

# Federal Update



Rick Renshaw, Federal Student Aid  
U.S. Department of Education  
April 2016

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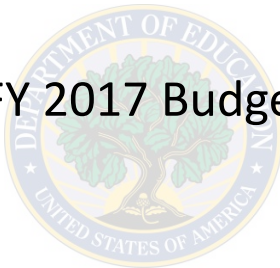
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## FY 2017 Budget



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## FY 2017 Budget

Three themes—

1. Increasing equity and excellence;
2. Supporting teachers and school leaders; and
3. Promoting access, affordability, and completion in postsecondary education

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## FY 2017 Budget

- America's College Promise—A \$61 billion investment to make community college free and provide low-income students with up to 2 years of college at a 4-year HBCU or MSI at zero or reduced tuition.
- Pell Grant Program—Extend inflation indexing indefinitely to protect its value.

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## FY 2017 Budget

- Pell for Accelerated Completion—Support and encourage on-time graduation by providing year-round Pell to full-time students who have exhausted their annual award.
- On-Track Pell Bonus—Reward students who take the 15 credits per semester typically required for on-time completion with a \$300 increase in their Pell Grant.

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## 2016-2017 Pell Grant Payment Schedules (DCL 16-01)



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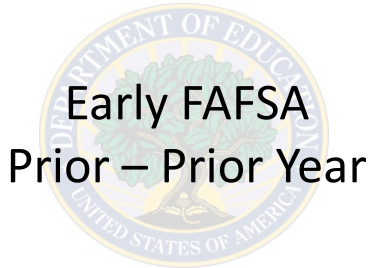
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### Early FAFSA

- President’s Announcement –
  - FAFSA Start-Up on October 1
  - Use of Prior-Prior Year Income Data
- Beginning with the 2017-2018 FAFSA
  - October 1, 2016
  - 2015 Tax/Calendar Year for Income

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### CHANGES TO THE FAFSA PROCESS FOR 2017-18

**SUBMIT A FAFSA EARLIER.** Students will be able to file a 2017-18 FAFSA as early as Oct. 1, 2016, rather than beginning on Jan. 1, 2017. The earlier submission date will be a permanent change, enabling students to complete and submit a FAFSA as early as October 1 every year. (There is NO CHANGE to the 2016-17 schedule. The 2016-17 FAFSA will become available January 1, 2016.)

**USE EARLIER INCOME INFORMATION.** Beginning with the 2017-18 FAFSA, students will report income information from an earlier tax year. For example, on the 2017-18 FAFSA, students (and parents, as appropriate) will report their 2015 income information, rather than their 2016 income information. The following table provides a summary of key dates as we transition to using the early FAFSA submission timeframe and earlier tax information.

IF YOU PLAN TO ATTEND COLLEGE FROM	YOU CAN SUBMIT THE FAFSA FROM	USING TAX INFORMATION FROM
July 1, 2015–June 30, 2016	January 1, 2015–June 30, 2016	2014
July 1, 2016–June 30, 2017	January 1, 2016–June 30, 2017	2015
July 1, 2017–June 30, 2018	October 1, 2016–June 30, 2018	2015
July 1, 2018–June 30, 2019	October 1, 2017–June 30, 2019	2016

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StudentAid.gov/fafsa-changes

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### Prior-Prior Year and Early FAFSA

- Issues
  - Outreach
  - Professional Judgement
  - Verification
  - Conflicting information

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### 2016-2017 FAFSA/ISIR



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### FAFSA – List of Schools

- Beginning with the 2016-2017 FAFSA the names of the colleges listed by applicants on FAFSAs will not be included on ISIRs sent to institutions.
- Will continue to be included on ISIRs provided to state grant agencies
- Will be on SARs provided to FAFSA applicants.

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### Paper FAFSAs

- More than 99 percent of FAFSAs are filed electronically.
- **Beginning with the 2017-2018 FAFSA we will no longer print the FAFSA as a color packet.**
- PDF FAFSA available on-line to be printed
- Call 1-800-4FEDAID to request a copy

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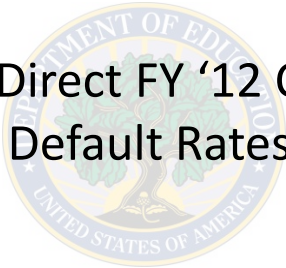
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### FFEL/Direct FY '12 Cohort Default Rates



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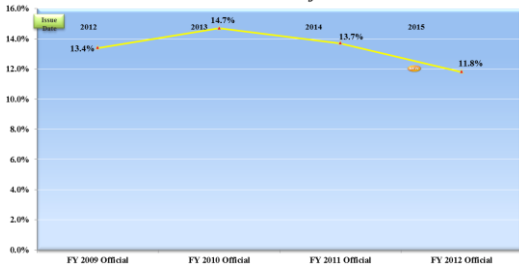
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National Student Loan Default Rates



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### FY '12 Cohort Default Rates School Type

STATE	FY 11' CDR	FY 12' CDR
Public – Two Year	20.5%	19.1%
Public – Four Year	8.9%	7.6%
Non-Profit – Two Year	15.6%	16.1%
Non-Profit – Four Year	7.0%	6.3%
For-Profit – Two Year	20.0%	17.7%
For-Profit – Four Year	18.6%	14.7%
Foreign	3.8%	3.3%
All Schools	13.7%	11.8%

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### Perkins Loan Program



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### Perkins Loan Program

- Federal Perkins Loan Program Extension Act of 2015.
  - Extends program through September 30, 2017
  - Eliminates the Perkins Loan five-year grandfathering provisions
  - Places requirements on the eligibility for undergraduates to receive a loan

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### Perkins Loan Program

- Federal Perkins Loan Program Extension Act of 2015.
  - Effectively eliminates the eligibility for graduate students to receive Perkins Loans.
  - Requires school disclosures
  - Requires return of federal share of revolving fund after October 1, 2017

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### Perkins Loan Program Excess Liquid Capital

- DCL GEN-15-19
- Attached Excel Work-Sheets
  - Calculate Excess Cash
  - Calculate Federal/School Shares
- Return Federal Funds by December 31, 2015
- Warning letters sent

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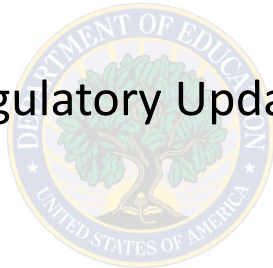
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### Regulatory Update



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## Recent & Upcoming Regulatory Efforts

- Revised Pay As You Earn (REPAYE)
- Program Integrity and Improvement - Cash Management
- Borrower Defenses

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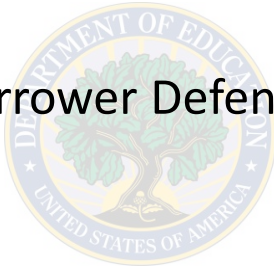
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## Borrower Defenses



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## Borrower Defenses to Repayment

- Negotiation sessions:
  - Session 1: January 12-14, 2016
  - Session 2: February 17-19, 2016
  - Session 3: March 16-18, 2016
- Expect to publish proposed rules this summer
- Expect to publish final rules by November 1, 2016

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## Borrower Defenses to Repayment

- Procedures for borrower to establish a defense to repayment
- Criteria to identify acts or omissions of an institution that constitute defenses to repayment
- Standards and procedures that ED will use to determine school liability from borrower defenses
- Prohibition or restrictions on use of mandatory arbitration clauses

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## Direct Loan REPAYE Payment Plan

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## REPAYE Regulations

- Negotiations held February - April, 2015 -- consensus reached on a Revised Pay As You Earn repayment plan (REPAYE) that extends the 10 percent income cap to all borrowers regardless of when they borrowed
- Published final regulations October 30, 2015
- Implemented on December 17, 2015

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## REPAYE Regulations

- Extends 10% of income repayment cap to all borrowers regardless of when they borrowed
- Repayment period = 20 years for undergraduate loans and 25 years if graduate loans included
- PAYE still available; not a replacement plan

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## Program Integrity Cash Management



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## Cash Management Regulations

- October 30, 2015: Final regulations published
- July 1, 2016: Regulations effective
- Ensure that students receiving Title IV, HEA funds:
  - Have convenient access to their funds
  - Do not incur unreasonable financial account fees
  - Are not led to believe they must open a particular financial account to receive their funds

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## Proliferation of Campus Cards

- Passage of the CARD Act restricting credit card marketing, preferred lender lists, declining State funding
- Widespread increase of debit and prepaid card agreements
- Marketed as a way for students to receive credit balance refunds
- Typically on student IDs or cobranded cards

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## Government and Consumer Investigations

- 2012 USPIRG report identified several troubling practices in this market
- Later confirmed by Government Accountability Office, ED Inspector General, Consumers Union
- Enforcement actions by FDIC, Federal Reserve
- Troubling practices included unfair fees, misrepresentation, and transmission of private student information without consent

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## Debit Card Provisions: Who is covered?

### Tier 1 (T1) Arrangement

- U.S. school with third-party servicer; and
- Servicer processes Title IV aid; and
- Aid disbursed to contracted account or;
- Information about contracted account is provided to student

### Tier 2 (T2) Arrangement

- U.S. school that has a contract with provider; and
- Provider is not a third-party servicer; and
- One or more Title IV credit balance recipient; and
- Product is marketed to students through school communication, student IDs, or cobranded cards

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## Debit Card Provisions: Overview

All T1 and T2	All T1	T2 (more than de minimis)
Student choice menu	ATM network	Fee-free ATM
No automatic opening of accounts	Fee restrictions	Contracts negotiated in best interest of students
Privacy restrictions	Contracts negotiated in best interest of students	Average student cost disclosure
Contract disclosure	Average student cost disclosure	

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## Debit Card Provisions: Fees

### Problems

- Limited ATM access makes out-of-network fees common
- Point-of-sale fees of \$0.50 per transaction when using PIN (uncommon in market)
- \$25-\$35+ for each overdraft (if offered), with transaction re-ordering to maximize fees

### Requirements

- Only T1 arrangements are subject to fee restrictions
- No fees charged to students for point-of-sale transactions or overdrafts are allowed
- School must provide national or regional ATM network that are fee-free for balance inquiries or withdrawals
- School must provide at least one convenient way for student to access Title IV credit balance

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## Debit Card Provisions: Disclosures

### Problems

- Contracts are often private
- Students do not have sufficient information to assess cost of account
- Students receive poor account terms because schools do not negotiate on behalf of students

### Requirements

- Required for all T1 and T2 arrangements
- School must post full contract (excluding security and IT information) to school website
- School must sent up-to-date URL to Department
- Department will aggregate list of websites and publish list for public and government review

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## Books/Supplies in Tuition & Fees

### Allowed if

School has arrangement with book publisher or other entity	Books/supplies available to students for prices below competitive market rates	Provides a way for students to obtain the books and supplies by the seventh day of the payment period, <b>and</b>	Has a policy permitting students to opt out*
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\* Opt out of the credit balance based books and supplies provision now applies to all students.

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## Books/Supplies in Tuition & Fees

### Also allowed if:

The books and supplies are not available elsewhere or accessible by students from sources other than those provided or authorized by the school, <b>OR</b>	The school documents there is a compelling health or safety reason
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## Program Integrity and Improvement

- Other Program Integrity and Improvement Provisions:
  - Clarify how previously passed coursework is treated for Title IV eligibility purposes
  - Streamline the requirements for converting clock hours to credit hours

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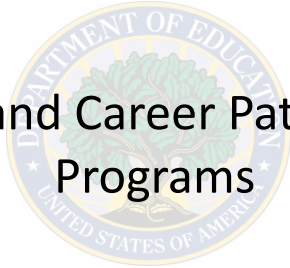
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# ATB and Career Pathway Programs



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## ATB and Career Pathway Programs

Allows for Ability-to-Benefit (ATB) alternatives for students without a high school diploma, or equivalent (or home schooled) who are enrolled in an eligible "Career Pathway Program".

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## ATB and Career Pathway Programs

- ATB –
  - Pass an ED approved ATB test
  - State Process (none have ever been submitted)
  - Complete six credit hours (or equivalent)

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### Eligible Career Pathway Program

- A program that combines rigorous and high-quality education, training, and other services that
  - Aligns with the skill needs of industries in the regional economy.
  - Prepares students to be successful in any of a full range of secondary or postsecondary education options, including apprenticeships.
  - Includes counseling to support students in achieving education and career goals.

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### Eligible Career Pathway Program

- Includes, as appropriate, education offered concurrently with and in the same context as workforce preparation activities and training for a specific occupation or occupational cluster.
- Organizes education, training, and other services to meet student's needs in a manner that accelerates educational and career advancement.

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### Eligible Career Pathway Program

- Enables students to attain a secondary school diploma or its recognized equivalent, and at least 1 recognized postsecondary credential.
- Helps an individual enter or advance within a specific occupation or occupational cluster.

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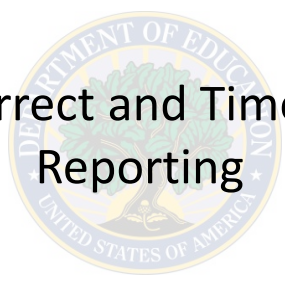
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# Correct and Timely Reporting



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## Correct and Timely Reporting

- COD –
  - Program information
- NSLDS –
  - Enrollment, including academic program
  - GE Reporting
- CPS –
  - Professional Judgement
  - Results of V4 and V5 Verification

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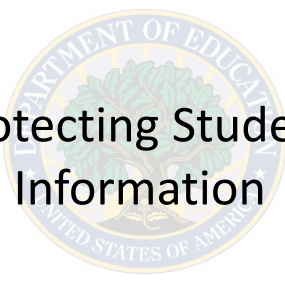
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# Protecting Student Information



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### Protecting Student Information

- Dear Colleague Letter GEN-15-18
  - Reminds institutions (and their third-party servicers) of their continuing obligations to protect data used in all aspects of the administration of the Title IV Federal student financial aid programs.

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### Protecting Student Information

- Expectation is that all institutions will assess and implement strong security policies and controls and undertake ongoing monitoring of the systems, databases and processes that support all aspects of the administration of the Federal student financial aid programs

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### Protecting Student Information

- The SAIG Enrollment Agreement includes a provision that the institution –
  - Must ensure that all Federal Student Aid applicant information is protected from access by or disclosure to unauthorized personnel.

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### Protecting Student Information

- The SAIG Agreement includes a provision that in the event of an unauthorized disclosure or an actual or suspected breach of applicant information or other sensitive information (such as PII) the institution must immediately notify FSA at [CPSSAIG@ed.gov](mailto:CPSSAIG@ed.gov).

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### Protecting Student Information

- Under various Federal and state laws and other authorities, including the HEA; FERPA; the Privacy Act of 1974; the Gramm-Leach-Bliley Act; state data breach and privacy laws; institutions may be responsible for losses, fines and penalties (including criminal penalties) caused by data breaches.

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### Protecting Student Information

- Within the SAIG Agreement and the PPA, institutions must comply with the Gramm-Leach-Bliley Act. Under Title V of the Gramm-Leach-Bliley Act, financial services organizations, including institutions of higher education, are required to ensure the security and confidentiality of customer records and information.

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## Gainful Employment

See DCL GEN-15-12

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The HEA provides that to be Title IV eligible an educational program must:

- Be offered by a public or non-profit institution and leads to a degree; or
- Prepare students for *gainful employment* in a recognized occupation.

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### Which Programs are GE Programs?

- At public institutions and non-profit institutions, all non-degree programs are GE Programs except -
  - Programs of at least two years in length that are designed to be fully transferable to a bachelor's degree program, and
  - Preparatory coursework necessary for enrollment in an eligible program

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### Which Programs are GE Programs?

- At proprietary institutions, all programs are GE Programs except –
  - Preparatory coursework necessary for enrollment in an eligible program
  - Bachelor’s degree programs in liberal arts offered since January 2009 that are offered by a proprietary institution that has been regionally accredited since October 2007

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### Gainful Employment

- Final rules published on October 31, 2014
- Rules became effective July 1, 2015
- Published Dear Colleague Letter GEN-15-12 summarizing the rules

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### Gainful Employment Measure

- Debt-to-earnings (D/E) rates
  - Annual Earnings D/E rate
  - Discretionary Income D/E rate
- Pass: Annual D/E  $\leq$  8% or Discretionary D/E  $\leq$  20%
- Fail: Annual D/E  $>$  12% and Discretionary  $>$  30%
- Zone: Annual D/E  $>$  8% and  $\leq$  12% or Discretionary D/E  $>$  20% and  $\leq$  30%

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### Gainful Employment Results

- Program's loses Title IV eligibility if:
  - D/E measures – Fails in two out of three years;
- OR
- D/E measures - Fails or in the zone for four consecutive years

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### GE Reporting

- Report all Title IV Students by July 31, 2015
- Report 2008 – 2009 through 2013 – 2014 award years.
  - Programs with Medical and Dental Residencies report 2007 – 2008 through 2013 – 2014 award years.
- Report following award years by October 1.

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### GE Corrections and Challenges

- Each Institution Must –
  - Establish SAIG Mailbox for GE Files
  - Register for the Data Challenges and Appeals Solution(DCAS) using Participation Management

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### GE Program Certifications

- December 31, 2015 – Transitional Certifications Due
  - Signed by institutions CEO
  - Certifications renewed when institution recertifies Program Participation Agreement (PPA)

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### GE Program Certifications

- Each GE Program is:
  - Approved by accrediting agency and State.
  - Is programmatically accredited if that is required for that profession in the state.
  - Graduates qualify to meet licensing or certification exam requirements to work in the state, if any.

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### Gainful Employment Disclosures

- Beginning in 2017, in addition to program information required disclosures could include:
  - D/E rates
  - Program cohort default rates
  - Loan repayment rates
  - Median loan debt
  - Percent borrowing

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### Gainful Employment Disclosures

- Beginning in 2017, in addition to program information required disclosures could include:
  - Completion rates
  - Withdrawal rates
  - Placement rates

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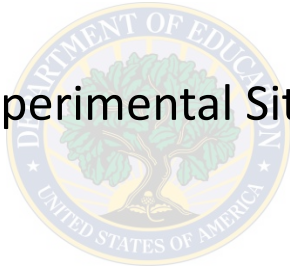
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### Experimental Sites



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### Experimental Sites

- Current –
  - Pell for short-term career programs
  - Pell for students with a bachelors degree
  - Reduced Unsubsidized Loans

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### Experimental Sites

- New –
  - FWS for High School Tutors
  - Prior Learning Assessments
  - Competency Based Education
  - Limited Direct Assessment

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### Experimental Sites

- Coming –
  - Expanded Competency Based Education
  - “Second Chance Pell” for incarcerated students
  - Dual Enrollment – High school and postsecondary
  - Loan Counseling

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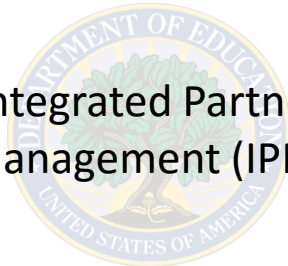
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### Integrated Partner Management (IPM)



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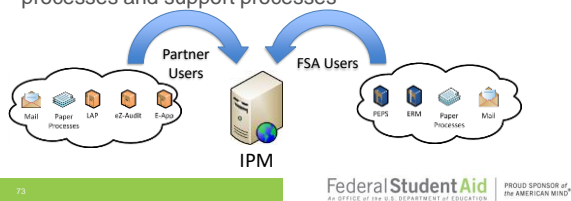
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## Integrated Processes

- The Integrated Partner Management (IPM) solution is designed to integrate and streamline core business processes and support processes



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## IPM Terminology

- Partner – Primary entities such as Schools, Lenders, Guaranty Agencies, and Third-party Servicers that participate in federal student financial aid programs
- Affiliated Partner – Secondary entities, such as Servicers, Auditors, Accrediting Agencies, State Authorizing Agencies, and others who assist in the administration of the Title IV programs on behalf of a participating partner

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## Existing User Access

- Existing partner DPAs will be established in IPM prior to deployment
  - Same user credentials as other FSA systems (i.e., COD or NSLDS)
- Before you can access IPM, all users require:
  - Provisioning
  - Username/password and token
  - Completed Debarment Checks
    - Performed by FSA with user consent
    - System for Award Management (sam.gov) used to perform the debarment checks

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## Existing User Access

- Returning Partner Login
- Featured Announcements



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## Outreach and Training

- Proactive updates and information will be posted to ifap.ed.gov
- Customized targeted multi-media training on IPM will be provided for all partners
  - Target timeframe for training is 4–6 weeks prior to 'Go-Live' in December 2016

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## Questions and Comments

- Submit questions and comments to:

[IPMQuestions@ed.gov](mailto:IPMQuestions@ed.gov)

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The screenshot shows the Federal Student Aid website interface. At the top, there is a navigation menu with links like 'Home', 'Required Trainings', 'FSAI Coach', 'Webinars & Workshops', 'Training by Region', and 'Options'. The main heading is 'Regional Drive-In Workshop Series'. Below this, a series of circular icons represent different workshop stages: 'Featured Training', 'Consumer Information', 'R2T4 Clock-Hour', 'R2T4 Credit-Hour', 'R2T4 Credit-Hour Term-Based Modules', and 'Verification'. A note states: 'Registration for these workshops is now available. To register for your regional location, select here:'. Below the note are three main sections: 'Introduction to Federal Student Aid', 'Help Center' (with links for Website FAQs, Directories, Feedback, and Help Center), and 'Website Video Tour - Select Links Below' (with links for Home Page, Course Navigation, Other Videos, and Choose Your Tour Above). The page number '79' is visible in the bottom left corner.

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## QUESTIONS?

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## My Contact Information

Rick Renshaw  
 Training Officer  
 U.S. Dept. of ED  
 Federal Student Aid  
 Dallas Regional Office  
 214.661.9506  
[rick.renshaw@ed.gov](mailto:rick.renshaw@ed.gov)

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## Your Denver Regional Training Team

- Joe Massman, Training Officer
  - 303/844.0432
  - [joseph.massman@ed.gov](mailto:joseph.massman@ed.gov)
- Deb Tarpley, Training Officer
  - 303.844.3683
  - [deborah.tarpley@ed.gov](mailto:deborah.tarpley@ed.gov)

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## Help with Title IV Questions

- *For Schools & Other Professionals*
  - Research and Customer Care Center (RCCC)
  - 1-800-433-7327
  - [fsa.customer.support@ed.gov](mailto:fsa.customer.support@ed.gov)
- *For Students*
  - Federal Student Aid Information Center (FSAIC)
  - 1-800-4FED-AID

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## My Supervisor Requests Your Feedback

- Mark Gerhard
- Supervisor of Training Officers
- U.S. Dept. of ED/Federal Student Aid
- 415.486.5620
- [mark.gerhard@ed.gov](mailto:mark.gerhard@ed.gov)
- Please use this link to complete your evaluation:  
<https://s.zoomerang.com/s/RickRenshaw>

Session Name: NDASFAA 2016 Federal Update

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Thank You

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