

Issue 4

Proposed Regulatory Language

Team II - School-based Loan Issues

Origin: HEOA section 493

Issue: PPA: Private Education Loan
Certification

Statutory cites: HEA section 487(a) (28)

Regulatory cites: New §668.14 (b) (29)

DCL GEN-08-12 cite: Page 71

Status: Tentative agreement reached

Regulatory language:

§ 668.14 Program participation agreement.

(a) (1) An institution may participate in any Title IV, HEA program, other than the LEAP and ~~NEISP~~ GAP programs, only if the institution enters into a written program participation agreement with the Secretary, on a form approved by the Secretary. A program participation agreement conditions the initial and continued participation of an eligible institution in any Title IV,

HEA program upon compliance with the provisions of this part, the individual program regulations, and any additional conditions specified in the program participation agreement that the Secretary requires the institution to meet.

* * * * *

(b) By entering into a program participation agreement, an institution agrees that—

* * * * *

(29) ~~(A)~~ (i) It will, upon the request of an enrolled or admitted student who is an applicant for a private education loan (as defined in 34 CFR 601.2(b)), provide to the applicant the self-certification form required under 34 C.F.R. CFR §601.10-11(d) and the information required to complete the form, to the extent the institution possesses such information, including--

~~(i)~~ (A) The applicant's cost of attendance at the institution, as determined by the institution under part F of title IV of the Act HEA;

~~(ii)~~ (B) The applicant's expected family contribution, for students who have completed the free application for Federal student aid;

~~(iii)~~ (C) The applicant's estimated financial assistance, as determined by the institution in accordance with 34 C.F.R. CFR §682.200;

~~(iv)~~ (D) The difference between the amounts under paragraphs (b) (29) ~~(A) (i)~~ (i) (A) and (29) ~~(A) (iii)~~ (i) (C) of this section, as applicable; and

~~(v)~~ (E) The sum of the amounts under paragraphs (b) (29) ~~(A) (ii)~~ (i) (B) and (b) (29) ~~(A) (iv)~~ (i) (D) of this section, as applicable.

~~(B)~~ (ii) It will, ~~at~~ upon the request of the applicant's request, discuss with the applicant the availability of Federal, State, and institutional student financial aid with the applicant.

Issue 4

Amendatory Language

Team II - School-based Loan Issues

[NOTE to negotiators: The amendatory language for adding

(b) (29) to §668.14 is set out in Issue Paper 2.]

"(b) * * *

(29) (i) It will, upon the request of an enrolled or admitted student who is an applicant for a private education loan (as defined in 34 CFR 601.2(b)), provide to the applicant the self-certification form required under 34 CFR 601.11(d) and the information required to complete the form, to the extent the institution possesses such information, including--

(A) The applicant's cost of attendance at the institution, as determined by the institution under part F of title IV of the HEA;

(B) The applicant's expected family contribution, for students who have completed the free application for Federal student aid;

(C) The applicant's estimated financial assistance, as determined by the institution in accordance with 34 CFR 682.200;

(D) The difference between the amounts under paragraphs (b) (29) (i) (A) and (29) (i) (C) of this section, as applicable; and

(E) The sum of the amounts under paragraphs (b) (29) (i) (B) and (b) (29) (i) (D) of this section, as applicable.

(ii) It will, upon the request of the applicant, discuss with the applicant the availability of Federal, State, and institutional student financial aid.