



How to Find Answers to Your Regulatory Issues

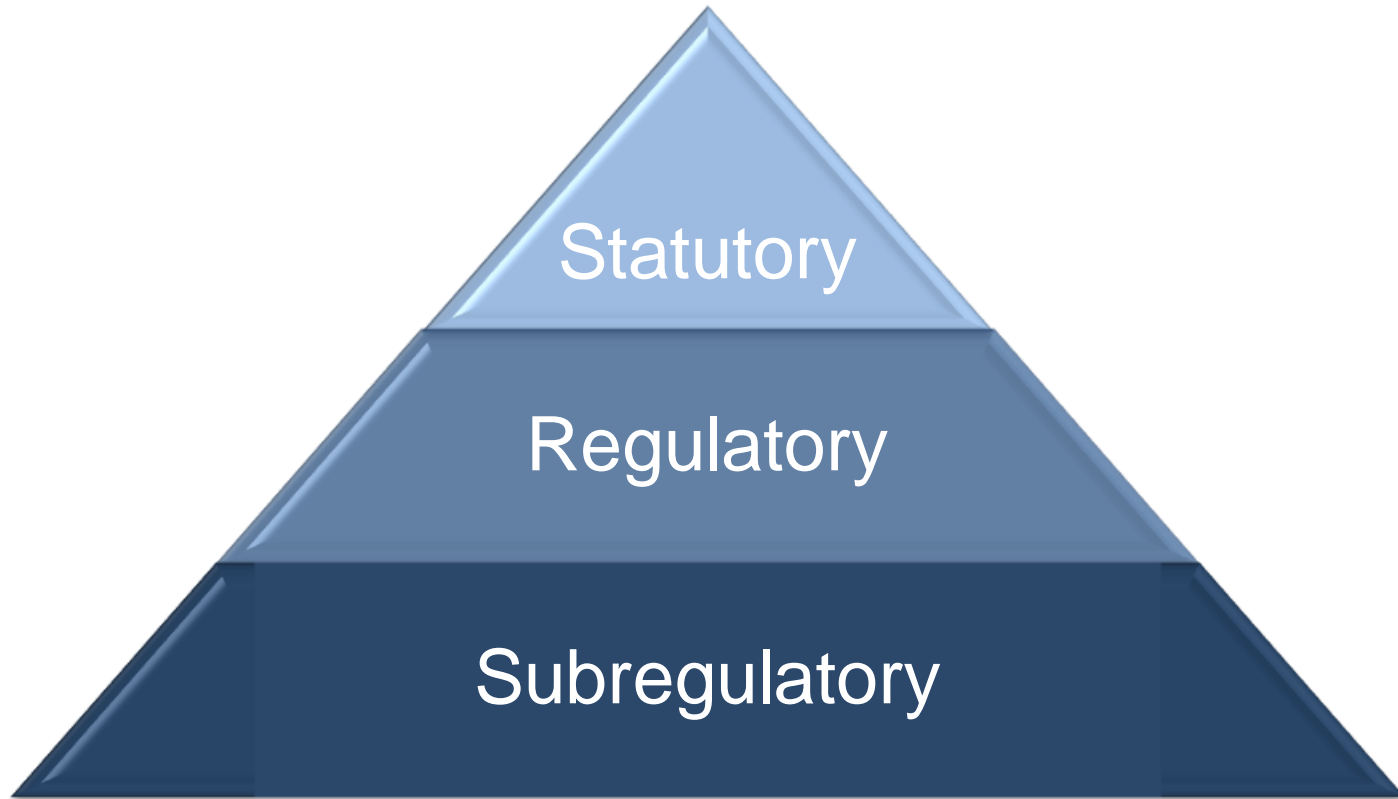
Amanda Sharp – Training Specialist
NASFAA Division of Training and
Regulatory Assistance

How to Find Answers to Regulatory Questions



Where do you go to find an answer about the Title IV programs?

Hierarchy of Resources



Statutory Resources

Laws creating and amending the Title IV programs

- Higher Education Act of 1965, as amended
- NASFAA maintains searchable compilation of Title IV legislation on its website under Members/Professional Practice Tools tabs
- The law supersedes regulations
- Federal law takes precedence over state law

Regulatory Resources

- Regulations
 - Govern actions of program participants
 - Provide procedural guidance in the management of the programs
 - Have the “force of law”
- Preambles to Notices of Proposed Rulemaking (NPRMs) and final rules

Preambles to NPRMs and Final Rules

- Identify regulatory parts, programs affected, and action being taken
- Contain summary statement identifying
 - Purpose of the regulation
 - Broad topics covered
- Lists individual(s) and contact information for further information about the package

Preamble to a NPRM

Contains background information about the proposed changes

- Applicable statutory and/or current regulatory references
- Description of what would change
- Department of Education (ED) reason(s) for making the change

Preamble to a Final Rule

- Identifies date the regulations become effective
 - May have more than one effective date
 - May have implementation date that differs from the effective date
- Summarizes comments received and includes ED's responses to comments
 - If change made, notes and explains change made
 - If no change made, explains reason(s) ED did not make the change

Preamble to a Final Rule

Leaving the IBR Plan (§§ 682.215(d)(3) and 685.221(d)(2)(ii))

Comments: Many commenters requested that the Department modify the IBR regulations to permit borrowers to exit the IBR plan without what the commenters believe is a prohibitive penalty. These commenters requested that borrowers not be required to repay their loans under the standard repayment plan when exiting the IBR plan or, if they are required to enter the standard plan, that borrowers not be required to make a payment under the standard repayment plan before being allowed to move to another repayment plan for which the borrower is eligible. Commenters asserted that requiring borrowers to exit the IBR plan and enter the standard repayment plan, or requiring such borrowers to make one payment under the standard plan before switching to another repayment plan for which the borrower is eligible, constitutes a prohibitive penalty because the borrower's payment amount under the standard repayment plan would be far higher than under the IBR plan or another repayment plan for which the borrower may be eligible.

Discussion: Section 493C(b)(8) of the HEA requires a borrower who leaves the IBR plan to repay the loans formerly repaid under the IBR plan under the standard repayment plan. The borrower also becomes subject to the maximum statutory repayment period under the standard plan with the time spent in the IBR plan counted against that statutory maximum repayment period. The Department has interpreted the statutory requirement that borrowers exiting the IBR plan must repay under the standard repayment plan to be satisfied if the borrower makes one full monthly payment under the standard plan before the borrower switches to another repayment plan. Because the time spent repaying in IBR counts against the statutory maximum repayment periods applicable to the other repayment plans, the outstanding balance of the loan at the time the borrower exits the IBR plan must be amortized over the remaining years available to the borrower under the standard plan to determine the standard plan payment amount. Any unpaid accrued interest the borrower may have is also capitalized when the borrower leaves the IBR plan. As a

need not be longer than one month, we agree that the forbearance period can be limited to the time associated with the one required monthly payment under the standard repayment plan. Finally, because the forbearance is granted while the borrower is repaying under the standard repayment plan, and not when the borrower is transferring to the standard repayment plan, there is no basis under the for not capitalizing any unpaid accrued interest related to the forbearance period.

Changes: None.

Online Compilations of Title IV Regulations

- Government Printing Office (GPO) Electronic Code of Regulations e-CFR at www.ecfr.gov
- NASFAA Compiled Title IV Regulations on NASFAA website under Members/Professional Practice Tools tabs
- NASFAA Student Aid Index (sai.nasfaa.org)

NASFAA Compiled Title IV Regulations

Under the Members/Professional Practices tab on the NASFAA website

PART 600—INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED

Since published as a compilation through December 1994, the following amendments have been incorporated into part 600:

- *Technical corrections of 6/30/95*
- *Technical corrections of 6/12/96*
- *Improved oversight amendments of 11/29/96*
- *Technical corrections of 7/29/98*
- *Reauthorization amendments of 10/29/99*
- *Streamlining revisions of 11/1/00*
- *Burden reduction revisions of 11/1/02*
- *Technical corrections and PL108-98 amendments of 3/16/04*
- *HERA amendments of 8/9/06*
- *HEOA amendments of 10/27/09*
- *HEOA amendments of 10/29/09*
- *Program Integrity revisions of 10/29/10*
- *Program Integrity: Gainful Employment—New Programs revisions of 10/29/10*
- *Foreign Institutions—Federal Student Aid Programs revisions of 11/1/10*

Subpart A—General

600.1	Scope.
600.2	Definitions.
600.3	[Reserved].
600.4	Institution of higher education.
600.5	Proprietary institution of higher education.
600.6	Postsecondary vocational institution.
600.7	Conditions of institutional ineligibility.
600.8	Treatment of a branch campus.
600.9	Removed and reserved State authorization.

Student Aid Index

The screenshot shows the NASFAA Student Aid Index (sai.nasfaa.org) website. The header features the NASFAA logo and the text "STUDENT AID INDEX BETA" on the left, and the URL "sai.nasfaa.org" in a blue box on the right. A search bar and a "Quick Links" dropdown menu are also visible in the top right. Below the header is a navigation bar with six tabs: MEMBERS, STUDENTS, PARENTS & COUNSELORS, STATES & REGIONS, ADVOCACY, POLICY & RESEARCH, RESOURCES, and ABOUT NASFAA. The main content area is titled "STUDENT AID INDEX" and includes a "Find Terms" search bar. A list of categories is shown on the left, including Academic Year, Administrative Capability, Audit and Program Review, Cash Management, Cohort Default Rate, Consumer Information, Cost of Attendance, Direct Loans, Disbursement, and Enrollment Status. The main text area contains a welcome message: "Welcome to the Student Aid Index (beta)" followed by a paragraph explaining that the index is a comprehensive, alphabetical list of student aid subjects and terms with direct links to legislation, regulation, Dear Colleague Letters, and other ED and NASFAA references. It also mentions that the tool is mobile friendly and available only to NASFAA members, and is currently in beta mode. A link to the "Student Aid Index Feedback Form" is provided.

Student Aid Index

Search by Category

STUDENT AID INDEX

Find Terms

▶ **Academic Year**

- ▶ Administrative Capability
- ▶ Audit and Program Review
- ▶ Cash Management
- ▶ Cohort Default Rate
- ▶ Consumer Information
- ▶ Cost of Attendance
- ▶ Direct Loans
- ▶ Disbursement
- ▶ Enrollment Status
- ▶ Expected Family Contribution (EFC)
- ▶ Federal Supplemental Educational Opportunity Grant Program (FSEOG)
- ▶ Federal Work-Study Program (FWS)
- ▶ Financial Responsibility of

Academic Year

The academic year is a standardized measure that affects a number of federal student aid functions, including definitions of eligible programs and payment periods. It is expressed as a minimum number of credit or clock hours accrued over a minimum number of weeks of instructional time. "Academic year" is not to be confused with other measures of time, such as award year (July 1 - June 30), federal fiscal year (October 1 - September 30), or academic calendar (dates set by school).

Related topics in this Index: [Program Eligibility](#); [Payment Period](#)

▶ **Statutory Authority**

▶ **Regulations**

▶ **ED References**

Student Aid Index

STUDENT AID INDEX

Find Terms >

- ▶ **Academic Year**
- ▶ Administrative Capability
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- ▶ Expected Family Contribution (EFC)
- ▶ Federal Supplemental Educational Opportunity Grant Program (FSEOG)
- ▶ Federal Work-Study Program (FWS)
- ▶ Financial Responsibility of Institutions
- ▶ Institutional Eligibility
- ▶ Loan Counseling
- ▶ Misrepresentation
- ▶ Need Analysis
- ▶ Overawards and Overpayments
- ▶ Packaging

Academic Year

The academic year is a standardized measure that affects a number of federal student aid functions, including definitions of eligible programs and payment periods. It is expressed as a minimum number of credit or clock hours accrued over a minimum number of weeks of instructional time. "Academic year" is not to be confused with other measures of time such as award year (July 1 - June 30), federal fiscal year (October 1 - September 30), or academic calendar (dates set by school).

Related topics in this Index: Program Eligibility; Payment Period

- ▶ Statutory Authority
- ▶ **Regulations**
 - 34 CFR 668.3
- ▶ ED References
- ▶ NASFAA Publications and Articles
- ▶ Subtopics

Sec. 668.3 Academic year.

(a) *General.* Except as provided in paragraph (c) of this section, an academic year for a program of study must include—

(1)(i) For a program offered in credit hours, a minimum of 30 weeks of instructional time;

or

(ii) For a program offered in clock hours, a minimum of 26 weeks of instructional time; and

(2) For an undergraduate educational program, an amount of instructional time whereby a full-time student is expected to complete at least —

(i) Twenty-four semester or trimester credit hours or 36 quarter credit hours for a program measured in credit hours; or

(ii) 900 clock hours for a program measured in clock hours.

(b) *Definitions.* For purposes of paragraph (a) of this section—

(1) A week is a consecutive seven-day period;

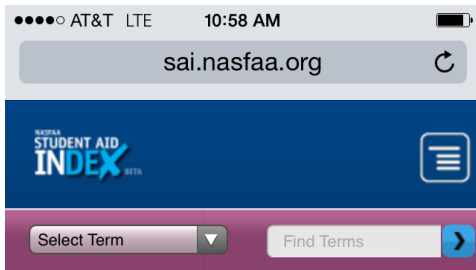
(2) A week of instructional time is any week in which at least one day of regularly scheduled instruction or examinations occurs or, after the last scheduled day of classes for a term or payment period, at least one day of study for final examinations occurs; and

(3) Instructional time does not include any vacation periods, homework, or periods of orientation or counseling.

(c) *Reduction in the length of an academic year.*

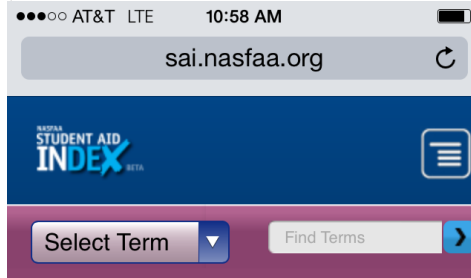
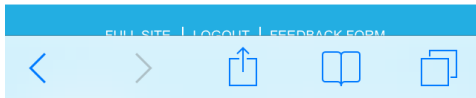
(1) Upon the written request of an institution, the Secretary may approve, for good cause, an academic year of 26 through 29 weeks of instructional time for educational programs offered by the institution if the institution offers a two-year program leading to an associate degree or a four-year program leading to a baccalaureate degree.

Student Aid Index



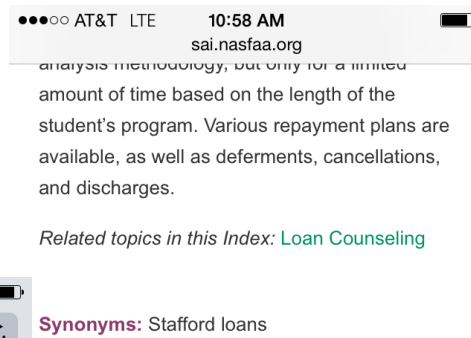
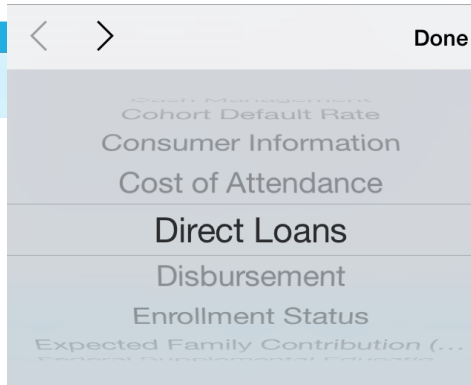
Welcome to the Student Aid Index (beta)

NASFAA's Student Aid Index is a comprehensive, alphabetical list of student aid subjects and terms with direct links to legislation, regulation, Dear Colleague Letters, and other ED and NASFAA references. This simple-to-use online tool is mobile friendly and available only to NASFAA members. This app is now available in beta mode as content continues to be added. We welcome feedback on additional content, subjects, or bugs using the [Student Aid Index Feedback Form](#).



Welcome to the Student Aid Index (beta)

NASFAA's Student Aid Index is a comprehensive, alphabetical list of student aid subjects and terms



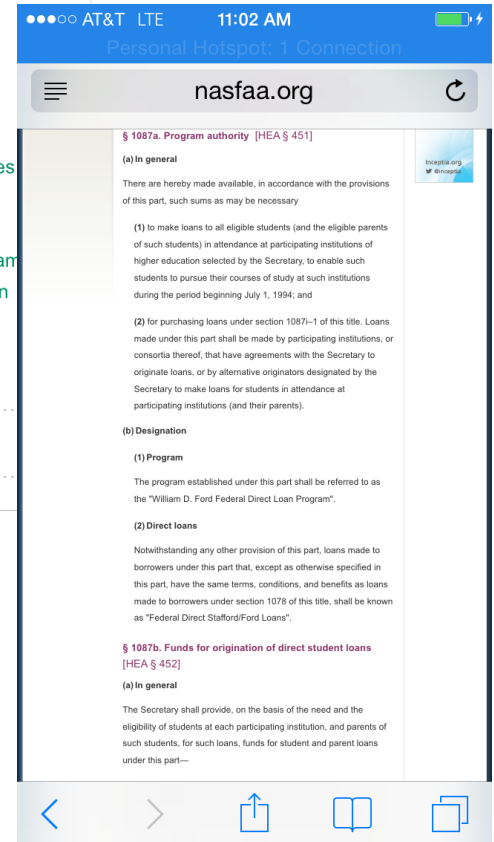
Synonyms: Stafford loans

Statutory Authority

- U.S. Code, Title 20—
Education Chapter 28—
Higher Education Resources
and Student Assistance
Subchapter IV—Student
Assistance > Part C—William
D. Ford Federal Direct Loan
Program §§ 1087a – 1087j
[HEA §§ 451 - 460]

Regulations

ED References



Parts of 34 CFR

- Part 86 Drug Free Schools and Campus
- Part 99 Family Education Rights and Privacy
- Part 600 Institutional Eligibility
- Part 601 Institution and Lender Requirements Relating to Education Loans
- Part 602 Secretary's Procedures and Criteria for Recognition of Accrediting Agencies
- Part 603 Secretary's Recognition Procedures for State Agencies

Parts of 34 CFR

- Part 668 Student Assistance General Provisions
- Part 673 General Provisions for Federal Perkins Loan, Federal Work-Study and Federal Supplemental Educational Opportunity Grant Programs
- Part 674 Federal Perkins Loan Program
- Part 675 Federal Work-Study Program
- Part 676 Federal Supplemental Educational Opportunity Grant Program

Parts of 34 CFR

- Part 682 Federal Family Education Loan Programs
- Part 685 William D. Ford Federal Direct Student Loan Program
- Part 686 Teacher Education Assistance for College and Higher Education (TEACH) Grant Program
- Part 690 Federal Pell Grant Program
- Part 694 Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)

Subregulatory Resources

- Help decipher meaning of regulations
- Available on the ED Information for Financial Aid Professionals (IFAP) website
- Major subregulatory resources are *FSA Handbook*, Dear Colleague Letters, Electronic Announcements, and other ED guides

Subregulatory Resources

Includes ED guidance in areas that the law prohibits ED from regulating, such as:

- Part F of the HEA
 - Need analysis
 - Professional judgment authority

IFAP Home Page

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Information for Financial Aid Professionals (IFAP)

The Information for Financial Aid Professionals (IFAP) Web site consolidates guidance, resources, and information related to the administration and processing of Title IV federal student aid into one online site for use by the entire financial aid community.

The most recent postings to the site are listed in the [What's New](#) section.

Tools for Schools
Click on this box to access online and computer-based training resources.

Worksheets, Schedules, & Tables
Click on this box to access worksheet, schedule, and table resources.

Publications
Click on this box to access program-related and processing-related publications.

Processing Resources
Click on this box to access program and system processing information and materials.

Hot Topics

- Program Integrity Information - Questions and Answers
- Federal Student Aid Data Center
- Disaster Assistance

Gainful Employment
Links to information for gainful employment
[Information Page](#)

150% Direct Subsidized Loan Limit Info
Links to information for 150% Direct Subsidized Loan Limit Info
[Information Page](#)

Letters & Announcements
Policy and operational guidance for participants in the administration of Title IV federal student aid programs
[Dear Colleague Letters](#) | [Electronic Announcements](#) | [Foreign School Updates](#)

Handbook
Comprehensive annual guide to regulatory and administrative requirements for the Title IV federal student aid programs

What's New RSS

Below is an abbreviated list of the most recent postings to the IFAP Web site. Click [here](#) or on the "What's New" link in the top menu bar to view all recent postings.

Application Processing System Specifications for Software Developers

- 2015-01-13 Subject: 2015-2016 Application Processing System Specifications for Software Developers (Final)

Dear Colleague Letters

- 2015-01-09 (GEN-15-01) Subject: Third-Party Servicer Institutional Requirements and Responsibilities

Electronic Announcements

- 2015-01-16 (Loans) Subject: Loan Servicing Information - Reporting Student Loan Interest Payments for 2014
- 2015-01-16 (Application Processing) Subject: Distribution of 2015-2016 Renewal FAFSA® Reminders

Federal Registers

ifap.ed.gov/ifap/toolsforschools/isp/15-01-13-subject-application-processing-system-specifications-for-software-developers-final

www.ifap.ed.gov

ED Publications on IFAP



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www.ifap.ed.gov/ifap/publications.jsp

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Publications



Federal Student Aid develops publications to assist in the administration of the Title IV federal student aid programs.

There are two types of publications - *General Publications* and *Processing Publications*. General program-related publications are under *General Publications*. Processing-related publications are under *Processing Publications*.

To access these resources, click on the applicable link below.

General Publications

- [Accrediting Agencies: List and Criteria for Recognition](#)
- [Audit Guidance](#)
- [Blue Book](#)
- [Campus-Based Awards](#)
- [Cohort Default Rate Guide](#)
- [Cohort Default Rate Guide for Lenders and Guaranty Agencies](#)
- [Counselors and Mentors Handbook](#)
- [Federal School Code List](#)
- [Federal Student Aid Handbook](#)
- [FFEL Special Allowance Rates](#)
- [FFEL Variable Interest Rates](#)
- [FSA New School Guide](#)
- [Gainful Employment Operations Manual](#)
- [Perkins Cohort Default Rates \(Orange Book\)](#)
- [Program Review Guide](#)

Processing Publications

- [Application Processing System Specifications for Software Developers](#)
- [COD Technical Reference](#)
- [COD XML Schema](#)
- [Direct Loan School Guide](#)
- [EDE Technical Reference](#)
- [EFC Formula Guide](#)
- [FISAP Form and Instructions](#)
- [FISAP Technical Reference](#)
- [ISIR Guide](#)
- [SAR Comment Codes and Text](#)
- [School Electronic Process Guide](#)
- [Student Web Application Products Process Guide](#)
- [Summary of Changes for the Application Processing System](#)

Recent Dear Colleague Letter Topics

- GEN-15-01: 2015–16 Federal Pell Grant Payment and Disbursement Schedules
- GEN-14-23: Competency-Based Education Programs – Questions and Answers
- GEN-14-17: NSLDS Program-Level-Enrollment Reporting
- GEN-14-15: Additional Guidance on the Supreme Court’s Ruling on the Defense of Marriage Act
- GEN-14-13: Implementation of Changes to the Clery Act made by the Violence Against Women Reauthorization Act of 2013 (VAWA)

Recent Dear Colleague Letter Topics

- Gen-14-10: FY 2015 Sequester Required Changes to the Title IV Student Aid Programs
- GEN-14-07: Changes to NSLDS Enrollment Reporting Program-Level Reporting and More Frequent Reporting
- GEN-14-06: Recognized Equivalent of a High School Diploma
- GEN-14-05: IRS Tax Return Transcript Processes for 2014-15
- GEN-14-01: 2014–15 Federal Pell Grant Payment and Disbursement Schedules

Recent Electronic Announcement Topics

- 02/03/2015: Direct PLUS Loan Changes – Operational Impacts to Schools and Preliminary COD System Information
- 01/27/2015: Early Implementation of Changes in Regulations on Adverse Credit History Under the Direct PLUS Loan Programs
- 01/12/2015: FSA ID Information – Communicating the Transition to Students
- 01/09/2015: Gainful Employment Electronic Announcement #51 – NSLDS Gainful Employment Submittal File Record Layouts

ED Program Integrity Questions and Answers



U.S. Department of Education

Search...



Student Loans

<http://www2.ed.gov/policy/highered/reg/hearulemaking/2009/integrity.html>

LAWS & GUIDANCE / HIGHER EDUCATION

Program Integrity Information - Questions and Answers

In order to ensure questions coming into the Department of Education about the Program Integrity Regulations are consolidated and easily accessible to interested parties, we have created this Web site containing questions and answers. We will update this list on a regular basis, therefore be sure to check back for any new information. You will also find links to various resources with additional guidance pertaining to the Program Integrity Issues.

- [High School Diploma](#)
- [State Authorization](#)
- [Retaking Coursework](#)
- [Credit Hour](#)
- [Ability-to-Benefit](#)
- [Incentive Compensation](#)
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- [Gainful Employment](#)
- [Verification](#)
 - [Verification - Archived Guidance](#)

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Information Page on Subsidized Loan Limit



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150 Percent Direct Subsidized Loan Limit Information



On May 16, 2013, we published [interim final regulations](#) in the Federal Register implementing the Moving Ahead for Progress in the 21st Century Act (MAP-21) (Public Law 112-141) that added a new provision to the Direct Loan statutory requirements that limits a first-time borrower's eligibility for Direct Subsidized Loans to a period not to exceed 150 percent of the educational program ("the 150% limit"). Under certain conditions, the provision also causes first-time borrowers who have exceeded the 150 percent limit to lose the interest subsidy on their Direct Subsidized Loans.

Please visit this page for information and updates as they become available.

Federal Register Notices including Regulations

The following links are to the published Federal Register Notices and regulations pertaining to the 150% limit.

[Top](#)

Dear Colleague Letters and Electronic Announcements

The following links are to the published Dear Colleague Letters and Electronic Announcements pertaining to the 150% limit.

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Frequently Asked Questions

These Frequently Asked Questions provide information and operational guidance on implementing the 150% limit. Schools must review the interim regulations as published in the Federal Register on May 16, 2103 and associated guidance to ensure that they are in compliance with all of the 150% limit requirements.

The listing of Frequently Asked Questions will be updated periodically and include the date of the update. New and/or updated questions and answers will be marked NEW and appear in red font. If you have questions that have not been addressed, please submit them to the 150% Questions mailbox at 150Percent-Questions@ed.gov. Please include the name of your school in the subject line.

- [First-Time Borrowers](#)
- [Maximum Eligibility Period](#)
- [Subsidized Usage Period](#)
- [Remaining Eligibility Period](#)
- [Loss Of Eligibility](#)
- [Interest Subsidy](#)
- [Entrance And Exit Counseling](#)
- [Preparatory Coursework](#)
- [Teacher Certification](#)
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Training

Please see the following upcoming training opportunities and links to previously held webinars and other training.

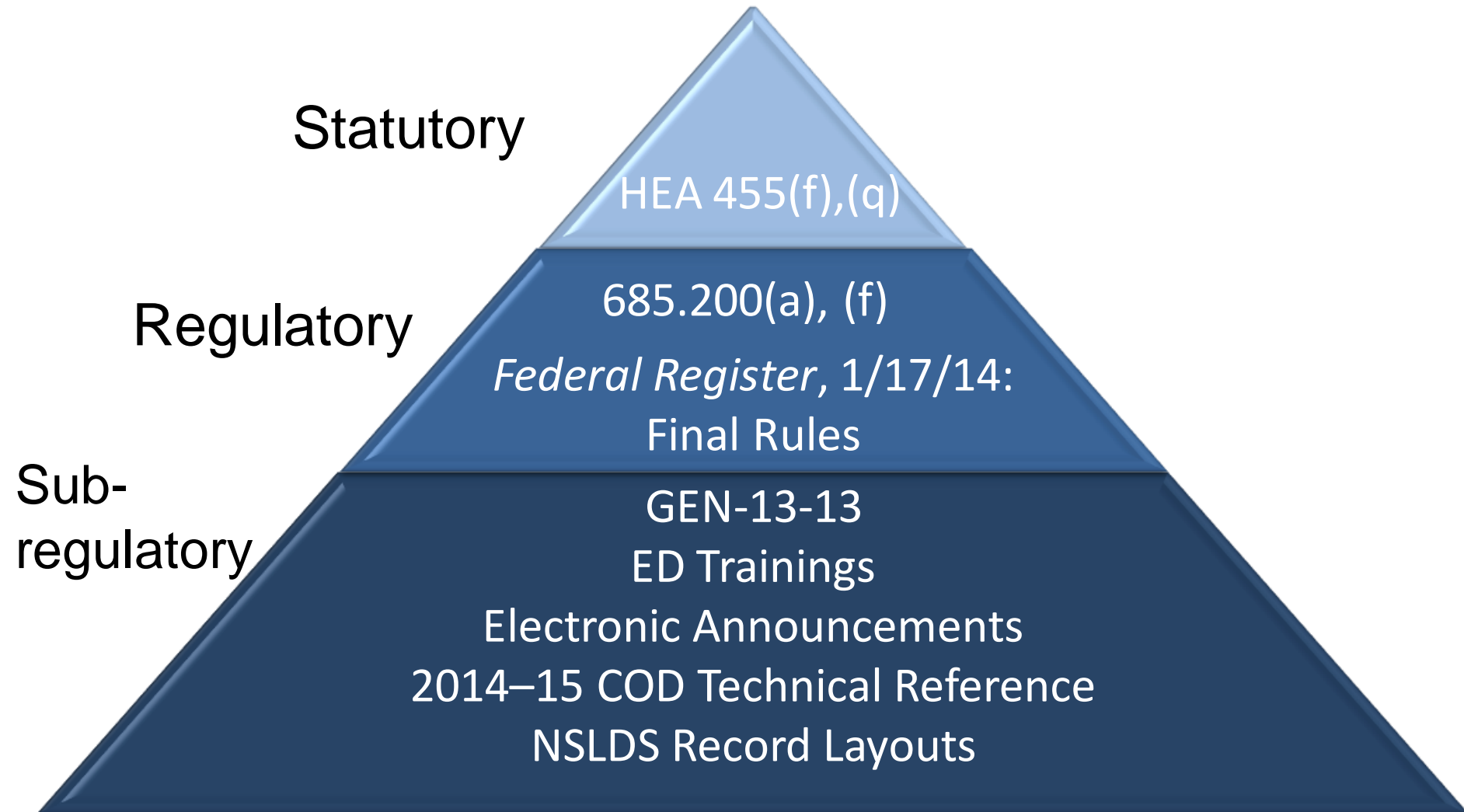
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Resources


These resources provide valuable information on the 150% limit.

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Hierarchy of Resources – 150% Subsidized Loan Limit



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My IFAP - New User Registration

To register for the My IFAP area, please fill out the following required information and click on the "Continue" button. Upon receipt of your information, you will receive a username and password via e-mail within 3 business days. You will also automatically be registered to receive the weekly subscription email notifications.

New User Registration * Required

First Name:
This is your First Name (e.g. John).

Last Name:
This is your Last Name (e.g. Doe).

Email:
e.g. John.Doe@myemail.net

Confirm Email:

Institution / Organization:
e.g. Universities, Academies, Colleges, Seminaries, Institutes of Technology, Organizations or Department of Education

Institution Type:
e.g. Two-Year (private), Four-Year (public), or Career Colleges

City:
Enter the City of the Institution/Organization.

State:
Click the drop down button to select from the list of States.

Group:
Click the drop down button to select from the list of Groups.

If "Other", please specify:

Discussion Groups: I would like to participate in discussion groups with users of similar interests.

Terms of Service: [Read the Terms of Service.](#) I agree to the Terms of Service

https://www.ifap.ed.gov/ifap/newuserreg_01.jsp

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The IFAP Subscription system is designed to notify you when a new publication has been added to the wealth of information available on the IFAP Web site. For your initial visit to this page, please review all subscription options prior to choosing your selection. Based on your subscription selection, summaries of all new additions will be sent to the e-mail address you used during your initial registration process. Please verify that we have your correct e-mail address.

The IFAP system currently has your e-mail address as **tapptt@gmail.com**. Please go to Account Details now if this is not your current e-mail address. After your e-mail address has been updated, you may continue with the subscription process.

ALL registered IFAP customers will automatically receive an electronic mail message that summarizes the new additions to IFAP for the week. IFAP Web site updates average 8-10 documents per week. You must visit the IFAP Web site (<http://ifap.ed.gov>) to read, print and/or download the actual document.

Subscription Options: Email Preferences

You may select to receive a weekly email summary of all publications added to the IFAP Web site AND/OR you may receive an email that is content specific.

Note: You have a maximum of 30 minutes to complete and submit this form before your session will time out.

Weekly Email Summary Content Specific Email (listed below)

Subscription Options: Content Specific Email Settings

If you prefer to receive content specific emails that are generated every 48-hours, select from the options below. You may choose to select all of the content listed by clicking on "Check All." Once you have made your selections, click on the "Submit" button.

Frequently Generated IFAP Additions

Dear Colleague Letters Electronic Announcements

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Document Type CHECK ALL UNCHECK ALL

<input type="checkbox"/> Application Processing System Specifications for Software Developers	<input type="checkbox"/> FFEL Special Allowance Rates
<input type="checkbox"/> Blue Book	<input type="checkbox"/> FFEL Variable Interest Rates
<input type="checkbox"/> Campus-Based Awards	<input type="checkbox"/> FISAP Forms and Instructions
<input type="checkbox"/> Closed School Guide	<input type="checkbox"/> FISAP Technical Reference
<input type="checkbox"/> COD Computer-Based Training	<input type="checkbox"/> Foreign School Updates
<input type="checkbox"/> COD Technical Reference	<input type="checkbox"/> Foreign Schools FSA Handbook
<input type="checkbox"/> COD XML Schema	<input type="checkbox"/> FSA New School Guide
<input type="checkbox"/> Cohort Default Rate Guide for Lenders and Guaranty Agencies	<input type="checkbox"/> Gainful Employment Information
<input type="checkbox"/> Conferences and Presentations	<input type="checkbox"/> Gainful Employment Operations Manual
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<input type="checkbox"/> Default Rate Materials	<input type="checkbox"/> Podcast
<input type="checkbox"/> ED Express Technical Reference	<input type="checkbox"/> Program Review Guide
<input type="checkbox"/> EFC Formula Guide	<input type="checkbox"/> SAR Comment Codes and Text
<input type="checkbox"/> Ensuring Continued Access to Student Loans (ECASLA)	<input type="checkbox"/> School Electronic Process Guide
<input type="checkbox"/> FAFSA Materials	<input type="checkbox"/> Student Aid Eligibility Worksheets
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<input type="checkbox"/> All Title IV Federal Student Aid Programs	<input type="checkbox"/> Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)
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<input type="checkbox"/> EDESuite (EDEXpress, DL Tools, SSCR)	<input type="checkbox"/> Professional Judgment
<input type="checkbox"/> Expected Family Contribution	<input type="checkbox"/> Quality Assurance Program
<input type="checkbox"/> Experimental Sites	<input type="checkbox"/> Required Reporting
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<input type="checkbox"/> Federal Pell Grant (Pell Grant) Program	<input type="checkbox"/> School Eligibility and Application
<input type="checkbox"/> Federal Perkins Loan (Perkins Loan) Program	<input type="checkbox"/> Special Leveraging Educational Assistance Partnership (SLEAP) Program
<input type="checkbox"/> Federal Supplemental Educational Opportunity Grant (FSEOG) Processing	<input type="checkbox"/> Student/Parent Eligibility
<input type="checkbox"/> Federal Supplemental Educational Opportunity Grant (FSEOG) Program	<input type="checkbox"/> Student Aid Internet Gateway (SAIG)
<input type="checkbox"/> Federal Work-Study Processing	<input type="checkbox"/> Student Aid Report (SAR)
<input type="checkbox"/> Federal Work-Study (FWS) Program	<input type="checkbox"/> Teacher Education Assistance for College and Higher Education (TEACH) Grant Program
<input type="checkbox"/> FFEL - Lender and Guaranty Agency	<input type="checkbox"/> Training
<input type="checkbox"/> FFEL - School	<input type="checkbox"/> Verification
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<input type="checkbox"/> Foreign Schools	
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<input type="checkbox"/> FSA Assessment	

AskRegs Knowledgebase

The screenshot shows the NASFAA AskRegs Knowledgebase website. At the top, there is a navigation bar with links for HOME, ONLINE SUPPORT, REQUEST SUPPORT, and MY SUPPORT. The NASFAA logo is on the left, and the text 'Welcome Amanda' is on the right. Below the navigation bar is a search bar with the text 'Search the AskRegs Knowledgebase' and a magnifying glass icon. To the right of the search bar is the AskRegs logo, which features a hand pointing to a target icon and the text 'NASFAA ASKREGS'. Below the search bar is a link for 'Advanced Search of AskRegs Knowledgebase'. The main content area is divided into three columns. The left column has a 'Most Popular Topics' section with a 'Viewed' column and a 'My Recent Topics' section. The middle column has a 'Most Recent Topics' section. The right column has a 'Knowledgebase' section with a 'Category' link. The 'Most Popular Topics' section lists six topics with their respective view counts. The 'Most Recent Topics' section lists six topics with their respective dates. The 'My Recent Topics' section lists three topics. The 'Knowledgebase' section is currently empty.

NASFAA
NATIONAL ASSOCIATION OF STUDENT FINANCIAL AID ADMINISTRATORS

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NASFAA ASKREGS

Welcome to our AskRegs Knowledgebase. Browse or search for regulatory and compliance answers provided by our Training and Regulatory Assistance staff. You may also submit a question as a 4-step Ticket using Request Support.

Most Popular Topics	Viewed
Do We Need W-2s for Verification Groups V1 and V5 If the Total Earned Income Differs Between the Tax Transcript and the FAFSA?	11395
Can an Undergraduate Student's Sibling Attending Graduate School be Included in the Number in College for Verification?	3943
What Must a School Do When a Student Does Not Answer or Answers "None of the Above" to the High School Completion Question on the FAFSA?	3679
How Do We Complete Verification for an Undocumented Individual Who Did Not But Is Required to File a Tax Return?	3625
Are We Required to Verify a Student Initiated Attendance in Classes Before Disbursing Aid?	3325

Most Recent Topics	Date
What Must We Do if a Student Starts the Withdrawal Process, Decides Not to Withdraw, and Then Later Withdraws?	1/21/2015
Are We Required to Adjust the Cost of Attendance and Repackage Students for Mid-Year Tuition Increases?	1/16/2015
Is a Letter from a High School an Acceptable Alternative to the Actual Diploma or High School Transcript?	1/12/2015
How Does a Student Report on the FAFSA Money He Received as an Inheritance?	1/12/2015
Can a Common-Law Marriage Make a Student Independent If It Is Not Recognized in Her State of Residence?	1/7/2015

My Recent Topics
Is a Student Who Made \$1,200 f...
How Does a School Implement Du...
Is a Student Eligible for Titl...

Knowledgebase

► [Category](#)

Hints to Remember in Researching

- Check the current *FSA Handbook*. Search through the Table of Contents for a key term
- On IFAP, search by topic for information from all sources, including prior ED presentations
- Look at regulations referenced by the Handbook. These are the “legal” documents that support the Handbook
- Review preambles to proposed and final regulations
- Search AskRegs
- Search NASFAA Student Aid Index



Q & A

Sample Question #1

Can a school award Federal Supplemental Education Opportunity Grant (FSEOG) funds for both the fall and spring semesters to a Federal Pell Grant eligible student who reaches his lifetime eligibility used (LEU) after receiving a Federal Pell Grant payment during the fall semester?

ANSWER: Yes, the fact that the student is receiving a Federal Pell Grant during the fall semester places him in the first selection group when awarding FSEOG, and he may be awarded FSEOG for both the fall and spring semesters.

Justification – From *FSA Handbook*

FSEOG cites

Selection Procedures 34 CFR 676.10

Frequency of disbursements 34 CFR 676.16(a) and (e)

Minimum and maximum awards 34 CFR 676.20

Selecting FSEOG recipients

When awarding FSEOG funds for an award year, you must first select students with the lowest expected family contributions (EFC) who will also receive Pell Grants in that award year. This group is known as the FSEOG first selection group. A student who will receive a Pell Grant in the award year is a student who has demonstrated Pell Grant eligibility for the same award year based upon an EFC that you have calculated for the student or the EFC on the student's valid SAR or ISIR.

A student who receives a Pell Grant at any time in the award year may be awarded an FSEOG for that award year; the student does not have to receive a Pell Grant in the same payment period as the FSEOG. For example, in the case of a student who receives a Pell Grant for the fall semester only due to reaching his lifetime eligibility used (LEU), the student may be awarded an FSEOG for both the fall semester and subsequent winter semester.

If you have remaining FSEOG funds after making awards to all Pell Grant recipients for that award year, you must next select students with the lowest EFCs who are not receiving Pell Grants. This group of students is known as the FSEOG second selection group. This group also includes students who have exceeded their LEU. LEU is covered fully in Chapter 3 of this volume.

You must keep documentation of the eligible EFC that was calculated for the student, and you must confirm Pell Grant eligibility prior to disbursement of the FSEOG. If the FSEOG recipient does not actually receive a Pell Grant during the award year, but the documentation shows that the FSEOG award and disbursement was made in good faith, you are not required to recover the FSEOG funds. If the student loses Pell Grant eligibility prior to disbursement of the FSEOG, you must cancel the FSEOG award.

2014–15 *FSA Handbook*
p. 3-130

Justification – From Compiled Regulations

Part 676—Federal Supplemental Educational Opportunity Grant Program - Adobe Acrobat Pro

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- PART 676—FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY
- Sec. 676.1 Purpose and identification of common provisions.
- Sec. 676.2 Definitions.
- Sec. 676.8 Program participation agreement.
- Sec. 676.9 Student eligibility.
- Sec. 676.10 Selection of students for FSEOG awards.**

PART 676—FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAM

Sec. 676.10 Selection of students for FSEOG awards.

(a)(1) In selecting among eligible students for FSEOG awards in each award year, an institution shall select those students with the lowest expected family contributions who will also receive Federal Pell Grants in that year.

(2) If the institution has FSEOG funds remaining after giving FSEOG awards to all the Federal Pell Grant recipients at the institution, the institution shall award the remaining FSEOG funds to those eligible students with the lowest expected family contributions who will not receive Federal Pell Grants.

(b) *Part-time and independent students.* If an institution's allocation of FSEOG funds is directly or indirectly based in part on the financial need demonstrated by students attending the institution as less-than-full-time or independent students, a reasonable portion of the allocation must be offered to those students.

Justification – From Compiled Legislation

NASFAA Compiled Law: FSEOG - Adobe Acrobat Pro

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- § 1070b. Purpose; appropriations authorized [HEA § 413A]
- § 1070b-1. Amount and duration of grants [HEA § 413B]
- § 1070b-2. Agreements with institutions; selection of recipients [HEA § 413C]
- § 1070b-3. Allocation of funds [HEA § 413D]
- § 1070b-4. Carryover and carryback authority [HEA § 413E]

(2) makes application at a time and in a manner consistent with the requirements of the Secretary and that institution.

(c) Selection of individuals and determination of amount of awards

(1) From among individuals who are eligible for supplemental grants for each fiscal year, the institution shall, in accordance with the agreement under section 1094 of this title, and within the amount allocated to the institution for that purpose for that year under section 1070b-3 of this title, select individuals who are to be awarded such grants and determine, in accordance with section 1070b-1 of this title, the amounts to be paid to them.

(2)(A) In carrying out paragraph (1) of this subsection, each institution of higher education shall, in the agreement made under section 1094 of this title, assure that the selection procedures—

- (i) will be designed to award supplemental grants under this subpart, first, to students with exceptional need, and
- (ii) will give a priority for supplemental grants under this subpart to students who receive Pell Grants and meet the requirements of section 1091 of this title.

(B) For the purpose of subparagraph (A), the term “students with exceptional need” means students with the lowest expected family contributions at the institution.

Sample Question #2

A dependent student was selected for verification for 2014–15. His parents received an extension from the IRS to file their 2013 federal income tax return. Must the school reverify the student's application after his parents file their 2013 return?

ANSWER: The school may, but is not required to, request that the parents submit tax return information using the IRS Data Retrieval Tool or by submitting an IRS Tax Transcript after they file their 2013 return. If, after the return is filed, the school receives either an ISIR showing tax information obtained using the IRS Data Retrieval Tool or the parents' IRS Tax Transcript, the school must reverify the student's application.

Justification – From *FSA Handbook*

Special tax situations

- **Filing extensions.** For students and parents granted a tax filing extension, you must accept a copy of IRS Form 4868, *Application for Automatic Extension of Time to File U.S. Individual Income Tax Return*. They must also provide a copy of all their W-2 forms or, if they are self-employed, a signed statement with the amount of their AGI and their U.S. income taxes paid. You may require those with a filing extension to use the DRT or submit to your school a tax transcript after the return has been filed. **If you do that, you must reverify the income information.**

2014 – 15 *FSA Handbook*,
p. AVG-83

Justification – Program Integrity Q & A



U.S. Department of Education

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Program Integrity Information - Questions and Answers

In order to ensure questions coming into the Department of Education about the Program Integrity Regulations are consolidated and easily accessible to interested parties, we have created this Web site containing questions and answers. We will update this list on a regular basis, therefore be sure to check back for any new information. You will also find links to various resources with additional guidance pertaining to the Program Integrity Issues.

- High School Diploma
- State Authorization
- Retaking Coursework
- Credit Hour
- Ability-to-Benefit
- Incentive Compensation
- Misrepresentation
- Return of Title IV Funds
- Satisfactory Academic Progress
- Gainful Employment
- Verification
 - Verification - Archived Guidance

How Do I Find...

- Student loans, forgiveness
- College accreditation
- No Child Left Behind
- FERPA
- FAFSA
- 1098-E Tax Form
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Program Integrity Home | Negotiated Rulemaking 2009-10 | OPE Policy Page

Justification – Program Integrity Q & A

DOC-Q16. May an institution require an individual who has been granted a tax filing extension by the IRS to use the IRS Data Retrieval Tool (IRS DRT) or obtain an IRS Tax Return Transcript before proceeding with verification? Must the tax return information be submitted to the institution after the income tax return has been filed?

DOC-A16. An institution may not delay completing verification for an applicant when a tax filing extension has been granted by the IRS. The income and tax verification regulatory requirements are met if a tax filer who has been granted a filing extension by the IRS provides the institution with a copy of IRS Form 4868 and a copy of IRS Form W-2 for each source of employment income received for the tax year; and if self-employed, a signed statement certifying the amount of the AGI and the U.S. income tax paid for the tax year. This provision provides extension filers with a timely alternative to complete the verification process to avoid delaying the applicant's receipt of aid because of the IRS granted extension. For an individual who was called up for active duty or for qualifying National Guard duty during a war or other military operation or national emergency, in lieu of IRS Form 4868, an institution must accept a signed statement from the individual certifying that he or she has not filed an income tax return or a request for a filing extension because of that service (see final regulations published on September 27, 2012, at <http://ifap.ed.gov/registers/attachments/FR092712.pdf>).


An institution may require an individual granted an IRS tax filing extension to submit, after the tax return is filed, tax return information using the IRS DRT, or by submitting an IRS Tax Return Transcript within the deadline it established that is consistent with the deadline to submit verification documents published in the annual *Federal Register* notice. If the required documentation is not submitted by the institution's established deadline, any subsidized Title IV aid previously received for that award year must be returned by the student and no additional subsidized student financial assistance may be disbursed for that award year. However, an institution may not apply this provision to individuals granted a filing extension beyond the institution's established deadline because the individual was called up for active duty or for qualifying National Guard duty during a war or other military operation or national emergency.
[Section 668.57 and 668.60] [Guidance issued 04/25/2013; **revised 05/02/2014**]

Sample Question #3

Suppose a student completes a bachelor's degree and enrolls in a second bachelor's degree program. If coursework completed for the first program also counts toward the second program, how does the school apply the 150% maximum time frame for determining satisfactory academic progress?

ANSWER: The 150% maximum time frame applies to the student's current program of study, and the school has the flexibility in determining how previously taken coursework applies to the student's current program of study.

Justification – AskRegs Knowledgebase



150 percent

Advanced Search of AskRegs Knowledgebase

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Knowledge Base

Searched For: 150 percent

[Can a School's Satisfactory Academic Progress Policy for the Maximum Timeframe Be More Stringent Than the Regulations?](#) Scenario: Our school's SAP policy for the maximum timeframe to complete a program study is 125 percent; instead of the regulatory 150 percent. Answer: Yes, a school's maximum timeframe policy may be stricter
Category: [SAP](#)

[How Do We Set a SAP Policy for Second Bachelor's Degrees?](#) The regulations do not specifically state what institutions must do with regards to second bachelor's degree students. However, it is addressed in the Federal Register, 10/29/2010, pp. 66886 to 66887. It states: "The Department
Category: [SAP](#)

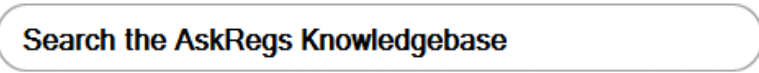
[What If We Know a Student Cannot Graduate Within 150% of the Maximum Timeframe?](#) I think I know what you're looking for; however, the new SAP regulations and ED guidance don't seem to state it quite that way—at least not formally. ED has long stated informally that a
Category: [SAP](#)

[Is an Academic Plan Available to Students Who Reach the 150% Maximum Timeframe and Start a New Program?](#) A student can appeal the 150% maximum time frame; this is true under both the current and new requirements. Under the new requirements, if the school is working on developing an academic plan, the
Category: [SAP](#)


[How Do We Determine the Maximum Timeframe for a Clock Hour Program in This Scenario?](#) Scenario: We are a nonterm 9-month, 36-week diploma school. We have 24 weeks of classes (each class is 3 weeks) and a 12-week internship. We are trying to determine the 150% timeframe to complete for
Category: [SAP](#)

[How is Maximum Time Frame Measured for SAP in a 24-Month Program?](#) Scenario: We are a 24-month program. One hundred and fifty percent of our program length is 36 months. Students must complete 125 credits to graduate. Maximum time frame by attempted credits, is 187. If
Category: [SAP](#)

Justification – AskRegs Knowledgebase



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How Do We Set a SAP Policy for Second Bachelor's Degrees?

[Knowledgebase](#) > [Category](#) > [SAP](#)

The regulations do not specifically state what institutions must do with regards to second bachelor's degree students. However, it is addressed in the *Federal Register*, 10/29/2010, pp. 66886 to 66887. It states: "The Department believes in allowing institutions the flexibility to define the **150 percent** maximum timeframe in the most appropriate way for the program in question. In particular, individual institutions are in the best position to determine whether their combined programs, such as those noted by the commenters, should be evaluated as the sum of its parts (i.e., part clock hour and part credit for example) or as one type of program based on the structure of the majority of the program. The **150 percent** maximum timeframe only applies to the student's eligibility to receive title IV, HEA aid. The Department has never regulated whether or not a student is able to continue on to degree completion under an institution's academic criteria. The Department also wishes to clarify that the **150 percent** maximum timeframe applies only to the student's current program of study. Under these regulations, institutions retain flexibility to define their programs of study in their SAP policy, as well as how they will determine how previously taken coursework applies to the student's current program of study."

Knowledgebase

- Category
 - Administrative Capability
 - Agreements Between Schools
 - Application Processing
 - Campus-Based (Common)
 - Cash Management
 - Consumer Information
 - Cost of Attendance

Justification – Final Rules

66886 Federal Register / Vol. 75, No. 209 / Friday, October 29, 2010 / Rules and Regulations

*Preamble to the Final Regulations, published in *Federal Register*, 10/29/10, pages 66886-66887

Maximum Timeframe

Comment: Several commenters stated that the Department should clarify the 150 percent maximum timeframe requirement. One of the commenters noted that § 668.34(b) did not define maximum timeframe, as applied to programs that are a combination of credit and clock hours or a combination of undergraduate and graduate work. One of the commenters argued that the final regulations should reinforce the 150 percent maximum timeframe requirement for all programs. Another commenter stated that we should clarify that the 150 percent maximum timeframe only applies to determining title IV, HEA eligibility. This commenter suggested that this maximum timeframe should not be used for other purposes. For example, the commenter stated that it was not appropriate for the Government to determine whether or not a student should be allowed to complete a degree simply because title IV, HEA eligibility had run out. Another commenter asked whether the 150 percent maximum timeframe applied to the student's entire academic career or only to the student's current academic program. The commenter gave the example of a student who had one degree, and asked if an institution would include those earned credits when evaluating whether the student was progressing in his or her program within the maximum timeframe.

Discussion: The Department believes in allowing institutions the flexibility to define the 150 percent maximum timeframe in the most appropriate way for the program in question. In particular, individual institutions are in the best position to determine whether their combined programs, such as those noted by the commenters, should be evaluated as the sum of its parts (*i.e.*, part clock hour and part credit for example) or as one type of program based on the structure of the majority of the program.

The 150 percent maximum timeframe only applies to the student's eligibility to receive title IV, HEA aid. The Department has never regulated whether or not a student is able to continue on

to degree completion under an institution's academic criteria. The Department also wishes to clarify that the 150 percent maximum timeframe applies only to the student's current program of study. Under these regulations, institutions retain flexibility to define their programs of study in their SAP policy, as well as how they will determine how previously taken coursework applies to the student's current program of study.

Changes: None.

Sample Question #4

May a school's satisfactory academic progress policy include automatic "academic amnesty" in certain circumstances? For example, after the student has not attended a certain number of payment periods or years?

ANSWER: No. The regulations permit use of the automatic financial aid warning status for institutions that review SAP at the end of each payment period. No other status may be granted automatically. A successful appeal is needed to grant financial aid probation status or to develop an academic plan.

Justification – *FSA Handbook*

Volume 1—Student Eligibility 2014–15

Grades and SAP: Academic amnesty/renewal

Some schools have academic amnesty/renewal procedures through which a student can apply to have credits attempted and grades earned in previous semesters excluded from the calculation of the student's grade point average. The FSA program regulations make no provision for the concept of academic amnesty or academic renewal. Therefore, a school must always include courses applicable to a student's major (whenever taken) in evaluating a student's satisfactory academic progress (both quantitative and qualitative components). This may, however, be an item that is subject to appeal if the school's policy permits such appeals.

Completed program, no degree

A student who completes the academic requirements for a program but does not yet have the degree or certificate is not eligible for further additional FSA funds for that program.

dividing the total number of hours the student has successfully completed by the total number he has attempted. You may include, but aren't required to include, remedial courses when making the quantitative assessment.

Checking a student's pace of completion allows for variations of enrollment status since you look at the percentage of classes successfully completed rather than the number. Also, you can use a graduated completion percentage for each year of a program. For instance, your policy can permit students to complete a lower percentage of their classes in the first academic year but require them to complete an increasing percentage in subsequent years so that they finish their program in time. A student is ineligible when it becomes mathematically impossible for him to complete his program within 150% of the length of the program. In this situation, an appeal would be possible if your school accepts appeals.

Your policy must explain how GPA and pace of completion are affected by course incompletes, withdrawals, and repetitions, and by transfer credits from other schools. At a minimum, transfer credits that count toward the student's current program must count as both attempted and completed hours. You may have reasonable rules for students who initially enroll in specific courses but modify that enrollment within a limited time. However, your policy cannot exclude from the progress review courses in which a student remained past the add/drop period and earned a grade of "W" (or its equivalent), nor can it routinely exclude certain hours attempted, such as those taken during a summer session.

Generally, all periods of the student's enrollment count when assessing

2014–15
FSA Handbook,
p.1-10

Justification – Program Integrity Q & A

APP-Q3: Can a student appeal the 150% maximum timeframe?

APP-A3: Yes. The regulations do not prohibit a student from appealing the maximum timeframe. [Guidance issued 8/26/2011]

APP-Q4: May an institution's SAP policy include automatic "academic amnesty" in certain circumstances, such as, after a student has not attended for a certain number of payment periods or years?

APP-A4: No. The regulations permit use of the automatic financial aid warning status for institutions that review SAP at each payment period. No other status may be granted automatically. A successful appeal is needed to grant financial aid probation status or to develop an academic plan. [Guidance issued 8/26/2011]

[↑ Top](#)

Financial Aid Warning (WARN)

WARN-Q1: How long is the financial aid warning period?

WARN-A1: Financial aid warning lasts for one payment period only and does not require action (such as an appeal) by the student. This option may only be used by an institution that reviews both SAP measures at every payment period. [Guidance issued 8/26/2011]



Please send any questions to:
sharpa@nasfaa.org