**SASFAA 2019 Symposium: Legal Issues in Higher Education**

**Possible Session Topics**

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| **U.S. Department of Education's New Rules** |
| * An overview of the status and substance of the U.S. Department of Education’s extensive rulemaking efforts to include the likely timing of new, final rules
* A closer look at the rulemaking that occurred in early 2019 concerning the role of accreditation, authorization of online programming, and competency-based education, with a focus on issues of concern for NACUA institutions
* A discussion of the Department’s new rule governing student loan discharge claims and financial responsibility, highlighting key concerns for general counsel
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| **Human Resources in Higher Education** |
| * Title VII of Civil Rights Act of 1964
* Sexual Harassment
* Evaluations of employees
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| **Title VI of Civil Rights Act of 1964** |
| * How does Title VI relate to higher education?
	+ Financial Aid and Scholarship Policies
* Discrimination and Affirmative Action
* Human Resources
* American Disabilities Act
	+ confidentiality and privacy of disabilities
	+ and application of Fair Housing Act to student housing to accommodate service and assistance animals
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| **Financial Aid Data Sharing & Data Security**  |
| * Data Sharing: Higher Education Act (HEA), Family Education Rights and Privacy Act (FERPA), and Privacy Act
* How to Handle Internal verses External requests for Student Data?
* Data Security: Gramm-Leach-Bliley Act (GLBA), Red Flag Rules, Reporting Breaches, – When do they apply?
* Best Practices to Ensure Compliance
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| **Legalities of Distance Education** |
| * Accreditation
* State Authorizations
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| **Title IX of the Education Amendment of 1972** |
| * What is Title IX as it relates to . . . .
	+ Admissions
	+ Federal Financial Assistance/Employment
	+ Athletics
	+ Housing
	+ Health Insurance or Student Services
	+ Record Retention
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| **Legal Risks and Ramifications of Title IV Aid Participation?** |
| * What is the Program Participation Agreement (PPA)?
* Who and what are risk?
* What are the legal ramifications of a PPA?
* Best Practices to Ensure Compliance
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| **Administrative Capability** |
| * What is administrative capability?
* What is adequate staffing?
* What is considered a lack of administrative capability?
* What is the administrative cost allowance?
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| **How to Ensure Everyone Understands they have Skin in the Game?*** Who is responsible for Title IV compliance?
* How to get buy-in that everyone at the institution has a responsibility to ensure compliance?
	+ Title IV eligibility: academic programs – i.e. locations, degrees, certificates, online/distance, etc.
	+ Student Consumer Disclosures
* Best practices to collaborate with campus colleagues to ensure compliance
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