central Processing System (for all award years currently being processed) are matched weekly against SSA records. If the Social Security number entered in Item 8 of the FAFSA matches that of a deceased person in the SSA records, the CPS will send a new ISIR to all schools indicated on the student's FAFSA. The new ISIR will include Comment Code 076 and the comment text:

*Social Security Administration (SSA) records indicate that the Social Security Number (SSN) that was provided in Item 8 belongs to a deceased person. If the SSN is correct, the applicant must contact the SSA at 1-800-772-1213 or [www.socialsecurity.gov](http://www.socialsecurity.gov) to resolve this problem. If the SSN is incorrect, the applicant must correct the SSN on a paper SAR or submit a new FAFSA online with the correct SSN.*

If a school receives an ISIR that contains Comment Code 076, it must treat the ISIR as conflicting information.

### Documentation required for discharge of a federal student loan when a student dies

In order to discharge the unpaid balance of a Perkins Loan (including NDSL and Defense loans), FFEL program loan, or Direct Loan, except in exceptional circumstances and on a case-by-case basis, the loan holder or servicer must obtain an original or certified copy of a death certificate or an accurate and complete photocopy of the original or certified copy of the death certificate.

34 CFR 674.61(a)  
34 CFR 682.402(b)  
34 CFR 685.212.

#### Enrollment Reporting When a Current Student Has Died

If a school has obtained a copy of the death certificate for a current student, the school must update the student's status in NSLDS. If the school is due to perform its regular Enrollment Status Reporting within the next 14 days, the school may use that process to update the student's status. If the school's regular Enrollment Reporting is more than 14 days in the future, we recommend that the school manually update the student's enrollment status on the NSLDS Professional Access Web site at [https://www.nslidsfap.ed.gov/nslids\\_FAP/](https://www.nslidsfap.ed.gov/nslids_FAP/) (under the Enrollment reporting tab) to a status of "D."

#### Returning loan funds when a student dies

A school that has to return Direct Loan funds because a student has died should always return them using G5.

A school should complete its internal attempt to resolve the report of the student's death within 30 days. After 30 days if the school, has not resolved the report of the student's death, a school should seek information from the student's family (named on the FAFSA if the student is dependent or married) and any references the student provided during entrance counseling (if the student is a recipient of a federal student loan).

A school that is unable to confirm a student's death must make a determination that the student is no longer in attendance (has withdrawn) 30 days after the end of the earlier of the

- ♦ payment or enrollment period;
- ♦ academic year in which the student was enrolled;
- ♦ educational program in which the student was attending.

A school must return any Title IV funds required under 34 CFR 668.22 as soon as possible but no later than 45 days after date school determined student withdrew.

#### Withdrawal date when a student dies

If a school that is not required to take attendance is informed that a student has died, it must determine the withdrawal date for the student under 34 CFR 668.22(c)(1)(iv). This section provides that if the institution determines that a student did not begin its withdrawal process or otherwise provide official notification of his or her intent to withdraw because of illness, accident, grievous personal loss, or other such circumstances beyond the student's control, the withdrawal date is the date that the institution determines is related to that circumstance.

The withdrawal date can be no later than the date of the student's death. For an institution that is required to take attendance, the withdrawal date for a student who has died is the last date of attendance as determined from the school's attendance records. **The school must maintain the documentation it received that the student has died** and determine an appropriate withdrawal date.



#### When a student who has outstanding federal student loan obligations dies

The regulations governing Perkins Loans (including Defense and NDSL loans), FFEL program loans, and Direct Loans provide for discharge of a borrower's obligation to repay those loans if the borrower dies (including a Direct Parent PLUS Loan borrower's obligation to repay a Direct PLUS Loan if the student on whose behalf the parent borrowed dies).

If a school has information that a current or former student who has an unretired federal student loan obligation has died, the school must try to obtain an original or certified copy of the borrower’s death certificate, or an accurate and complete photocopy of the original or certified copy of the death certificate, and provide the death certificate to the holder of the student’s loans.

**Documentation required for discharge of a federal student loan when a student dies**

In order to discharge the unpaid balance of a Perkins Loan (including NDSL and Defense loans), FFEL program loan, or Direct Loan, except in exceptional circumstances and on a case-by-case basis, the loan holder or servicer must obtain an original or certified copy of a death certificate or an accurate and complete photocopy of the original or certified copy of the death certificate.

**Obtaining a death certificate or an acceptable copy of a death certificate**

If a school confirms that a current recipient of Title IV aid has died, the school must try to obtain an original or certified copy of the recipient’s death certificate, or an accurate and complete photocopy of the original or certified copy of the death certificate. The families of deceased persons have primary responsibility for notifying local and national authorities when a family member dies. (Doctors, other medical professionals, and mortuaries often perform this function, but the responsibility remains with the deceased’s family.) Therefore, for dependent students or married independent students, unless the school can determine (for example, from a notice of death or news report) that a medical professional or mortuary was involved, a school seeking to obtain a student’s death certificate or an acceptable copy of the death certificate should start with the student’s family. Unless the school can determine from a notice of death or news report that a medical professional or mortuary was involved (and from whom the school should first make a request), a school should inquire at local government record offices where the death occurred and offices where the student’s permanent residence is located. (Since individual state rules for documenting the death of an individual and obtaining a copy of an individual’s death certificate differ widely, a school should consult with its attorney to establish procedures for obtaining the required documentation from local authorities.)

**Deadline for determination**

A school that is unable to confirm a student’s death must make a determination that the student is no longer in attendance (has withdrawn) 30 days after the end of the earlier of the:

- payment or enrollment period;
- academic year in which the student was enrolled;
- educational program in which the student was attending.

A school must return any Title IV funds required under 34 CFR 668.22 as soon as possible but no later than 45 days after date school determined student withdrew.



### *When a student who has died is due a post-withdrawal disbursement*

A school may not make a post-withdrawal disbursement of Title IV funds to the account or estate of a student who has died.

If a school determines that a student has died during a period, it must perform a Return calculation. If the Return calculation indicates that an institution is required to return Title IV funds, the school must return the Title IV funds for which it is responsible.

The student's estate is not required to return any Title IV funds disbursed to the student. Therefore, an institution should neither report a grant overpayment for a deceased student to NSLDS, nor refer a grant overpayment for a deceased student to Debt Resolution Services. If an institution had previously reported a grant overpayment for a student who is deceased to Debt Resolution Services, it should inform Debt Resolution Services that it has received notification that the student is deceased.

The regulations governing the Direct and Federal Perkins Loan programs provide for a discharge of a borrower's obligation to repay a Federal Direct or Federal Perkins Loan if the borrower dies (including a Direct PLUS Loan borrower's obligation to repay a Direct PLUS Loan if the student on whose behalf the parent borrowed dies). If a school is aware that a student who has died has any outstanding Title IV loan debt, the school should contact the student's estate and inform it of the actions it can take to have the student's Title IV loan debt cancelled.

If a Title IV credit balance created from **funds disbursed before the death of the student** exists after the completion of the Return calculation and the institutional refund calculations, the institution must resolve the Title IV credit balance as follows:

1. in accordance with the cash management regulations, paying authorized charges at the institution (including previously paid charges that are now unpaid due to the Return of Title IV funds by the institution);
2. returning any Title IV grant overpayments owed by the student for **previous withdrawals** from the present school (the institution may deposit the funds in its federal funds account and make the appropriate entry in G5);

If the institution has previously referred the grant overpayment to Debt Resolution Services, the institution should provide Debt Resolution Services with documentation that the student has died so that Debt Resolution Services can delete the overpayment from its records.

3. returning any remaining credit balance to the Title IV programs.

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# HEA Table of Contents



*Following are the sections of the Higher Education Act of 1965 (HEA), as amended, and the corresponding U.S. Code sections. Citations to Title IV of the HEA and the Code of Federal Regulations (CFR) can be found on the Government Printing Office's Federal Digital System website (<http://www.gpo.gov/fdsys>). A more up-to-date version of the U.S. Code is at the website <http://uscodebeta.house.gov/> of the Law Revision Council of the U.S. House of Representatives. Private companies and educational institutions, such as law schools, also provide online access to the U.S. Code and the CFR. You can search for these online or contact a law library.*

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(Parenthetical citations are to Title 20 of the U.S. Code, unless otherwise noted.)

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FEDERAL STUDENT AID  
HANDBOOK

WITH ACTIVE INDEX

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