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

**Possible Session Topics**

|  |
| --- |
| **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 |
| **Human Resources in Higher Education** |
| * Title VII of Civil Rights Act of 1964 * Sexual Harassment * Evaluations of employees |
| **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 |
| **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 |
| **Legalities of Distance Education** |
| * Accreditation * State Authorizations |
| **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 |
| **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 |
| **Administrative Capability** |
| * What is administrative capability? * What is adequate staffing? * What is considered a lack of administrative capability? * What is the administrative cost allowance? |
| **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 |