

FEDERAL AND STATE DISCLOSURE REQUIREMENTS

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Note:

- * indicates new or revised disclosure requirements in the HEOA and/or the final regulations.
- Federal statutes and regulations are listed before those of the State.

SUMMARY OF FEDERAL AND STATE DISCLOSURE REQUIREMENTS

No.	Subject Area	Requirement
1	<p>Notice of Availability of Institutional and Financial Aid Information</p> <p>Citation: HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)). <i>Not changed by HEOA</i> 34 CFR 668.41(c)</p> <p>Disclosure Method: Notice distributed to each enrolled student</p> <p>Back to Index</p>	<p>Each institution must annually give all enrolled students a notice that specifies the information that should be made available to each student under the Family Educational Rights and Privacy Act of 1974 (FERPA) (see reference number 5 for FERPA disclosure requirements), and under HEA Sec. 485(a)(1), Sec. 485(f), Sec. 485(g), [Sec. 485(h)] and Sec. 485(j). (See appendix B of NPEC report for a list of the information that must be included in the notice. This can be accessed on page B-1 of the report at http://nces.ed.gov/pubs2010/2010831rev.pdf).</p> <p><i>Note:</i> The list required in this notice is not a comprehensive list of HEA disclosure requirements.</p> <p>The notice must list and briefly describe the information and include a statement of the procedures required to obtain the information. For information listed in the notice that is disclosed on an institution's website, the notice must include the exact electronic address and a statement that the institution will provide a paper copy.</p>
2	<p>Contact Information for Assistance in Obtaining Institutional or Financial Aid Information</p> <p>Citation: HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). <i>Not changed by HEOA.</i> 34 CFR 668.43, 34 CFR 668.44</p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p> <p>Back to Index</p>	<p>Each institution must make available to prospective and enrolled students information regarding how and where to contact individuals designated to assist them in obtaining the institutional or financial aid information required to be disclosed under HEA Sec. 485(a)(1), Sec. 485(f), [Sec. 485(h)], and Sec. 485(j).</p>
3	<p>Student Financial Aid Information</p> <p>Citation: HEOA Sec. 488(a)(1)(B) amended HEA Sec. 485(a)(1) (20 U.S.C.</p>	<p>Each institution must make available to prospective and enrolled students information about</p> <ul style="list-style-type: none"> • all the need-based and non-need-based federal, state, local, private, and institutional student financial assistance programs available to students who enroll in the institution; • terms and conditions of Title IV, HEA loans; • criteria for selecting recipients and for determining amount of award; • eligibility requirements and procedures for applying for aid; • methods and frequency of disbursements of aid; • rights and responsibilities of students receiving Title IV, HEA student; financial aid, including criteria for continued student eligibility and standards for satisfactory academic

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	<p>1092(a)(1)): new HEA Sec. 485(a)(1)(M). HEOA amendment effective August 14, 2008. 34 CFR 668.41(a)-(d), 34 CFR 668.42, 34 CFR 668.43</p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p> <hr/> <p>Student Financial Aid Information (State)</p> <p>Citation: 8 NYCRR 53.3(a)(1)-(3), NYS Ed Law § 607</p> <p>Disclosure Method: Catalog or bulletin in print or online catalog of the institution</p>	<p>progress;</p> <ul style="list-style-type: none"> • terms of any loan received as part of financial aid package, sample loan repayment schedule, and the necessity for repaying loans; • a statement that enrollment in a program of study abroad approved for credit by the home institution may be considered enrollment in the home institution for purposes of applying for federal student financial aid; • general conditions and terms applicable to employment provided as part of financial aid package; and • the exit counseling information the institution provides and collects. <p>(See also reference number L-9 Preferred Lender Arrangement disclosure requirements.)</p> <hr/> <p>Information on financial assistance available to students must be provided for each of the aid categories (State programs, Federal programs, and local institutional programs).</p> <p>The information printed for each program of financial assistance available to students at the institution and for which student application is required should include:</p> <ul style="list-style-type: none"> • Application procedures; • A description of forms and their preparation; • Method of selecting recipients and allocating awards; • Award schedule; and • Rights and responsibilities of recipients. <p>State programs for financial assistance – information for the following programs for which students may be eligible should be provided:</p> <ul style="list-style-type: none"> • the Tuition Assistance Program (TAP); • Regents College Scholarships; • Regents Nursing Scholarships; • Regents Awards for Children of Deceased or Disabled Veterans; • State Assistance for Native Americans; • guaranteed student loans; • special programs for the economically and educationally disadvantaged, including: <ul style="list-style-type: none"> - the Higher Education Opportunity Program (HEOP); - the Education Opportunity Program (EOP); - the Search for Education and Elevation through Knowledge (SEEK); - the College Discovery (CD) Program; and - the Work Incentive (WIN) Program. <p>Any other State program accounting for 10 percent or more of the total State student aid administered by the institution should also be described in similar detail and terminology.</p> <p>Federal programs – information for the following programs for which students may be eligible should be provided:</p> <ul style="list-style-type: none"> • the Basic Educational Opportunity Grants (BEOG) program; • Supplemental Educational Opportunity Grants (SEOG); • National Direct Student Loans (NDSL); • College Work Study (CWS) program;

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	<p>Format for Providing Information (State)</p> <p>Citation: 8 NYCRR 53.4(a)-(e), NYS Ed Law § 607</p> <p>Disclosure Method: Catalog or bulletin in print or online</p>	<ul style="list-style-type: none"> • social security payments to children of deceased or disabled parents; • Federal aid to Native Americans; and • Veterans Administration educational benefits. <p>Any other Federal program accounting for 10 percent or more of the total Federal student aid administered by the institution should also be described in similar detail and terminology.</p> <p>Local institutional programs – information should provided on the following:</p> <ul style="list-style-type: none"> • grants; • scholarships; • waivers; • deferrals; • loans, including: <ul style="list-style-type: none"> - small emergency loans and - work-study arrangements which are administered by the institution. <p>Financial aid involving awards of \$300 or more per year should be individually listed, including restrictions, if any.</p> <p>The number and average value of programs with awards of less than \$300 should be provided along with the following information of an institutional office that can provide more information:</p> <ul style="list-style-type: none"> • name; • address; and • telephone number. <hr/> <p>All information regarding institutional and financial assistance required to be disclosed must be included in a catalog or bulletin of the institution.</p> <p>The following procedures should be followed:</p> <ul style="list-style-type: none"> • Where more than one catalog or bulletin is published for separate programs or schools, only the information required by this provision (8 NYCRR 53.3, see reference numbers 3, 8, 10, 12, 13, 14) pertaining to the individual programs or school concerned need to be included. In these cases, a statement should indicate that separate catalogs or bulletins are in use. • Where a catalog or bulletin is published less often than annually, a statement should warn of the possibility of out-of-date information and provide the name and address or telephone number of the person or office to be contacted for the most recent information. • The information required to be disclosed under this provision (8 NYCRR 53.3, see reference numbers 3, 8, 10, 12, 13, 14) should be clearly and precisely described. Statistical displays should be easy to read and understand. <p>Advertisements, brochures, or solicitations to prospective students should clearly note the availability of more extensive information in the catalog or bulletin.</p>
4	<p>Notice of Federal Student Financial Aid Penalties for Drug Law Violations</p> <p>Citation: HEOA Sec. 488(g):</p>	<p>Each institution must provide to each student, upon enrollment, a separate, clear, and conspicuous written notice that advises the student that if during a period of enrollment for which the student was receiving Title IV, HEA program funds, a student is convicted under any federal or state law involving the possession or sale of illegal drugs, he or she will lose eligibility for any Title IV, HEA grant, loan, or work-study assistance (HEA Sec. 484(r)(1)); (20 U.S.C. 1091(r)(1)).</p> <p>Each institution must provide a notice in a timely manner to each student who has lost eligibility for Title IV, HEA assistance as a result of the penalties under HEA Sec. 484(r)(1). The notice must be a separate, clear, and conspicuous written notification of the loss of eligibility and must</p>

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<p>Back to Index</p>	<p>5 Privacy of Student Records –Family Educational Rights and Privacy Act (FERPA)</p> <p><u>Citation:</u> HEA Sec. 485(a)(1) (20 U.S.C. 1092(a), 20 U.S.C. 1232g). <i>Not changed by HEOA.</i> 34 CFR 668.41(c), 34 CFR Part 99</p> <p><u>Disclosure Method:</u> Any means reasonably likely to inform students of their rights</p>	<p>Each institution must annually provide a notice to all enrolled students about:</p> <ul style="list-style-type: none"> • the right to review their education records, to request amendment of records, to consent to disclosures of personally identifiable information, and to file complaints with the Department of Education; • procedures for reviewing education records and requesting amendment of the records; and • if applicable, information about the institution's policy regarding disclosures to school officials with a legitimate educational interest in the education records. <p>In order to disclose directory information without prior consent, an institution must provide to students a notice of directory information that includes:</p> <ul style="list-style-type: none"> • the types of information the institution has designated as directory information; and • the student's right to refuse to allow any or all such information about the student to be designated as directory information, and the time period the student has for notifying the institution in writing. <p>For more information: http://www.ed.gov/policy/gen/guid/fpco/ferpa/index.html Model Notification of Rights: http://www.ed.gov/policy/gen/guid/fpco/ferpa/ps-officials.html</p>
<p>Back to Index</p>	<p>6 Constitution and Citizens Day</p> <p><u>Citation:</u> Public Law 108-447</p>	<p>All educational institutions that receive Federal funds for a fiscal year should hold an educational program on the United States Constitution on September 17 of each year or the week following this day if it falls on a weekend or holiday.</p>

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7	<p>Consumer Information on College Navigator Website</p> <p>Citation: HEOA Sec. 111 amended HEA Title I, Part C: <i>added HEA 132(i)(1)(V) (20 U.S.C. 1015a(i)(1)(V))</i></p> <p>Disclosure Method: Institution’s website. The URL for the institution’s website is reported to NCES in IPEDS for posting on College Navigator website.</p> <p>Back to Index</p>	<p>The Department of Education is required to post 26 items on the College Navigator website for each institution, including a link to the institution's website that provides “in an easily accessible manner” :</p> <ul style="list-style-type: none"> • student activities offered by the institution; • services offered by the institution for individuals with disabilities; • career and placement services offered to students during and after enrollment; and • policies of the institution related to transfer of credit from other institutions. <p>(See also reference number 8 requirements for disclosure of services for students with disabilities, and reference number 15 requirements for disclosure of transfer of credit policies.) <i>Note:</i> The URL for the institution’s website is collected in the IPEDS Institutional Characteristics Survey (IC).</p> <p>For more information: http://nces.ed.gov/ipeds http://nces.ed.gov/collegenavigator</p>
8	<p>Facilities and Services Available to Students with Disabilities</p> <p>Citation: HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)-(2)). <i>Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43 Rehabilitation Act §§ 503, 504 (29 U.S.C. 794)</i></p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p> <hr/> <p>Facilities and Services Available to Students with</p>	<p>Each institution must make available to prospective and enrolled students information about facilities and services available to students with disabilities, including students with intellectual disabilities (as defined in 34 CFR 668.231). (<i>See also reference number 7 for related reporting requirement.</i>)</p> <hr/> <p>Institutions should make reasonable accommodations and provide equal opportunity in programs, services, and benefits for qualified individuals with disabilities.</p>

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<p>Back to Index</p>	<p>Disabilities (State)</p> <p>Citation: NYS Executive Law § 296 (<i>New York Human Rights Act</i>)</p> <p>Disclosure Method: All institution departments made aware of policies and procedures to modify program access and services</p>	
<p>9</p> <p>Back to Index</p>	<p>Student Body Diversity</p> <p>Citation: HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)(Q)): <i>added HEA Sec. 485(a)(1)(Q) HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p>	<p>Institutions must make available to current and prospective students information about student body diversity, including the percentage of enrolled, full-time students in the following categories:</p> <ul style="list-style-type: none"> • male; • female; • self-identified members of a major racial or ethnic group; and • Federal Pell Grant recipients. <p><i>Note:</i> The race/ethnicity and the gender data are collected in the IPEDS Fall Enrollment Survey. Information about Pell Grant recipients is collected for the prior year in the IPEDS Student Financial Aid Survey.</p>
<p>10</p>	<p>Price of Attendance</p> <p>Citation: HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)(E)). <i>Not changed by HEOA.</i> 34 CFR 668.41(a)-(d), 34 CFR 668.43</p> <p>Disclosure Method: Appropriate</p>	<p>Each institution must make available to prospective and enrolled students information about the price of attendance, including tuition and fees, books and supplies, room and board, transportation costs, and any additional costs for a program in which the student is enrolled or expresses an interest.</p>

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	<p>publications, mailings, or electronic media</p> <hr/> <p>Price of Attendance (State)</p> <p>Citation: 8 NYCRR 53.3(b)(1)-(4)</p> <p>Disclosure Method: Catalog or bulletin in print or online</p>	<p>Costs of attending the institution for each of the cost categories (tuition/fees, books and supplies, room and board, and other living expenses) should be provided. Estimates of costs may be used where exact figures are unavailable or inappropriate so long as they are indicated as such. Where summary information is provided, an institutional office where detailed information can be obtained should be identified.</p> <p>Tuition and fees – information on all assessments against students for direct educational and general purposes should be provided:</p> <ul style="list-style-type: none"> • A brief description of purpose of any mandatory fee should be included if the purpose of the fee is not apparent from its name. • Course fees and lab fees should be clearly identified. • Conditions under which non-mandatory fees need not be paid should be clearly stated. <p>Books and supplies – estimated costs of the following materials, which a student should possess as a necessary corollary to instruction, should be provided:</p> <ul style="list-style-type: none"> • textbooks; • books; • manuals; and • consumable supplies and equipment. <p>Separate estimates for major program categories for which costs vary more than 25 percent from the average for the entire institution should also be provided.</p> <p>Room and board – the following information concerning room and board should be provided:</p> <ul style="list-style-type: none"> • costs of housing and food services operated by the institution should be provided where such services are available; and • estimated costs of similar accommodations available in the community. <p>The figures should be consistent with estimated student budgets prepared by the institution’s financial aid office.</p> <p>Other living expenses – estimated costs of personal expenses applicable to students devoting primary efforts to pursuit of educational objectives should be provided. The estimate should be consistent with similar figures defined by the institution’s financial aid office.</p>
11	<p>Net Price Calculator</p> <p>Citation: HEOA Sec. 111 amended HEA Title I, Part C: <i>added</i> HEA Sec. 132(a), Sec. 132(h) (20 U.S.C. 1015a(a)), 20 U.S.C. 1015a(h))</p>	<p>Institutions must make available on their websites by October 29, 2011 a net price calculator. The institution may use the template provided by the Department of Education or may develop a customized version that must include, at a minimum, the same elements as the Department’s version.</p> <p>For more information: http://nces.ed.gov/ipeds/news_room/ana_netprice_1029.asp</p>

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<p>12</p>	<p>Refund Policy, Requirements for Withdrawal and Return of Title IV Financial Aid</p> <p><u>Citation:</u> HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)(F)). <i>Not changed by HEOA.</i> 34 CFR 668.41(a)-(d), 34 CFR 668.43</p> <p><u>Disclosure Method:</u> Appropriate publications, mailings, or electronic media</p> <hr/> <p>Refund Policy (State)</p> <p><u>Citation:</u> 8 <i>NYCRR 53.3(c)</i></p> <p><u>Disclosure Method:</u> Catalog or bulletin in print or online</p>	<p>Each institution must make available to prospective and enrolled students information about:</p> <ul style="list-style-type: none"> • the institution's refund policy; • requirements and procedures for official withdrawal; and • requirements for return of Title IV, HEA grant or loan aid. <hr/> <p>The institution should state its policy concerning refunds due to failure of students to complete an academic term for any reason.</p> <p>The policy should include the percentage or amount of the following to be refunded after specified elapsed periods of time:</p> <ul style="list-style-type: none"> • tuition; • fees; • institution-operated room and board; and • other assessments.

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13	<p>Textbook Information Information for Students</p> <p>Citation: HEOA Sec. 112 amended HEA Title I, Part C: <i>added HEA Sec. 133 (20 U.S.C. 1015b) HEOA amendment effective July 1, 2010</i></p> <p>Disclosure Method: Internet Course Schedule; notice in written course schedule (if applicable)</p> <hr/> <p>Information for College Bookstores</p> <p>Disclosure Method: Provide information to bookstores upon request</p> <hr/> <p>Textbook Access Act (State)</p> <p>Citation: NYS Ed Law § 715, 720, 721, 722, 723, 724</p>	<p>To the maximum extent practicable, and in a manner of the institution's choosing, each institution must disclose on its Internet course schedule used for preregistration and registration purposes, the International Standard Book Number (ISBN) and retail price information of required and recommended textbooks and supplemental materials for each course listed.</p> <p>If the ISBN is not available, the institution must list the author, title, publisher, and copyright date for the textbook or supplemental material.</p> <p>If the institution determines that the disclosure of the information is not practicable for a textbook or supplemental material, the institution shall use the designation "To Be Determined."</p> <p>If applicable, the institution must include on the institution's written course schedule a notice that textbook information is available on the Internet course schedule and the Internet address for the schedule.</p> <p><i>Note:</i> The HEOA Conference Report states that the provisions of this section do not require institutions that do not offer Internet course schedules to create them, and that institutions may provide a link to another appropriate website rather than providing the information directly in the Internet course schedule. The link must be clearly and prominently located on the Internet course schedule. (See http://frwebgate.access.gpo.gov/cgi-bin/getdoc.cgi?dbname=110_cong_reports&docid=f:hr803.110.pdf, page 458 for more information.)</p> <hr/> <p>Upon the request of a college bookstore operated by or affiliated with the institution, the institution must make available as soon as practicable the most accurate information available regarding:</p> <ul style="list-style-type: none"> • the institution's course schedule for the subsequent academic period; • the information provided for students (<i>see above</i>) regarding required or recommended textbooks and supplemental materials for each course or class; • the number of students enrolled in each course or class; and • the maximum student enrollment for each course or class. <hr/> <p>To ensure pricing transparency, all publishers of college textbooks must, on request, make readily available to prospective purchasers of the textbooks (faculty members, other purchasing entities of higher education institutions) the price at which the publisher would make the products available to the college bookstore that would offer the products to students.</p> <p>Textbooks should be sold in the same manner as ordered by the faculty member or entity in charge of selecting textbooks for courses. If and when the product is unavailable as ordered, the bookstore, faculty, and relevant publisher should work together to provide the best possible substitute that most closely matches the requested item or items and the publisher should make available the price of the substitute(s) readily available.</p> <p>Institutions should adopt policies that encourage faculty members or the entity in charge of textbook adoptions to place orders with sufficient lead-time to enable the university, or contract-managed, bookstore to confirm the availability of the requested materials and, when appropriate, the availability of used textbooks or alternate digital formats.</p> <p>No higher education institution employee should demand or receive any payment, loan, advance, goods, or money deposit for adopting specific course materials required for coursework or</p>

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<p>Back to Index</p>	<p>Textbook Information for Students with Disabilities (State)</p> <p>Citation: NYS Ed Law § 715</p> <p>Disclosure Method: May be helpful to inform students of the availability of textbooks in such circumstances via handbook or catalog in print or online</p>	<p>instruction but the employee can receive:</p> <ul style="list-style-type: none"> • sample copies, instructor’s copies, or instructional material that are not to be sold; • royalties or other compensation from sales of textbooks that include the instructor’s own writing or work; • honoraria for academic peer review of course materials; or • training in the use of course materials and learning technologies. <hr/> <p>Textbook publishers are required to provide students with disabilities an electronic version of the printed instructional materials made for and used by students attending college.</p>
14	<p>Academic Program (Educational Programs, Instructional Facilities, and Faculty)</p> <p>Citation: HEOA Sec. 488(a)(1)(A) amended HEA Sec. 485(a)(1)(G) (20 U.S.C. 1092(a)(1)(G)): added HEA Sec. 485(a)(1)(G)(iv). HEOA amendment effective August 14, 2008 34 CFR 668.41(a)-(d), 34 CFR 668.43</p>	<p>Each institution must make available to prospective and enrolled students information about the academic program of the institution, including:</p> <ul style="list-style-type: none"> • current degree programs and other educational and training programs; • instructional, laboratory, and other physical plant facilities that relate to the academic program; • faculty and other instructional personnel; and • any plans by the institution for improving the academic program (upon a determination by the institution that such a plan exists).

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<p>Back to Index</p>	<p><u>Disclosure Method:</u> Appropriate publications, mailings, or electronic media</p> <hr/> <p>Academic Program (State)</p> <p><u>Citation:</u> 8 NYCRR 53.3(d)(1)-(4)</p> <p><u>Disclosure Method:</u> Catalog or bulletin in print or online</p>	<p>The instructional programs of the institution should be accurately described. The following categories of information regarding the instructional programs should be provided:</p> <ul style="list-style-type: none"> Degree, certificate, and diploma programs – A list of degree, certificate, and diploma programs should be provided. The list should be consistent with the inventory of registered degree and certificate programs maintained by the Education Department. <p>The list should contain at least:</p> <ul style="list-style-type: none"> - the official approved program title, and - degree and HEGIS code number. <p>The list should be preceded by a statement that enrollment in other than registered or otherwise approved programs may jeopardize a student’s eligibility for certain student aid awards.</p> <ul style="list-style-type: none"> Program descriptions – Each degree, certificate, or diploma program should be described in terms of both: <ul style="list-style-type: none"> - prerequisites and - requirements for completion. The academic year in which each instructional offering (course) is expected to be taught. Program-related facilities – A general description of the following should be provided in addition to general information describing the total physical plant: <ul style="list-style-type: none"> - instructional facilities, - laboratory facilities, and - other facilities directly related to the academic program. <p>Narrative and/or statistical information should be provided about:</p> <ul style="list-style-type: none"> - library collections and facilities, - student unions, and - institution-operated eating places. <p>Other information about facilities that should be provided:</p> <ul style="list-style-type: none"> - hours of operation, and - holiday and vacation schedules. <ul style="list-style-type: none"> Faculty and other instructional personnel – Regular resident faculty should be listed by: <ul style="list-style-type: none"> - rank, with the highest degree held by the faculty member and the institution by which such degree was granted, and - department or major program area to which such member is assigned. <p>An estimated number of adjunct faculty and teaching assistants in each department or major program area should be provided.</p> <ul style="list-style-type: none"> Student retention – See reference number 41 for more detail on this category). Placement of graduates – See reference numbers 44, 45, and 46 for more detail on this category).
15	Transfer of Credit Policies and	<p>Each institution must publicly disclose (and make available to prospective and enrolled students) a statement of the institution's transfer of credit policies that includes, at a minimum,</p> <ul style="list-style-type: none"> any established criteria the institution uses regarding the transfer of credit earned at

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<p>Back to Index</p>	<p>Articulation Agreements</p> <p>Citation: HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092(h)): <i>added HEA Sec. 485(h) HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Publicly disclosed (and made available through appropriate publications, mailings, or electronic media to current and prospective students)</p>	<p>another institution; and</p> <ul style="list-style-type: none"> • a list of institutions with which the institution has established an articulation agreement. <p>(See also reference number 7 for transfer of credit policy reporting requirement.)</p>
<p>Back to Index</p>	<p>16 Institutional and Program Accreditation, Approval, or Licensure</p> <p>Citation: HEA Sec. 485(a)(1)-(2) (20 U.S.C. 1092(a)(1)(J)). <i>Not changed by HEOA. 34 CFR 668.41(a)-(d), 34 CFR 668.43</i></p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p>	<p>Each institution must make available to prospective and enrolled students:</p> <ul style="list-style-type: none"> • names of associations, agencies, or governmental bodies that accredit, approve, or license the institution and its programs; and • procedures for obtaining or reviewing documents describing accreditation, approval, or licensing.
<p>17</p>	<p>Copyright Infringement Policies and Sanctions (Including</p>	<p>Institutions must annually make available to current and prospective students the institution's policies and sanctions related to copyright infringement, including</p> <ul style="list-style-type: none"> • a statement that explicitly informs students that unauthorized distribution of copyrighted material, including unauthorized peer-to-peer file sharing, may subject the students to civil and criminal liabilities; • a summary of the penalties for violation of federal copyright laws*; and

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<p>Back to Index</p>	<p>Computer Use and File Sharing)</p> <p>Citation: HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)(P)): <i>added HEA Sec. 485(a)(1)(P) HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p>	<ul style="list-style-type: none"> the institution's policies with respect to unauthorized peer-to-peer file sharing, including disciplinary actions taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using the institution's information technology system. <p>*The Department of Education published a Dear Colleague Letter with a summary of the civil and criminal penalties for violation of federal copyright laws. (See http://ifap.ed.gov/dpeletters/).</p>
<p>18</p>	<p>Unable to Register or Absences Due to Religious Belief (State)</p> <p>Citation: NYS Ed Law § 224-a</p> <p>Disclosure Method: Administrative officials of each institution must give written notice to students of their rights under this provision, stating that each student who is absent from school because of religious beliefs must be given an equivalent opportunity to register for classes</p>	<p>No person should be expelled from or be refused admission as a student to an institution of higher education for the reason that he or she is unable, because of his or her religious beliefs, to register or attend classes or to participate in any examination, study, or work requirements on a particular day or days.</p> <p>Any student in such a situation may be excused from any examination or any study or work requirements.</p> <p>It is the responsibility of the faculty and of the administrative officials of each institution of higher education to make available to each student who is absent from school because of religious beliefs an equal opportunity to register for classes or make up any examination, study, or work requirements.</p>

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<p>19</p>	<p>Teacher Preparation Program Report</p> <p>Citation: HEOA Sec. 201 amended HEA Title II, Part A: <i>new HEA Sec. 205-208</i> (20 U.S.C. §§ 1022d, 1022e, 1022f, 1022g). <i>HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Provide report to general public</p>	<p>Each institution must provide a report annually to the state and to the general public. The states submit to the Department of Education, and make available to the public, an annual report containing institutional and state-level information. The Department makes the state reports available to the public.</p> <p>The institutional reports include:</p> <ul style="list-style-type: none"> • goals* - information about whether goals have been met, activities implemented to achieve goals, and steps taken to improve performance in meeting goals; • assurances** – description of activities the institution has implemented to meet assurances; • pass rates and scaled scores for the most recent year for which information is available on assessments used by the state for teacher certification or licensure that have been taken by students who are enrolled in the teacher preparation program and students who have completed the program during the prior 2 years***; • program information – admission criteria; enrollment disaggregated by race, ethnicity, and gender; average number of hours of supervised clinical experience; number of full-time-equivalent faculty and students in the supervised clinical experience; total number of students who have been certified or licensed as teachers, disaggregated by subject and area of certification or licensure; • statement of approval or accreditation of program (if required by the state); • whether the state has designated the program as low-performing; • description of activities that prepare teachers to effectively use technology in instruction and to collect, manage, and analyze data; and • description of activities that prepare teachers to teach effectively students with disabilities and students who have limited English proficiency. <p>* Goals: The institution must set annual quantifiable goals for increasing the number of prospective teachers trained in teacher shortage areas designated by the Department or by the state education agency.</p> <p>**Assurances: The institution must provide assurances to the Department of Education regarding training related to identified needs of local education agencies or states and the needs of schools, training of special education teachers, training in providing instruction to diverse populations, and training to effectively teach in urban and rural schools, as applicable.</p> <p>***If a program has fewer than 10 scores reported on any assessment during an academic year, the average pass rate and scaled scores shall be provided for a 3-year period.</p> <p>The Department of Education is required to prescribe regulations to ensure the reliability, validity, integrity, and accuracy of the data submitted in institution and state reports.</p> <p>For more information: http://www.ed.gov/about/reports/annual/teachprep/index.html https://title2.ed.gov/ContactsHelp.asp</p>
<p>20</p>	<p>Drug and Alcohol Abuse Prevention Program</p>	<p>Each institution must annually distribute in writing to each student and each employee:</p> <ul style="list-style-type: none"> • standards of conduct that clearly prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on the institution's property or as part of any of the institution's activities; • description of applicable legal sanctions under state, local, and federal law;

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<p>Back to Index</p>	<p>Citation: HEOA Sec. 107 amended HEA Sec. 120 (20 U.S.C. 1011i): <i>new HEA Sec. 120(a)(2)(B)-(C). HEOA amendment effective August 14, 2008</i> 34 CFR 86</p> <p>Disclosure Method: Distributed in writing to each student and each employee (i.e., provide in Handbook)</p>	<ul style="list-style-type: none"> • description of health risks; • description of available counseling, treatment, rehabilitation, or re-entry programs; and • clear statement that institution will impose sanctions for violation of standards of conduct and a description of the sanctions. <p><i>Note:</i> Students who enroll or employees who are hired after the annual distribution must receive the information.</p> <p>Each institution must make available, upon request, to the Department of Education and to the public, the information distributed to students and employees (see above) and the results of a biennial review of the institution's program that:</p> <ul style="list-style-type: none"> • determines the effectiveness of the program and implements needed changes; • determines the number of drug and alcohol-related violations and fatalities that occur on the institution's campus (as defined in HEA Sec. 485(f)(6), see reference number 25) or as part of the institution's activities, and are reported to campus officials; • determines the number and type of sanctions that are imposed; and • ensures that sanctions are consistently enforced. <p>(<i>See also related requirement in reference number 25.)</i>)</p>
<p>21</p>	<p>Vaccination Policies</p> <p>Citation: HEOA Sec. 488(a)(1)(E): amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)(V)): <i>added HEA Sec. 485(a)(1)(V) HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Appropriate publications, mailings, or electronic media</p> <hr/> <p>Immunization Requirement</p>	<p>Institutions must make available to current and prospective students information about institutional policies regarding vaccinations.</p> <hr/> <p>Each student at an institution should provide to the institution a certificate from a health practitioner or other acceptable evidence of the student's immunization.</p>

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Back to Index	<p>(State)</p> <p>Citation: NYS Public Health Law § 2165, 10 NYCRR § 66-2.2</p>	<p>In the event that a student registers at an institution without having complied with the immunization requirement, the institution should inform the student of the necessity to be immunized by any health practitioner or that the student may be immunized without charge by the health officer in the county where the student resides or in which the institution is located.</p> <p>In the event that a non-immunized student who has been given notice of the need to immunize does not comply, he or she should be given notice that attendance at the institution requires immunization unless a valid reason is provided by the student (i.e., a licensed physician or nurse practitioner certifies that immunization is detrimental to the student’s health or a person who holds genuine and sincere religious beliefs which are contrary to the practices required by the immunization requirement, in which case no certificate is required for the student to be admitted or received into or attending an institution).</p> <p>No institution should permit any student to attend the institution more than thirty days without complying with the immunization requirement or providing a valid reason for not being immunized, as provided in the provision.</p>
Back to Index	<p>22 Meningitis Education</p> <p>Citation: NYS Public Health Law § 2167</p>	<p>Each institution should distribute, in a form provided or approved by the commissioner, written information about meningococcal meningitis and meningitis immunization to all students.</p> <p>The information provided should include but not be limited to the following:</p> <ul style="list-style-type: none"> • a description of the disease and means of transmission; • the benefits, risks, and effectiveness of immunization; and • the availability and costs of immunization, including an indication of whether or not the institution offers meningococcal meningitis immunization services. <p>The institution should also distribute, in a form provided or approved by the commissioner of health, a response form, to be completed by the student or, where the student is under the age of 18, such student’s parent or guardian. The form should include the following:</p> <ul style="list-style-type: none"> • the student, or the student’s guardian if student is under the age of 18, certifies that the student has already received meningitis immunization within ten years preceding the date of the response form; • the student, or the student’s guardian if student is under the age of 18, has received and reviewed the information provided by the institution, understands the risk of meningococcal meningitis and the benefits of immunization, and has decided that the student will not obtain immunization against meningococcal meningitis.
Back to Index	<p>23 Smoking</p> <p>Citation: NYS Public Health Law § 1399-p</p>	<p>“Smoking” or “No Smoking” signs or the international “No Smoking” symbol, which consists of a pictorial representation of a burning cigarette enclosed in a circle with a bar across it, should be prominently posted and properly maintained where smoking is regulated.</p>
Back to Index	<p>24 Automated External Defibrillators</p> <p>Citation: NYS Public Buildings Law § 140-2</p>	<p>Public institutions and buildings of the state should be equipped with an automated external defibrillator.</p> <p>The commissioner of general services promulgated regulations providing for a phase-in schedule of this duty to equip public buildings with automated external defibrillators. See regulations.</p>

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25	<p>Security Report (Including Emergency Response and Evacuation Procedures), Timely Warnings, and Crime Log</p> <p><u>Citation:</u> HEOA Sec. 488(e)(1)(B)-(D) amended HEA Sec. 485(f) (20 U.S.C. 1092(f)):</p> <ul style="list-style-type: none"> • <i>revised HEA Sec.485(f)(1)(C)</i> • <i>revised HEA Sec. 485(f)(1)(F)</i> • <i>added HEA Sec. 485(f)(1)(J)</i> <p><i>HEOA amendments effective August 14, 2008</i></p> <p>34 CFR 668.41(a), 34 CFR 668.41(e), 34 CFR 668.46, 34 CFR Part 668 Subpart D, appendix A.</p>	<p>Institutions must distribute, by October 1 of each year, a security report or a notice of the report to all current students and employees. If the institution distributes the report by posting it on the institution's website, the institution must provide a notice by October 1 that includes a statement of the report's availability, the exact electronic address, a brief description of the report's contents, and a statement that the institution will provide a paper copy upon request.</p> <p>The institution must provide a notice to prospective students and employees that includes a statement of the report's availability, a description of its contents, and an opportunity to request a copy. If the report is posted on a website the notice must include the exact electronic address and a statement that the institution will provide a paper copy of the report upon request.</p> <p>An institution may combine the publication of the security report and the fire safety report (<i>see below</i>) if the title of the combined report clearly states that both reports are included. If the security and fire safety reports are published separately, each report must include information about how to access the other report.</p> <p><u>Policies:</u></p> <p>The report must contain information about:</p> <ul style="list-style-type: none"> • campus policies regarding procedures for students and others to report criminal actions or other emergencies occurring on campus, including policies regarding the institution's response to such reports; • policies for making timely warning reports (<i>see below</i>); • policies for preparing the annual disclosure of crime statistics; • policies concerning security of and access to campus facilities and security considerations used in the maintenance of campus facilities; • list of the titles of persons or organizations to whom students and employees should report criminal offenses for the purpose of making timely warning reports and statistics disclosures; • statement of whether the institution has policies or procedures regarding confidential crime reporting (for inclusion in statistics), and if so, a description of those policies and procedures; • statement of the law enforcement authority of campus security personnel and their relationship with state and local law enforcement agencies; • policies that encourage accurate and prompt reporting of all crimes to the campus police and appropriate police agencies; • procedures, if any, that encourage pastoral counselors and professional counselors to inform persons they are counseling about procedures for confidential crime reporting (for inclusion in statistics); • type and frequency of programs designed to inform students and employees about campus security procedures and practices and to encourage students and employees to be responsible for their own security and the security of others; • programs designed to inform students and employees about the prevention of crimes; • policy concerning the monitoring and recording through local police agencies of criminal activity in which students engaged at off-campus locations of student organizations officially recognized by the institution; • policy regarding the possession, use, and sale of alcoholic beverages and enforcement of state under-age drinking laws; • policy regarding the possession, use, and sale of illegal drugs and enforcement of federal and state drug laws; • description of drug or alcohol abuse education programs as required under HEA Sec. 120 (20 U.S.C. 1011i); • statement advising the campus community where law enforcement agency information provided by a state concerning registered sex offenders may be obtained;

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		<ul style="list-style-type: none"> • policy regarding campus sexual assault prevention programs and the procedures to be followed once a sex offense has occurred, including: <ul style="list-style-type: none"> – educational programs; – options for and assistance in notifying law enforcement agencies; – available on- and off-campus services for victims; – options regarding changes to a victim's academic and living situation; and – procedures for campus disciplinary action, including sanctions the institution may impose, and a statement that both the accuser and accused are entitled to the same opportunities to have others present during disciplinary proceedings. Both must be informed of the outcome of any disciplinary proceeding. • Statistics for the most recent 3 calendar years: <ul style="list-style-type: none"> – Crimes reported to a campus security authority or local police agencies: murder and non-negligent manslaughter; negligent manslaughter; forcible and nonforcible sex offenses; robbery; aggravated assault; burglary; motor vehicle theft; and arson; – For the crimes listed above and for crimes of larceny-theft, simple assault, intimidation, and destruction, damage, or vandalism of property, and any other crimes reported to a campus security authority or to local police agencies involving bodily injury to any person in which the victim was intentionally selected because of the victim's actual or perceived race, gender, religion, sexual orientation, ethnicity, or disability. These data are to be reported according to category of prejudice; and – Arrests and persons referred for campus disciplinary action, for liquor law violations, drug law violations, and illegal weapons possession. <p>Institutions are to use the Federal Bureau of Investigation's crime definitions.</p> <p>The statistics are to be reported by the following locations (<i>see resources below for complete information about location definitions</i>):</p> <ul style="list-style-type: none"> –On campus; –In dormitories or other on-campus residential facilities for students; –In or on a non-campus building or property (any building or property owned or controlled by a student organization officially recognized by the institution, or any building or property owned or controlled by the institution that is not within the same reasonably contiguous geographic area of the institution); and –on public property that is within the campus, or immediately adjacent to and accessible from the campus. <p>The institution is not required to report statistics for crimes reported to a pastoral or professional counselor. The statistics must not identify a victim or person accused of committing a crime.</p> <p>The institution must submit the crime statistics to the Department of Education. The Department is required to make the statistics available to the public.</p>
	<p>Emergency Response and Evacuation Procedures</p>	<ul style="list-style-type: none"> • policies regarding emergency response and evacuation procedures, including: <ul style="list-style-type: none"> – procedures for immediate notification of the campus community; – a description of the process the institution will use to confirm the emergency or dangerous situation, determine the appropriate segment/s of the campus community to be notified, determine the content of the notification, and initiate the notification system unless issuing the notification would compromise efforts to assist a victim, or to contain, respond to, or otherwise mitigate the emergency; – a statement that the institution will take the actions described above without delay; – list of the titles of person/s or organization/s responsible for carrying out the actions described above; – the institution's procedures for disseminating emergency information to the larger community; and

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	<p>Timely Warning Reports</p> <hr/> <p>Crime Log</p>	<p align="center">– the institution's procedures to test the emergency response and evacuation procedures on at least an annual basis.</p> <p>The emergency response and evacuation information must be included in the institution's annual security report beginning October 1, 2010.</p> <p>The Department of Education is required to advise institutions on model emergency response policies, procedures, and practices (HEA Sec. 822, added by HEOA Sec. 801).</p> <hr/> <p>Institutions must make timely reports to the campus community of crimes considered to be a threat to students and employees that are reported to campus security authorities or to local police agencies. Institutions are not required to issue a timely warning based on the same circumstances that lead to an emergency notification.</p> <hr/> <p>Institutions that maintain a police or security department of any kind must maintain a daily crime log. The log must record, by the date a crime was reported, any crime reported to the campus police or security department that occurred on campus, in or on a non-campus building or property, on public property, or within the patrol jurisdiction of the campus police or the campus security department. The log must include the nature, date, time, and general location of each crime, and the disposition of the complaint if known.</p> <p>An entry to the log, or an addition to an entry, must be made within two business days of the report of the information to campus police or security department, unless the disclosure is prohibited by law or would jeopardize the confidentiality of the victim. Information may be withheld if there is clear and convincing evidence that the release of the information would jeopardize an ongoing criminal investigation or the safety of an individual, cause a suspect to flee or evade detection, or result in the destruction of evidence. Once the adverse effect is no longer likely to occur, the information must be disclosed.</p> <p>The crime log for the most recent 60 days must be open to public inspection during normal business hours. Portions of the log older than 60 days must be available for public inspection within two business days of a request.</p>
26	<p>Security Report – Missing Person (from a Residence Hall) Notification Policy</p> <p>Citation: HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092(j)): added HEA Sec. 485(j) HEOA amendment effective August 14, 2008</p>	<p>Beginning October 1, 2010, an institution that provides any on-campus student housing facility * must include in its annual security report (<i>see reference number 25</i>) a statement of policy regarding missing student notification procedures for students who reside in on-campus student housing facilities.</p> <p>This statement must</p> <ul style="list-style-type: none"> • include the titles of the persons or organizations to which reports should be made that a student has been missing for 24 hours; • require that any missing student report must be referred immediately to the institution's police or campus security department, or, in the absence of an institutional police or campus security department, to the local law enforcement agency that has jurisdiction in the area; • contain an option for each student to identify a contact person or persons whom the institution will notify within 24 hours if the student is determined by the institutional police or security department or the local law enforcement agency to be missing; • advise students their contact information will be registered confidentially; • informs students that the institution will notify within 24 hours the appropriate law enforcement agency that the student is determined to be missing (if the law enforcement agency did not make the determination that the student is missing); and

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	<p>Note: The preamble of the October 29, 2009 FR notice states: "To clarify, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility" (Final Regulations page 55912).</p>	<ul style="list-style-type: none"> advise students, if they are under 18 years of age and not emancipated, that the institution is required to notify a custodial parent or guardian within 24 hours when the student is determined to be missing in addition to any additional contact person designated by the student.
	<p>Campus Crime Reporting (State)</p> <p><u>Citation:</u> NYS Ed Law § 6433</p>	<p>Each college that receives state aid should provide in its campus catalog, student handbook, and viewbook how to access the campus crime statistics that are filed annually with the United States Department of Education as required under 20 U.S.C. § 1092(f).</p> <p>Every campus catalog, student handbook, and viewbook should include:</p> <ul style="list-style-type: none"> the statement that "The Advisory Committee on Campus Safety will provide upon request all campus crime statistics as reported to the United States Department of Education"; the United States Department of Education's web site address for campus crime statistics; and a campus phone number for a designated college campus contact who is authorized to provide such statistics for that college. <p>The president or chief administrative officer of each college should, working with the advisory committee on campus safety, take steps to inform students and prospective students of the existence of the campus crime statistics on an annual basis and other campus safety policies and procedures of the school.</p>
	<p>Investigation of Violent Felony Offenses</p> <p><u>Citation:</u></p>	<p>Each college should adopt and implement a plan providing for:</p> <ul style="list-style-type: none"> the investigation of any violent felony offenses occurring at or on the grounds of the institution; and the investigation of a report of any missing student. <p>Such plans should include but not be limited to written agreements with appropriate local law</p>

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	<p>NYS Edu Law § 6434</p> <hr/> <p>Advisory Committee on Campus Security</p> <p><u>Citation:</u> NYS Ed Law § 6431</p>	<p>enforcement agencies for the prompt investigation of such crimes and reports.</p> <hr/> <p>An advisory committee on campus security should be appointed.</p> <p>The committee should consist of a minimum of six members with the following requirements:</p> <ul style="list-style-type: none"> • at least half of the committee should be female; • one-third of the committee should be appointed from a list of students that contains at least twice the number to be appointed which is provided by the largest student governance organization on the campus; • one-third should be appointed from a list of faculty members that contains twice the number to be appointed which is provided by the largest faculty organization on the campus; and • one-third should be selected by the president or chief administrative officer. <p>The committee will:</p> <ul style="list-style-type: none"> • review current campus security policies and procedures; and • make recommendations for the improvement of such policies and procedures. <p>It will specifically review current policies and procedures for:</p> <ul style="list-style-type: none"> • educating the campus community about sexual assault, domestic violence, and stalking offenses; • educating the campus community about personal safety and crime prevention; • reporting sexual assaults, domestic violence and stalking incidents and assisting victims during investigations; • referring complaints to appropriate authorities; • counseling victims; and • responding to inquiries from concerned persons. <p>The committee will report in writing to the college president or chief administrative officer on its findings and recommendations at least once each academic year.</p>
27	<p>Fire Safety Report and Fire Log</p> <p><u>Citation:</u> HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(i)): <i>added HEA Sec. 485(a)(1)(T)</i>. HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092): <i>added HEA Sec. 485(i)</i> HEOA amendments effective August 14,</p>	<p>By October 1 of each year (beginning with the October 1, 2010, report containing data from the 2009 calendar year), an institution that maintains any on-campus student housing facility must distribute an annual fire safety report, or notice of the report, to all enrolled students and current employees. If the institution distributes the report by posting the report on its website, it must provide a notice by October 1 that includes a statement of the report's availability, the exact electronic address at which the report is posted, a brief description of the report's contents, and a statement that the institution will provide a paper copy upon request.</p> <p>Institutions must provide a notice to prospective students and prospective employees that includes a statement of the report's availability, a description of its contents, and an opportunity to request a copy. If the institution posts the report on its website, the notice must include the exact electronic address at which the report is posted and a statement that the institution will provide a paper copy upon request.</p> <p>An institution may combine the publication of the fire safety report and the security report (<i>see above</i>) if the title of the combined report clearly states that both reports are included. If the security and fire safety reports are published separately, each report must include information about how to access the other report.</p> <p>The fire safety report must include, for each on-campus student housing facility:</p>

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	<p>2008</p> <p>Note: The preamble of the October 29, 2009 FR notice states: "To clarify, any student housing facility that is owned or controlled by the institution, or is located on property that is owned or controlled by the institution, and is within the reasonably contiguous geographic area that makes up the campus is considered an on-campus student housing facility" (Final Regulations page 55912).</p>	<ul style="list-style-type: none"> • statistics for the three most recent calendar years for which data are available for: <ul style="list-style-type: none"> – the number of fires and the cause of each fire; – the number of [persons who received fire-related injuries that resulted] in treatment at a medical facility, including at an on-campus health center; – the number of deaths related to a fire; and – the value of property damage caused by a fire. • a description of each housing facility fire safety system, including the fire sprinkler system; • the number of fire drills held during the previous calendar year (number of fire drills in 2009 for the 2010 report); • policies or rules on portable electrical appliances, smoking, and open flames; • procedures for evacuation; • policies regarding fire safety education and training programs provided to students and employees, including the procedures students and employees should follow in the case of a fire; • for the purposes of including a fire in the statistics, the titles of each person or organization to which students and employees should report that a fire occurred; and • plans for future improvements in fire safety, if determined necessary by the institution. <p>The three year reporting requirement will be phased in. The October 1, 2010, report will include the statistics for the 2009 calendar year. The first report to contain three years of data will be the October 1, 2012, report.</p> <p>The statistics must also be submitted to the Department of Education. The Department must make the statistics publicly available.</p>
	<p>Fire Log</p>	<p>The institution must maintain a fire log that records by the date that a fire was reported, any fire that occurred in an on-campus student housing facility. The log must include the nature, date, time, and general location of each fire.</p> <p>An entry to the log, or an addition to an entry, must be made within 2 business days of the receipt of the information. The log for the most recent 60-day period must be open to public inspection during normal business hours. The institution must make older portions of the log available within 2 business days of a request for public inspection. The institution must make an annual report to the campus community on the fires recorded in the fire log. This requirement may be satisfied by the annual fire safety report described above.</p>
	<p>Fire Safety (particularly in residence halls and other school grounds/property) (State)</p>	<p>College authorities in general charge of the operation of any public college must have all buildings of the institution inspected for fire hazards at least on an annual basis. Buildings that need to be inspected include:</p> <ul style="list-style-type: none"> • Classrooms, • Dormitories, • Fraternities and Sororities, • Laboratories, • Physical education facilities, and • Dining or recreational facilities. <p>Inspections of the buildings, except those in a city having a population of one million or more,</p>

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Back to Index	<p>Citation: NYS Ed Law § 807-b; 19 NYCRR 500.1-11</p>	<p>should be conducted by the state office of fire prevention and control or a designee of the state fire administrator. Inspections should be made when the college is in session.</p> <p>The office of fire prevention and control is authorized to adopt rules and regulations establishing minimum standards for the content and frequency of the inspections so as to ensure compliance with applicable fire safety standards. It is also authorized to take appropriate actions to ensure that violations of fire safety codes, rules, and regulations are promptly remedied.</p> <p>Within ninety days, a copy of the inspection report should be filed with the office of the college authorities, the commissioner, and the chief or other comparable officer of any fire department or fire corporation that has the regular duty of fighting fire in the building inspected. All reports should be kept as records for at least three years. After this period, the reports may be destroyed.</p> <p>The office of fire prevention and control can make recommendations to the college authorities with respect to any problems relating to building fire safety noted in the inspection reports. The commissioner can inspect the buildings required to be inspected at any reasonable time for fire prevention and fire protection purposes. A fine of up to five hundred dollars per day may be imposed on any public college that fails to remedy any violation noted in a report within thirty days of receiving a copy of the report.</p>
Back to Index	<p>28 Vehicle, Traffic, Parking Regulation (State)</p> <p>Citation: NYS Ed Law § 360; 8 NYCRR 560</p> <p>Disclosure Method: Website, handbooks, catalogs, publications, and other locations where necessary</p>	<p>The Board of Trustees of each institution is authorized to adopt and enforce provisions consistent with the State’s vehicle and traffic law regulating vehicular and pedestrian traffic as well as parking within and upon the institutional grounds for the safety and convenience of its students, faculty, employees, and visitors.</p> <p>Appropriate control lights, signs, and signals may be erected and maintained at the entrance or entrances to any such grounds and other appropriate points thereon or therein to enforce vehicle and traffic law.</p> <p>Notice of all such laws, rules, and regulations should be given by filing a copy of all such laws, rules, and regulations in the office of the campus security director or such other location as may be designated by the campus chief administrative officer (i.e., institution’s website, handbooks, catalogs, publications).</p> <p>A campus may exempt any veteran attending the university for the payment of fees for the registration and parking of vehicles.</p>
Back to Index	<p>29 Maintenance of Public Order (State)</p> <p>Citation: NYS Ed Law § 6430</p> <p>Disclosure Method: A copy of the rules should be given to all students enrolled in the college.</p>	<p>The trustees or other governing board of every university should adopt written rules for implementing all policies required for the maintenance of public order on college campuses and other college property used for educational purposes and provide a program the enforcement thereof.</p> <p>Such rules should:</p> <ul style="list-style-type: none"> • prohibit any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs; • govern the conduct of students, faculty, and other staff as well as visitors and other licensees and invitees on the campuses and property.
	<p>30 Picketing and Demonstrations (State)</p>	<p>Students, faculty, other staff member, or authorized visitor are allowed to assemble and express individual views for a certain purpose. Peaceful picketing and other orderly demonstrations in public areas of institutional grounds and buildings will not be interfered with.</p> <p>To afford maximum protection to the participants and the institutional community, each</p>

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Back to Index	<p><u>Citation:</u> 8 NYCRR 535.4</p>	<p>institution should adopt and enforce, revising from time to time as necessary, procedures appropriate to such institution for the giving of reasonable advance notice to such institution of any planned assembly, picketing, or demonstration upon the grounds of the institution, its proposed locale, and its intended purpose.</p>
Back to Index	<p>Crowd Control/Major Events (State)</p> <p><u>Citation:</u> 10 NYCRR 7-4.1 (State Sanitary Code)</p>	<p>College campuses should abide by provisions in the State’s Sanitary Code regarding crowd control during major events (“mass gatherings”). “Mass gatherings” is defined as an event that is likely to attract more than 5,000 people and continue for 24 hours or more.</p>
Back to Index	<p>Code of Conduct (State)</p> <p><u>Citation:</u> NYS Ed Law §§ 6430-1, 6430-2</p> <p><u>Disclosure Method:</u> Include the Code of Conduct in student handbook in print and online or distribute in any other means so as to ensure that each student receives and has access to the rules</p>	<p>Institutions should implement and annually update rules and policies governing the conduct of students, faculty, and visitors on the campuses.</p> <p>The rules should prohibit, among other things, any action or situation which recklessly or intentionally endangers mental or physical health or involves the forced consumption of liquor or drugs for the purpose of initiation into or affiliation with any organization.</p> <p>The penalties for violations of the rules within the code of conduct should be clearly set forth therein and include provisions for the ejection of a violator from the campus and property. These penalties will be in addition to any penalty pursuant to the penal law or any other law to which a violator or organization may be subject.</p> <p>All enrolled students at the institution should be given a copy of the rules of the code of conduct.</p>
	<p>Credit Solicitation Credit Card Accountability, Responsibility, and Disclosure (CARD) Act (Federal)</p> <p><u>Citation:</u> 15 U.S.C. §§ 1604, 1631, 1637, 1637a, 1650, 1679c, 1681b, 1681g, 1681h (CARD Act); 12 NYCRR 226.5, 226.5A, 226.6, 226.9, 226.17,</p>	<p>The main purpose of the Act is to ensure that creditors maintain transparent records and give written notice of changes to credit card interest rates so as to protect the credit-card holder.</p> <p>The legislation affects young consumers and is designed to prevent them from incurring avoidable debt.</p> <p>The Act will require, starting March 2, 2010, that every higher education institution publicly disclose any contract or other agreement with a card issuer or creditor for the purpose of marketing a credit card.</p> <p>The Act prohibits card issuers or creditors from offering students at a higher education institution any tangible item to induce them to apply for or participate in an open end consumer credit plan, if the offer is made:</p> <ul style="list-style-type: none"> • on the campus of an institution of higher education; • near the campus of an institution of higher education, as determined by the rule to be issued by the Federal Reserve Board; or • at an event sponsored by or related to a higher education institution. <p>The Act suggests that higher education institutions consider adopting the following principles</p>

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	<p>226.18, 226.20, 226.17, 226.46, 226.77 (<i>Truth in Lending Act Regulation Z</i>)</p> <p>Disclosure Method: Means for the public disclosure of agreements have not yet been specifically defined, but some examples of how disclosure can be made include:</p> <ul style="list-style-type: none"> • posting the contract or agreement on the institution’s website ; • make the contract or agreement available upon request provided that procedure for such request are reasonable and free of cost to the requestor and provided within a reasonable time frame. <p>Note: higher education institutions are barred from redacting any contracts or agreements they are required to publicly disclose; thus, any clauses in existing contract or agreements addressing the</p>	<p>relating to credit cards:</p> <ul style="list-style-type: none"> • requiring that any card issuer that markets a credit card on the campus of the institution notify the institution of the location at which such marketing will take place; • requiring that the number of locations on the campus of such institution at which the marketing of credit cards takes place be limited; and/or • requiring that credit card and debt education and counseling sessions be offered as a regular part of any orientation program for new students of such institution. <p>The Act also provides certain protections to underage consumers, generally:</p> <ul style="list-style-type: none"> • no credit card may be issued to or open end consumer credit plan established by or on behalf of a consumer who has not attained the age of 21, unless • the consumer has submitted a written application to the card issuer that meets one of two requirements: <ul style="list-style-type: none"> - it is co-signed by someone over 21 with a legal means to repay debt or - the consumer has independent means of repaying any obligation arising from the credit card. <p>Under the Act, creditors will have to submit an annual report to the Federal Reserve Board containing the terms and conditions of:</p> <ul style="list-style-type: none"> • all business, marketing, and promotional agreements and • college affinity card agreements with institutions of higher education or with alumni organizations or foundations affiliated with or related to such institutions, with respect to any college student credit card issued to a college student at such institution.

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<p>Back to Index</p>	<p>confidentiality of such contracts or agreements would be invalid to the extent they prevent institutions from publicly disclosing such contracts or agreements</p> <hr/> <p>Prohibition on the Marketing of Credit Cards (State)</p> <p>Citation: NYS Ed Law § 6437</p>	<p>Each college should prohibit the following regarding credit cards to students on colleges campuses:</p> <ul style="list-style-type: none"> • advertising; • marketing; and • merchandising. <p>Such actions with credit cards can only be done pursuant to an official college credit card marketing policy.</p> <p>An official college credit card marketing policy may include:</p> <ul style="list-style-type: none"> • registrations of on-campus credit card marketers; • limiting credit card marketers to specific dates and specific areas of the campus as designated by the college; • prohibiting credit card marketers from offering gifts to a student in exchange for completing a credit card application; and • informing students about good credit card management practices through programs which may include workshops, seminars, discussion groups, and film/media presentations.
<p>34</p> <p>Back to Index</p>	<p>Bias Related Crime Notification (State)</p> <p>Citation: NYS Ed Law § 6436</p> <p>Disclosure Method: Seminars and workshops could be integrated as part of Orientation</p>	<p>Each college should inform incoming students about bias related crime prevention measures through programs which may include:</p> <ul style="list-style-type: none"> • workshops; • seminars; • discussion groups; and • film/media presentations. <p>Such programs will be used to disseminate information about:</p> <ul style="list-style-type: none"> • bias related crime; • promote discussion; • encourage reporting of incidents of bias related crime; and • facilitate prevention of such incidents. <p>Information disseminated during these workshops, sessions, or discussions should include but not be limited to:</p> <ul style="list-style-type: none"> • the applicable laws, ordinances, and regulations on bias related crime, including the provisions and coverage of the hate crimes act of 2000 codified in Penal Law Article 485; • the penalties for commission of a bias-related crime; • the procedures in effect at the college for dealing with bias related crime; • the availability of counseling and other support services for the victims of bias related crime; • the nature of and common circumstances relating to bias related crime on college campuses; and • the methods the college employs to advise and to update students about security procedures.

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35	<p>Domestic Violence, Sexual Assault, and Stalking Prevention (State)</p> <p>Citation: NYS Ed Law § 6432</p> <p>Disclosure Method: Seminars and workshops could be integrated as part of Orientation</p> <p>Back to Index</p>	<p>Each college should inform incoming students about domestic violence prevention measures through programs which may include:</p> <ul style="list-style-type: none"> workshops; seminars; discussion groups; and film/media presentations. <p>Such programs will be used to disseminate information about:</p> <ul style="list-style-type: none"> bias-related crime; promote discussion; encourage reporting of incidents of bias related crime; and facilitate prevention of such incidents. <p>Information disseminated during these workshops, sessions, or discussions should include but not be limited to:</p> <ul style="list-style-type: none"> the applicable laws, ordinances, and regulations on bias-related crime, including the provisions and coverage of the hate crimes act of 2000 codified in Penal Law Article 485; the penalties for commission of bias-related crime; the procedures in effect at the college for dealing with-bias related crime; the availability of counseling and other support services for the victims of bias-related crime; the nature of and common circumstances relating to bias-related crime on college campuses; and the methods the college employs to advise and to update students about security procedures.
36	<p>Hazing (State)</p> <p>Citation: NYS Ed Law §§ 6430-1, 6430-2; NYS Penal Law §§ 120.16, 120.17</p> <p>Disclosure Method: Include rules regarding hazing offenses in the Code of Conduct; place the Code of Conduct in student handbook in print and/or online</p> <p>Back to Index</p>	<p>See reference number 32 for information on the Code of Conduct.</p> <p>Although there is no separate provision for prevention against hazing in NYS Education Law, it is reasonable to conclude that hazing would be a violation of the Code of Conduct in higher education institutions.</p> <p>Penalties for violating hazing rules within the institution’s Code of Conduct should be implemented and enforced in addition to the penalties arising under the State’s Penal Law for hazing offenses in the first and second degrees.</p>
37	<p>Information for Crime Victims about Disciplinary Proceedings</p> <p>Citation: HEOA Sec. 493(a)(1)(A) amended HEA Sec.</p>	<p>Institutions must, upon written request, disclose to the alleged victim of any crime of violence or a non-forcible sex offense, the results of any disciplinary proceeding conducted by the institution against a student who is the alleged perpetrator of such crime or offense. If the alleged victim is deceased as a result of the crime or offense, the information shall be provided, upon request, to the next of kin of the alleged victim. This provision applies to any disciplinary proceeding conducted by an institution on or after August 14, 2009.</p> <p>(See reference number 25 for related requirement regarding sex offenses.)</p>

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<p>38</p> <p>Retention Rate</p> <p><u>Citation:</u> HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)(U)): <i>added HEA Sec. 485(a)(1)(U): HEOA amendment effective August 14, 2008</i></p> <p><u>Disclosure Method:</u> Appropriate publications, mailings, or electronic media</p> <hr/> <p>Retention Rate (State)</p> <p><u>Citation:</u> <i>8 NYCRR 53.3(d)(6)</i></p> <p>Back to Index</p>		<p>Institutions must make available to current and prospective students the retention rate of certificate- or degree-seeking, first-time, undergraduate students as reported to IPEDS. This information is collected in the IPEDS Fall Enrollment Survey.</p> <p>For more information: http://nces.ed.gov/ipeds</p> <p>If the retention rate information is requested by a prospective student, the information must be made available prior to the student's enrolling or entering into any financial obligation with the institution.</p> <hr/> <p>Information on student retention and graduation rates should be provided based on a summary of the most recent cohort survival statistics (e.g., percentages of those students enrolled at the end of the spring term, percentages of freshman classes that graduate in four, five, and six years) available to the institution for at least full-time undergraduates.</p> <p>Statistics should be computed in a manner consistent with data reported to the Education Department through its higher education data system.</p>
<p>39</p>	<p>Completion/ Graduation and Transfer-out Rates (Including Disaggregated Completion/ Graduation Rates)</p>	<p>Each institution must annually make available to prospective and enrolled students the completion or graduation rate of certificate- or degree-seeking, first-time, full-time, undergraduate students. The data are to be available by July 1 each year for the most recent cohort that has had 150 percent of normal time for completion by August 31 of the prior year.</p> <p>If the information is requested by a prospective student, it must be made available prior to the student's enrolling or entering into any financial obligation with the institution.</p> <p><i>Note:</i> Institutions may add other information to their completion/graduation rate disclosures (e.g.,</p>

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	<p>Citation: (Student Right-to-Know Act) HEOA Sec. 488(a)(2) amended HEA Sec. 485(a) (20 U.S.C. 1092(a)): <i>new HEA Sec. 485(a)(4)</i> HEOA Sec. 488(a)(3) amended HEA Sec. 485(a) (20 U.S.C. 1092(a)): <i>added HEA Sec. 485(a)(7)</i> <i>HEOA amendments effective August 14, 2008 (see exception below)</i> 34 CFR 668.41(a)-(d), 34 CFR 668.45, 34 CFR 668.8(b)(1)(ii)</p> <p>Disaggregated Completion/ Graduation Rates</p> <hr/> <p>Exclusions</p>	<p>graduation rates for other timeframes, but the HEA-required information must be identifiable and separate from any additional information).</p> <p>An institution that determines that its mission includes providing substantial preparation for students to enroll in another Title IV, HEA-eligible institution must disclose a transfer-out rate for each cohort.</p> <p>A student shall be counted as a completion or graduation if the student earns a degree or certificate or completes a transfer-preparatory program within 150 percent of normal time for the student's program.</p> <p><i>Note: These data are collected in the IPEDS Graduation Rate Survey (GRS)</i></p> <p>For more information: http://nces.ed.gov/ipeds</p> <p>The HEOA (Sec. 488(a)(3)) added a provision requiring that the completion or graduation rates must be disaggregated by</p> <ul style="list-style-type: none"> • gender; • major racial and ethnic subgroup (as defined in IPEDS); • recipients of a Federal Pell Grant; • recipients of a subsidized Stafford Loan who did not receive a Pell Grant; and • students who did not receive either a Pell Grant or a subsidized Stafford Loan. <p>Students are to be considered to have received a grant or loan if they received it for the period used for determining the cohort – fall term or full year.</p> <p>These disaggregated rates are to be disclosed only if the number of students in each group is sufficient to yield statistically reliable information and not reveal personally identifiable information about an individual student. The requirement for disaggregation does not apply to 2-year degree-granting institutions until academic year 2011-2012.</p> <hr/> <p>Institutions are allowed to exclude from completion/graduation or transfer-out rate calculations those students who leave school to serve in the Armed Forces, on official church missions, or with a federal foreign aid service, or are deceased or totally and permanently disabled.</p> <p>The HEOA (Sec. 488(a)(2)) added a provision that applies to institutions for which students who leave school to serve in the Armed Forces, on official church missions, or with a recognized federal foreign aid service represent 20 percent or more of the certificate- or degree-seeking, full-time undergraduates at the institution. Those institutions <i>may</i> include the students who leave for such service in their completion/graduation rate calculations but allow for the time the students were not enrolled due to their service by adding the time period the students were not enrolled due</p>

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40	<p>Completion/ Graduation and Transfer-out Rates for Students Receiving Athletically Related Student Aid (Including Disaggregated Completion/ Graduation Rates)</p> <p>Citation: (Student Right to Know Act) HEOA Sec. 488(a)(3) amended HEA Sec. 485(a) (20 U.S.C. 1092(a)): <i>added</i> HEA Sec. 485(a)(7) HEOA Sec. 488(d) amended HEA Sec. 485(e) (20 U.S.C. 1092(e)): <i>new</i> HEA Sec. 485(e)(3) <i>HEOA amendments effective August 14, 2008</i> 34 CFR 668.41(a), 34 CFR 668.41(f), 34 CFR 668.45, 34 CFR 668.48</p> <p>Disclosure Method: Provided to prospective student athletes and others at time offer is made of athletically-related student aid</p> <p>Back to Index</p>	<p>to their service to the 150 percent of normal time used in the calculations.</p> <p>Each institution must produce by July 1 each year a report that is provided to a prospective student athlete and the student's parents, high school guidance counselor, and coach at the time the institution offers athletically related student aid. If the NCAA provides the information for the institution to high school coaches and counselors, the institution is deemed to be in compliance with that requirement. The report must also be sent to the Department of Education. (The IPEDS GRS collects a URL for the disclosure information if it is posted on the institution's website.)</p> <p>Note: The provisions in 34 CFR 668.45 (see reference number 25) regarding transfer-out disclosures; determining cohorts; defining completion, graduation, and transfer-out; exclusions; and disaggregation of completion/graduation rates apply also to the requirements for disclosing completion/graduation and transfer-out information for students receiving athletically related student aid.</p> <p>The report must contain:</p> <ul style="list-style-type: none"> • the number of students, by race and gender, who attended the institution in the prior year; • the number of students who attended in the prior year and who received athletically related aid, categorized by race and gender within each sport (basketball, football, baseball, cross-country and track combined, and all other sports combined); • the completion or graduation rate, and if applicable, the transfer-out rate, of the certificate- or degree-seeking first-time, full-time undergraduates, categorized by race and gender for the most recently completing class (data submitted to IPEDS in Graduation Rate Survey, see reference number 38); • the completion or graduation rate, and if applicable, the transfer-out rate, of the certificate- or degree-seeking first-time, full-time undergraduates who received athletically related student aid, categorized by race and gender within sport. (These data need not be disclosed for a category in which the number of students is five or fewer); • average completion or graduation rate, and, if applicable, transfer-out rate, of the four most recently completing or graduating classes, by race and gender; and • average completion or graduation rate, and, if applicable, transfer-out rate, of the four most recently completing or graduating classes for students who received athletically related student aid, categorized by race and gender within each sport.
41	<p>Placement in Employment</p> <p>Citation:</p>	<p>Institutions must make available to current and prospective students information regarding the placement in employment of, and types of employment obtained by, graduates of the institution's degree or certificate programs.</p> <p>Institutions must identify the source of the placement information, and any timeframes and</p>

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	<p>HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)(R)): <i>added HEA Sec. 485(a)(1)(R) HEOA amendment effective August 14, 2008</i></p> <p>Disclosure Method: Made available through appropriate publications, mailings, or electronic media</p> <hr/> <p>Placement of Graduates (State)</p> <p>Citation: <i>8 NYCRR 53.3(d)(7)</i></p> <p>Disclosure Method: Catalog or bulletin in print or online</p>	<p>methodology associated with it.</p> <p>Under this provision, institutions are not required to calculate placement rates, but an Institution must disclose any placement rates it calculates for the institution or any program.</p> <hr/> <p>Summaries of job placement and graduate school placement statistics compiled by the institution, including its placement center, should be provided where available.</p>
42	<p>Job Placement Rates</p> <p>Citation: <i>HEA Sec. 487(a)(8)</i> (20 U.S.C. 1094(a)(8); 34 CFR 668.14(b)(10)) <i>Not changed by HEOA</i></p> <p>Disclosure Method: Information made available to prospective students</p> <hr/> <p>Placement of Graduates (State)</p>	<p>An institution that advertises job placement rates as a means of recruiting students to enroll must make available to prospective students, at or before the time the prospective student applies for enrollment:</p> <ul style="list-style-type: none"> • the most recent available data concerning employment statistics and graduation statistics; • any other information necessary to substantiate the truthfulness of the advertisements; and • relevant state licensing requirements of the state in which the institution is located for any job for which the course of instruction is designed to prepare students. <hr/> <p>Summaries of job placement and graduate school placement statistics compiled by the institution, including its placement center, should be provided, where available.</p>

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Back to Index	<p><u>Citation:</u> 8 NYCRR 53.3(d)(7)</p> <p><u>Disclosure Method:</u> Catalog or bulletin in print or online</p>	
	Back to Index	<p>43 Types of Graduate and Professional Education in Which the Institution's Graduates Enroll</p> <p><u>Citation:</u> HEOA Sec. 488(a)(1)(E) amended HEA Sec. 485(a)(1) (20 U.S.C. 1092(a)(1)): <i>added HEA Sec. 485(a)(1)(S) HEOA amendment effective August 14, 2008</i></p> <p><u>Disclosure Method:</u> Made available through appropriate publications, mailings, or electronic media</p> <hr/> <p>Placement of Graduates (State)</p> <p><u>Citation:</u> 8 NYCRR 53.3(d)(7)</p> <p><u>Disclosure Method:</u> Catalog or bulletin in print or online</p>
<p>44</p>		<p>Intercollegiate Athletic Program Participation Rates and Financial Support Data</p>

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	<p><u>Citation:</u> (Equity in Athletics Disclosure Act) HEA Sec. 485(g) (20 U.S.C. 1092(g)) <i>Institutional requirements not changed by HEOA.</i> 34 CFR 668.41(a)-(b), 34 CFR 668.41(g), 34 CFR 668.47</p> <p><u>Disclosure Method:</u> Appropriate publications, mailings, or electronic media; notice of report provided to students</p>	<p>copy upon request.</p> <p>The report also must be submitted to the Department of Education. The Department of Education is required to make the information available to the public and to notify all secondary schools of the availability of the information and how it may be accessed.</p> <p>The report must include, for the preceding year :</p> <ul style="list-style-type: none"> • the number of male and the number of female full-time undergraduates enrolled; • unduplicated head count of participants on at least one varsity team, by gender; • list of the varsity teams that competed in intercollegiate athletic competition, and for each team: <ul style="list-style-type: none"> – the total number of participants, the number of participants who also participated on another varsity team, and the number of other varsity teams on which they participated; – the total operating expenses; – whether the head coach was male or female and whether the head coach was assigned to the team on a full-time or part-time basis, and for part-time head coaches whether the coach was a full- or part-time employee of the institution; – the number of male and the number of female assistant coaches, and the number of male and the number of female assistant coaches who were assigned to the team on a full-time or part-time basis; and – the number of part-time assistant coaches who were full-time and part-time employees of the institution. • the total revenues attributable to intercollegiate athletic activities, and the revenues from football, men's basketball, women's basketball, all other men's sports combined, and all other women's sports combined; • the total revenues generated across all men's teams and across all women's teams; • the total amount of money spent on athletically related student aid, separately for men's and women's teams overall; • the ratio of athletically related student aid awarded to male athletes to athletically related student aid awarded to female athletes; • the total amount of expenditures on recruiting, separately for men's teams and women's teams overall; • the average annual institutional salary of head coaches of men's teams and of women's teams, across all offered sports; • the average annual institutional salary of the assistant coaches of men's teams and of women's teams, across all offered sports; and • the total expenses attributable to intercollegiate athletic activities, and the expenses attributable to football, men's basketball, women's basketball, all other men's sports combined, and all other women's sports combined. <p>For more information: http://www.ed.gov/finaid/prof/resources/athletics/eada.html</p>
45	<p>Voter Registration Forms</p> <p><u>Citation:</u> HEOA Sec. 493(a)(1) amended HEA Sec. 487(a)(23) (20 U.S.C. 1094(a)(23)): <i>added HEA Sec.</i></p>	<p>Each institution must:</p> <ul style="list-style-type: none"> • make a good faith effort to distribute a mail voter registration form (for federal elections and state elections for governor or other State chief executive) to each student enrolled in a degree or certificate program and physically in attendance at the institution; • make the voter registration form widely available to students at the institution; and • request the forms from the state 120 days prior to the deadline for registering to vote within the state. <p>This requirement does not apply to institutions in states that do not have a voter registration requirement or that allow voters to register at the time of voting.</p> <p>The HEOA (Sec. 493(a)(1)) added the provision that an institution will be considered to be in</p>

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	<p><i>487(a)(23)(D)</i> <i>HEOA amendment</i> <i>effective August 14, 2008</i></p> <p>Disclosure Method: Voter registration forms made widely available and provided to each enrolled student</p> <p>Back to Index</p>	<p>compliance with the distribution requirement if the institution electronically distributes the voter registration form or an Internet address where such a form can be downloaded. The information must be in an electronic message devoted exclusively to voter registration.</p> <p>Pursuant to a settlement with the United States Justice Department in 2010, all campus disability services offices must take certain steps to provide access to voter registration forms for students. For more information, <u>see</u> July 2010 Memo to Presidents from Interim University Counsel Marti Ellermann.</p>
46	<p>Motor Voter Act</p> <p>Citation: 42 U.S.C. § 1973ee</p> <hr/> <p>Voter Registration (State)</p> <p>Citation: NYS Election Law § 5-211</p> <p>Disclosure Method: Following methods could be used to distribute voter registration forms to students:</p>	<p>This legislation is intended to enhance voting opportunities for every individual by making it easier for individuals, including those with disabilities, to register to vote and maintain their registration.</p> <p>The Act provides several means to register to vote for federal elections:</p> <ul style="list-style-type: none"> • register to vote at the same time as applying for a driver’s license or renewing a driver’s license; • require states to offer voter registration opportunities at all offices that provide public assistance and all offices that provide state-funded programs primarily engaged in providing services to persons with disabilities; and • register to vote by mail using mail-in forms. <p>According to these provisions, students, including those with disabilities, should be offered the opportunity to register to vote at the point of program intake. Students should be offered:</p> <ul style="list-style-type: none"> • printed information about the service in assisting the voter registration process; and • assistance with filling out the voter registration forms. <p>The registration forms should be transmitted to State Board of Elections within ten days. Monthly statistical reports should also be submitted to State Board of Elections.</p> <hr/> <p>All institutions of the State University of New York and the City University of New York should, at the beginning of the school year, and again in January and February of a presidential year, must provide an application for registration to each student in each institution.</p> <p>Each institution should make available:</p> <ul style="list-style-type: none"> • voter registration forms by prominently displaying promotional materials designed and approved by the state board of elections, informing the institutional community of voter registration services; and • voter registration forms that: <ul style="list-style-type: none"> - offers with each application for the services of the institution and with each certification renewal or change of address form; and - contains instructions relating to eligibility to register and for completing the form. <p>By agreement, between SUNY and the Board of Elections, campuses may fulfill this requirement by emailing a link to the PDF voter registration form hosted on the Board of Elections website to</p>

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<p>Back to Index</p>	<ul style="list-style-type: none"> • directly mail to all students; • Include in general campus mailings; • place in campus mail boxes of all resident students; • distribute during class registration; • incorporate in class listing materials; • include when students purchase books; • make available in the Disabled Student Services Office; • send by e-mail (PDF voter form). 	<p>each student (available at http://www.elections.state.ny.us/Voting.html). The campus must make paper registration forms available upon request and should inform students of the availability of paper forms in the e-mail. As with the Federal rules in reference number 45, the e-mail should only address voter registration and should be sent to all students.</p>
<p>L-1</p> <p>Back to Index</p>	<p>State Grant Assistance</p> <p><u>Citation:</u> HEA Sec. 487(a)(9) (20 U.S.C. 1094(a)(9), 34 CFR 668.14(b)(11))</p> <p><i>Not changed by HEOA.</i></p> <p><u>Disclosure Method:</u> Information provided to borrowers.</p>	<p>Institution must inform all eligible borrowers enrolled in the institution about the availability of, and their eligibility for, grant assistance from the state in which the institution is located, and provide sources of information about grant assistance from other states to borrowers from other states.</p>
<p>L-2</p>	<p>Student Loan Information Published by Dept of Education</p> <p><u>Citation:</u> HEOA Sec. 488(c) amended HEA Sec.</p>	<p>Institutions are required to provide information published by the Department of Education to students at any time that information regarding loan availability is provided. The publication includes information about rights and responsibilities of students and institutions under Title IV, HEA loan programs. (See also reference number L-5 requirements for exit counseling for student loan borrowers.)</p>

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Back to Index	<p>485(d) (20 U.S.C. 1092(d))</p> <p><u>Disclosure Method:</u> Information provided to prospective student borrowers.</p>	
Back to Index	<p>L-3 National Student Loan Data System (NSLDS)</p> <p><u>Citation:</u> HEOA Sec. 489 amended HEA Sec. 485B(d)(4) (20 U.S.C. 1092b)</p> <p><u>Disclosure Method:</u> Information provided to borrowers.</p>	<p>Institutions that enter into an agreement with a potential student, student, or parent of a student regarding a Title IV, HEA loan are required to inform the student or parent that the loan will be submitted to the National Student Loan Data System (NSLDS), and will be accessible by guaranty agencies, lenders, and institutions determined to be authorized users of the data system.</p>
<p>L-4</p>	<p>Entrance Counseling for Student Loan Borrowers</p> <p><u>Citation:</u> HEOA Sec. 488(g) amended HEA Sec. 485 (20 U.S.C. 1092(1)): <i>added HEA Sec. 485(l) HEOA amendment effective August 14, 2008</i></p> <p><i>Note: The final regulations include the entrance counseling requirements separately for each loan program. See the program</i></p>	<p>Prior to the first disbursement, each institution must provide to a first-time borrower of a FFELP* or a Federal Direct Loan (other than consolidated or Parent PLUS loans) comprehensive information on the terms and conditions of the loan and of the borrower's responsibilities. The information is to include:</p> <ul style="list-style-type: none"> • the effect of the loan on the eligibility of the borrower for other forms of aid; • an explanation of the use of the Master Promissory Note; • the seriousness and importance of the students' repayment obligation; • information on the accrual and capitalization of interest; • borrowers of unsubsidized loans have the option of paying interest while in school; • definition of half-time enrollment and the consequences of not maintaining half-time enrollment; • the importance of contacting appropriate offices, if the student withdraws prior to completion of program of study; • sample monthly repayment amounts; • the obligation of the borrower to repay the full amount of the loan regardless of whether the borrower completes the program or completes within the regular time for completion, is unable to obtain employment upon completion, or is otherwise dissatisfied with, or does not receive the educational or other services the borrower purchased from the school; • consequences of default; • information about the NSLDS and how the borrower can access the borrower's records; and • the name and contact information for individual the borrower may contact with questions about the borrower's rights and responsibilities or the terms and conditions of the loan. <p>*Beginning July 1, 2010, loans are no longer made available through the FFELP. However, there are still outstanding loans through this program and institutions must provide the relevant information required by the HEOA.</p>

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<p>Back to Index</p>	<p><i>regulations for complete information.</i></p> <p>Disclosure Method: Information provided to each borrower.</p>	
<p>L-5</p> <p>Back to Index</p>	<p>Exit Counseling for Student Loan Borrowers</p> <p>Citation: HEOA Sec. 488(b) amended HEA Sec. 485(b) (20 U.S.C. 1092(b)): <i>new HEA Sec. 485(b)(1)(A)</i> HEOA amendment effective August 14, 2008</p> <p><i>Note: The final regulations include the exit counseling requirements separately for each loan program. See the regulations for complete information.</i></p> <p>Disclosure Method: Information provided to borrowers.</p>	<p>Each institution must provide counseling to borrowers of loans under the FFEL, Federal Direct Loan, or Perkins Loan programs (other than consolidated or Parent PLUS loans) shortly before the student borrower ceases at least half-time study at the institution. The counseling will provide information on:</p> <ul style="list-style-type: none"> • average anticipated monthly repayment amount; • repayment plan options; • options to prepay or pay on shorter schedule; • debt management strategies; • use of Master Promissory Note; • the seriousness and importance of student's repayment obligation; • terms and conditions for forgiveness or cancellation; • copy of information provided by the Department of Education (<i>see reference number L-2</i>); • terms and conditions for deferment or forbearance; • consequences of default; • options and consequences of loan consolidation; • tax benefits available to borrowers; • the obligation of the borrower to repay the full amount of the loan regardless of whether the borrower completes program or completes within regular time for completion, is unable to obtain employment upon completion, or is otherwise dissatisfied with or did not receive the educational or other services the borrower purchased from the institution; • availability of the Student Loan Ombudsman's office; and • information about the NSLDS. The Department of Education is required to provide a disclosure form for students and prospective students about the NSLDS (HEOA Sec. 489(3), HEA Sec. 485B).
<p>L-6</p>	<p>Private Education Loan Disclosures (Including Self-Certification Form)</p> <p>Citation: HEOA Sec. 493(a)(1) amended</p>	<p>Institutions or institution-affiliated organizations (e.g., alumni organizations, foundations) that provide information regarding a private education loan from a lender to a prospective borrower must provide information to the prospective borrower, including</p> <ul style="list-style-type: none"> • information required under Sec. 128(e) of the Truth in Lending Act (15 U.S.C. 1638(e)); • that the prospective borrower may qualify for loans or other assistance under Title IV, HEA programs; and • that the terms and conditions of Title IV, HEA program loans may be more favorable than the provisions of private education loans.

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	<p>HEA Sec. 487(a) (20 U.S.C. 1094(a)): <i>added HEA Sec. 487(a)(28); HEOA Sec. 120 and Sec. 1021(b) amended HEA Title I: added HEA Sec. 151-155 (20 U.S.C. 1019, 1019a, 1019b, 1019c, 1019d) HEOA amendments effective August 14, 2008, unless otherwise specified</i></p> <p><u>Disclosure Method:</u> Information provided to borrowers</p> <hr/> <p>Self-Certification Form</p> <p><u>Disclosure Method:</u> Form and information provided upon request to loan applicant.</p> <p>Back to Index</p>	<p>The information regarding private education loans must be presented in a manner that makes it distinct from information regarding Title IV, HEA program loans.</p> <hr/> <p>The institution must, upon request, provide in written or electronic form to an enrolled or admitted student applicant for a private education loan the self-certification form for private education loans required under Sec. 128(e)(3) of the Truth in Lending Act (15 U.S.C. 1638(e)(3)), and the information required to complete the form, to the extent the institution possesses the information. The Department of Education is required to develop the form.</p>
L-7	<p>Code of Conduct for Education Loans</p> <p><u>Citation:</u> HEOA Sec. 493(a)(1) and HEOA Sec. 493(c) amended HEA Sec. 487 (20 U.S.C. 1094(e)):</p> <ul style="list-style-type: none"> • <i>added HEA Sec. 487(a)(25)</i> • <i>new HEA Sec. 487(e)</i> <p><i>HEOA amendments</i></p>	<p>Each institution must prominently publish on the institution's website a code of conduct that prohibits a conflict of interest with the responsibilities of an agent of the institution with respect to FFELP or private education loans. All agents with responsibility for loans must be informed annually of the provisions of the code. The code of conduct must prohibit</p> <ul style="list-style-type: none"> • revenue-sharing arrangements with any lender; • receiving gifts from a lender, a guarantor, or a loan servicer; • a contracting arrangement providing financial benefit from any lender or affiliate of a lender; • directing borrowers to particular lenders, or refusing or delaying loan certifications; • offers of funds for private loans; • call center or financial aid office staffing assistance; and • advisory board compensation.

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<p>L-8</p> <p>Back to Index</p>	<p>Preferred Lender Lists</p> <p><u>Citation:</u> HEOA Sec. 493(a)(1), HEOA Sec. 493(c), and HEOA Sec. 493(d) amended HEA Sec. 487 (20 U.S.C. 1094(h)):</p> <ul style="list-style-type: none"> • <i>added HEA Sec. 487(a)(27)</i> • <i>added HEA Sec. 487(h)</i> • <i>new HEA Sec. 487(i)</i> <p><i>HEOA amendments effective August 14, 2008</i></p> <p><u>Disclosure Method:</u> Made available to students and families in print or other medium.</p>	<p>Each institution must annually make available in print or other medium to students attending the institution and their families a list of the specific lenders for private education loans or for Title IV, HEA loans that the institution recommends, promotes, or endorses in accordance with a preferred lender arrangement.</p> <p>The list must prominently disclose the method and criteria used by the institution in selecting lenders for preferred lender arrangements to ensure that such lenders are selected on the basis of the best interests of the borrower. The list must also clearly and fully disclose</p> <ul style="list-style-type: none"> • the minimum information determined by the Department of Education (HEA Sec. 153(a)) (<i>see reference number L-9</i>); • why the institution participates in a preferred lender arrangement with each lender, particularly with respect to terms and conditions or provisions favorable to the borrower; and • that the students or their families do not have to borrow from a lender on the list. <p>The list must have at least three FFELP lenders that are not affiliates of each other. If the list includes lenders of private education loans, there must be at least two lenders who are not affiliates. The list must indicate for each lender whether it is or is not an affiliate of the other lenders on the list. The details of each affiliation are to be disclosed. The Department of Education is required to provide to institutions a list of the lender affiliates of all eligible lenders.</p>
<p>L-9</p>	<p>Preferred Lender Arrangements</p> <p><u>Citation:</u> HEOA Sec. 120 amended HEA Title I: <i>added HEA Title I,</i></p>	<p>An institution or institution-affiliated organization (e.g., alumni organizations, foundations) that participates in a preferred lender arrangement must comply with the code of conduct provisions in HEA Sec. 487(a)(25) and HEA Sec. 487(h) (<i>see reference number L-7</i>). Institution-affiliated organizations are required to prominently publish the code of conduct on their websites (if any) and annually inform agents with responsibility for education loans of the provisions of the code.</p> <p>By February 14, 2010, the Department of Education is required to determine the minimum information to be disclosed to current and prospective students regarding preferred lender arrangements. The Department is also required to then develop model disclosure forms for FFELP</p>

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	<p><i>Part E (HEA Sec. 151-154) (20 U.S.C. 1019, 1019a, 1019b, 1019c).</i> <i>(HEOA Title X also amended the Truth in Lending Act.)</i> <i>HEOA amendments effective August 14, 2008 (unless otherwise specified)</i></p> <p><u>Disclosure Method:</u> Published on university website; all relevant agents must be annually informed of the provisions of the code of conduct; provided in publications, mailings, or electronic messages or materials that are distributed to prospective or current students and their families.</p> <hr/> <p>Private Education Loans</p> <p><u>Disclosure Method:</u> Published on website; provided in publications, mailings, or electronic messages or materials that are distributed to prospective or current students and their families.</p>	<p>and Federal Direct Loans that may be used by institutions or institution-affiliated organizations.</p> <p>In addition to the information required for the Preferred Lender Lists (<i>see reference number L-8</i>), each institution or institution-affiliated organization in a preferred lender arrangement must disclose information on its website and in publications, mailings, or electronic messages, or materials that are distributed to prospective or current students and their families that describe the financial aid opportunities available to students attending the institution and that describe or discuss education loans (<i>see also reference number 3 for Sec. 485(a) requirements</i>).</p> <p>The information must include:</p> <ul style="list-style-type: none"> • the maximum amount of Title IV, HEA grant and loan aid available to students; • the information on the model disclosure form provided by the Department of Education (described above) for each type of loan offered pursuant to a preferred lender arrangement; and • a statement that the institution is required to process documents for a FFELP loan from any eligible lender the student selects. <hr/> <p>Each institution must provide on its website, and in publications, mailings, or electronic messages, or materials that are distributed to prospective or current students and their families that describe the financial aid opportunities available to students attending the institution and that describe or discuss private education loans, the information required to be disclosed under Sec. 128(e)(11) of the Truth in Lending Act (15 U.S.C. 1638(e)(11)) for each type of private loan offered pursuant to a preferred lender arrangement.</p> <p>Each institution-affiliated organization must provide on its website, and in publications, mailings, or electronic messages, or materials distributed to students and families that describe private education loans the information required to be disclosed under Sec. 128(e)(1) of the Truth in Lending Act (15 U.S.C. 1638(e)(1)) for each type of private loan offered pursuant to a preferred lender arrangement.</p> <p>The name of the lender must be displayed in all information and documentation related to private education loans.</p> <p>The information in the model disclosure form and the Truth in Lending Act information must be provided annually in a manner that allows students and families to take the information into account before selecting a lender or applying for an education loan.</p>

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<p>Back to Index</p>	<p>Annual Report on Preferred Lender Arrangements</p> <p>Disclosure Method: Made available to the public and provided to current students and students planning to attend the institution and their families.</p>	<p>Each institution and each institution-affiliated organization must make an annual report to the Department of Education that includes for each lender in a preferred lender arrangement with the institution or institution-affiliated organization</p> <ul style="list-style-type: none"> the minimum information the Department determines must be disclosed (described above); information required for private loans under the Truth in Lending Act; and detailed explanation of the reasons an institution or institution-affiliated organization participates in a preferred lender arrangement with the lender, including why the terms, conditions, and provisions of each type of loan are beneficial to the institution's students or their families. <p>The information in the report must be made available to the public and provided to current students and students planning to attend the institution and their families.</p>

Note:

- A significant portion of this chart contains information from the chart compiled by NPEC regarding the disclosure requirements of the [Higher Education Opportunity Act](#). National Postsecondary Education Cooperative. (2009). *Information Required to Be Disclosed Under the Higher Education Act of 1965: Suggestions for Dissemination (Updated)* (NPEC 2010-831v2), prepared by Carol Fuller and Carlo Salerno, Coffey Consulting. Washington, D.C.
- Federal and State disclosure requirements are differentiated by color, black for Federal rules and blue for State rules.

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