Federal Update

TASFAA

HEATHER BOUTELL, VANDERBILT UNIVERSITY SCHOOL OF MEDICINE

Most Recent Federal Update On-Line

• September 15, 2023;

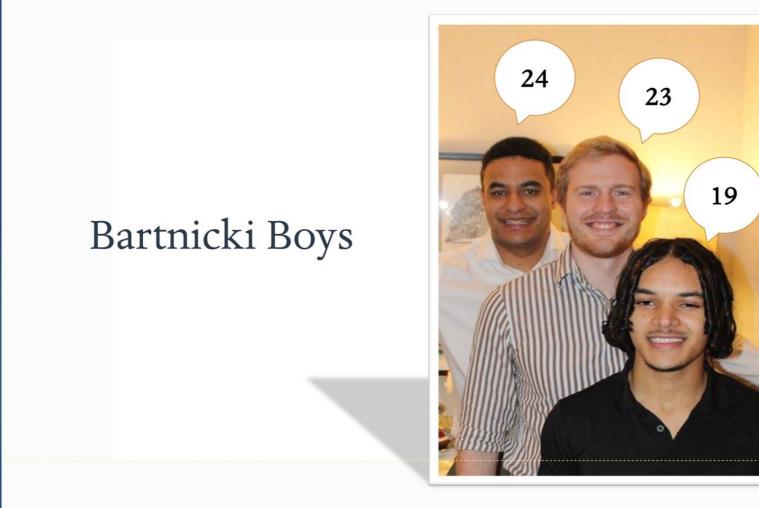
https://fsatraining.ed.gov/mod/page/view.php?id=9 996

- Michelle Johnson, Training Officer
- Q&A from various ED professionals, including David Bartnicki
- Access at <u>fsatraining.ed.gov</u>, from the top, click on Recorded Training, Webinars and Training Videos, login, Federal Updates

Most Recent Federal Update In Person

- SASFAA Director's Summit
- Presented by David Bartnicki
- This presentation is based on that document with Dave's permission, with a few additions



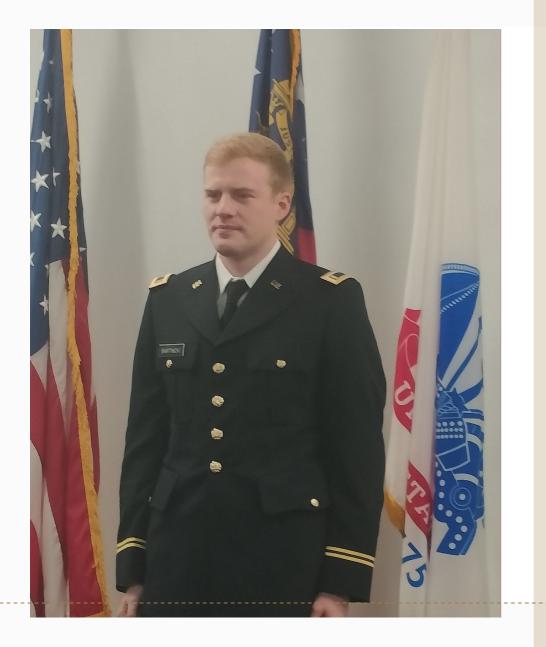




Luke (and Carmen)







2nd Lt. Adam



FAFSA Simplification



- <u>GEN 22-15</u>
- Cost of Attendance
 - <u>Separate component for books, course materials, supplies</u> and equipment
 - Transportation expenses may include transportation between campus, residences, and a student's place of work
 - "Room and board" is now "food and housing"
 - Living expense categories now break out costs associated with specific housing and food situations and require standard allowances within certain categories
 - The costs of obtaining a license, certification, or first professional credential are no longer restricted to a onetime allowance

- <u>GEN-22-15</u>
- Cost of Attendance disclosure
 - Must make COA information publicly available on website
 - Disclosure must include a list of all COA elements and must appear on any portion of the website that describes tuition and fees
 - School is allowed to provide a link to an easily accessible page that lists all of the COA elements as an alternative to listing those elements on every page where costs are mentioned

- <u>GEN-22-15</u>
- Professional Judgment
 - Special circumstances vs. unusual circumstances
 - May not maintain a policy of denying all professional judgment requests
 - Must develop policies and procedures to review PJ requests
 - Must disclose publicly that students may pursue an adjustment based on special or unusual circumstances
 - May use a dependency override determination made by a financial aid administrator at another institution in the same or a prior award year
 - Must review all requests for a determination of independence as quickly as practicable, but no later than 60 days after the student enrolls

• <u>GEN-22-15</u>

- Pell Grant LEU Restoration
 - Pell Lifetime Eligibility Used (LEU) restored regarding loan discharges associated with closed schools, false certifications, identity theft, and successful borrower defense claims
- Pell Grant Eligibility for Incarcerated Students
 - Confined or incarcerated students eligible for Pell Grants if enrolled in a prison education program



• <u>GEN-23-11</u>

- FAFSA Processing
 - Student Aid Index (SAI) replaces Expected Family Contribution (EFC)
 - SAI can be as low as a negative 1,500
 - No allowance for SAIs for periods other than 9 months
 - Use of Federal Tax Information (FTI) from the IRS with consent and approval from contributors
 - Provisional independent status
 - Other Financial Assistance (OFA) replaces Estimated Financial Assistance (EFA)
 - <u>Emergency financial assistance to cover unexpected</u> expenses that are part of the COA do not count as OFA



• <u>GEN-23-11</u>

Pell Grant Calculations

- Maximum, minimum, and SAI-calculated Pell
- Still use Pell formulas 1-5
- Enrollment intensity replaces enrollment status categories for Pell purposes
- Half-time requirement for year-round Pell removed
- Iraq and Afghanistan Service Grants (IASG) and Children of Fallen Heroes (CFH) Awards replaced by maximum Pell Grants if student meets eligibility requirements under the Pell Special Rule in the HEA regardless of calculated SAI

Foreign Earned Income Exclusion (FEIE) and the PJ Flag

•<u>GEN-23-11; SAI-Q6/A6</u>

Foreign earned income exempt from federal taxation = amount claimed on the US Federal Tax Return (1040 -8d of Schedule 1)

Does not come over with FTI on the ISIR

Applicant manually enters it on the FAFSA

Money counts as untaxed income in the SAI calculation and is NOT included in the eligibility calculation for a maximum Pell Grant



Foreign Earned Income Exclusion (FEIE) - Verification

• If student is selected for verification (V1 or V5), and contributor reported an amount for the FEIE, must verify information

Amount will not come from FTI

• Sufficient documentation: A transcript from the IRS or other relevant tax authority of a U.S. territory or commonwealth, or a foreign government, that lists 2022 tax account information of the tax filer; OR A copy of the income tax return and the applicable schedules filed with the IRS or other relevant tax authority of a U.S. territory or foreign government listing 2022 tax account information of the filer

• IRS Form 2555 (Foreign Earned Income) not acceptable

•FAA will need 1040 and Schedule 1

Foreign Earned Income Exclusion (FEIE) – Required Review

• MUST review anyone who reported it and eligible for a maximum Pell Grant

• If a Maximum Pell indicator flag and a valid value in "FEIE" –ISIR will be flagged to review with a "C flag" –comment codes 040, 076, 096, 127

• FAA determines if adding the amount to the AGI would make the student ineligible to receive the maximum Pell Grant

• If that occurs, FAA must determine whether it is appropriate to PJ to account for the foreign income in determining the student's eligibility for maximum Pell

• If appropriate, FAA moves the foreign earned income amount from untaxed income to AGI or requests additional documentation of the foreign income



Foreign Earned Income Exclusion (FEIE) – Required Review

•Comment code language:

Resolution Required. The FAA must review and confirm the total amount of the student's or parent's foreign earned income exclusion. If determined that--if added back into the adjusted gross income (AGI)--the amount of exempted foreign income makes the student ineligible for a Maximum Pell Grant award, the FAA may choose to exercise professional judgment to adjust the AGI to include the exempted income.

Setting the PJ Flag for 24-25

- Set the PJ flag on the following situations:
 - There are changes (corrections, updates, or actual PJ adjustments) to FTI information retrieved from the IRS
 - Required corrections due to an amended tax return being filed after the FAFSA was completed
 - Individuals file both an IRS tax return and a tax return with Puerto Rico or another U.S. territory and the FTI from the IRS must be corrected to reflect the territory tax return and override the FTI (<u>GENERAL-23-118</u>)
 - PJ adjustments to non-FTI data (FEIE, child support received, assets)
- AskRegs article

Eligibility for Unsub Only

- •23-24 search for these; 24-25 <u>Z code</u> comment code 003
- Parents refuse to fill out the FAFSA OR the parents do not or will not provide support to the student
- FAAs must notify students who request provisional independent status of institutional process for dependency override





Secret Shoppers!

- <u>GENERAL-23-14</u>
- FSA's Office of Enforcement will use secret shoppers to evaluate recruitment, enrollment, and financial aid
- Looking for deceptive practices and other violations of Title IV
- Searching for Transfer of credits into and out of the school Job placement rates Completion rates Withdrawal rates Future earning potential of graduates Career Services Total Cost of Attendance (HOUSING, FOOD, COA in places where tuition is) Amount of Title IV aid available Accreditation – institutional or programmatic



Secretary Cardona's Letter

- Letter sent on Friday, March 15
- Sent to college presidents
- 5.82 million applications (6.3 million as of 3/25/24)
- Dedicated personnel to 300 schools –
 <u>College Support Concierge mailbox</u>
- <u>Reducing verification requirements</u> and suspending program reviews until 6/24
- Complete SAIG mailbox agreement
 and configure EDConnect
- Extend decision dates



ISIRs!

- First batch went out Sunday, March 10
- Small batches went out
- Technically met the "first half of March"
- Week of March 11-15 batches grew; no more than 1,500/day for most; 25,000/day for large schools
- March 21-25 capacity growing
- "Ramp up Period"
- Once at full production, two weeks to get through 6 million FAFSAs
- March 25- 4.4 million ISIRs processed, 6.3 million ISIRs submitted
- <u>Tracker</u>



ISIR Corrections and COD

• <u>GENERAL-24-27</u>

- Corrections available to students in the "first half of April"
- In advance, ED will provide detailed information to partners, students, and families on how to correct the most common FAFSA form errors including no signatures and selecting 'yes' to applying for unsubsidized loans only
- COD will be available in the "second half of April"
- EDExpress 2024-2025, Release 2.0 (including Pell Grant and DL modules) will be available the "second half of April"



ISIR Reprocessing Woes

- ISIRs prior to 3/21 dependents with assets all will need to be reprocessed since they have incorrect SAI.
- <u>GENERAL-24-24</u>
- You can recalculate the SAI yourself to move forward
- Less than 10% of the 4 million records processed
- Will start reprocessing these files AFTER student corrections are made available
- System-generated transaction in the transaction source field (ISIR field 16)



2024–25 **FAFSA**® **Processing Timeline**



FIRST HALF OF MARCH

- → Students and families should complete and submit their 2024-25 FAFSA® form if they haven't already.
- → The U.S. Department of Education begins transmitting FAFSA information to schools and state agencies for processing.



STARTING IN APRIL

- → Colleges review FAFSA[®] information for students who applied for admission.
- → Colleges start sending aid packages to students.



JULY 1

→ The 2024-25 FAFSA[®] award year starts, covering attendance at schools between July 1, 2024, and June 30, 2025.

Note: Students and families should check critical deadlines for their institutions and states regarding scholarships and enrollment commitments.



FAFSA Partner Portal

GENERAL-24-20

Fafsa.partnerportal.ed.gov School's TG number, authenticate Can search SSNs in 24-25 environment Coming soon – verification of identity (V4) and ISIR request Corrections? Training?

Transaction Selector

Use the "Load Detail" action (${\bf Q}$) to view the details of a transaction.

TXN	SAI	Processed	TXN Source	FPS C Flag	PJ	D/O	Actions
01	24427	03/15/2024	FAFSA.gov	Ν	Ν	N	Q

Individuals Without an SSN

GENERAL-24-19

Some fixes in place

- Recommend the student start the application and invite the parent to contribute
- Parents with no SSNs were receiving errors "unauthorized to act on behalf of the student since they already have a 24-25 FAFSA form"

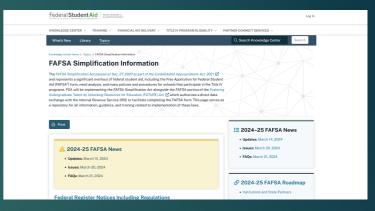
Other issues

- All users must manually enter their FTI
- If PII is mismatched, applicants and contributors get errors



FAFSA Simplification Center

- https://fsapartners.ed.gov/knowledge-center/topics/fafsasimplification-information
- **2024-2025 FAFSA News**
 - Updates
 - Issues with FAFSA Form, FAFSA Submission Summary, ISIR
 - ► FAQs
- Edconnect 8.6.1 Installation Guide



2024-25 Student Aid Index (SAI) and Pell Grant Eligibility Guide (3/21/24)

- https://fsapartners.ed.gov/knowledge-center/library/handbooksmanuals-or-guides/2022-11-21/2024-25-student-aid-index-sai-andpell-grant-eligibility-guide-updated-march-21-2024
- FSAtraining.ed.gov FAFSA Simplification Record Training Microlearning Video Series
- Key Changes
 - Family Size how to determine family size on the ISIR
 - Non-Tax Filer vs. Tax Filer; Required to Provide Assets; Married Indicator; Single Parent Indicator; Income Source Information
 - Appendix J: ISIR Input Field IDs Used in SAI Calculation (self-reported vs. FTI)

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FSA Partner Connect (E-App) Help Center

- https://fsapartners.ed.gov/help-center/
- Contact Customer Support
- Use the Contact Customer Support Form in Help Center to ask policy questions, account access, or general questions.
- Choose from Topic dropdown list.

ase complete the Customer Support form if you have a question or would	like to provide feedback. If you	
ed further assistance, please contact the School Relations Center during i		
Contact Customer Support	School Relations	Center
All fields marked with an asterisk (*) are required.	Phone	Phone Support Hours
* First Name * Last Name	1-800-848-0978	Monday-Friday: 8:00 A.M. to 8:00 P.M. Eastern Time
* Email Address		
* Topic		
-Select-	•	
- Select - Account Access FSA Adv-A-Fed / Policy		
FSA Handbook Financial Aid Delivery		

Just for fun....

Spotify – FAFSA Complification Playlist Danger Zone Jesus Take the Wheel (You Drive Me) Crazy





Regulatory Updates – effective July 1, 2024

- 5 Big Topics (NPRM May 19, 2023):
- Gainful Employment (GE)
- Financial Responsibility
- Certification Procedures
- Administrative Capability
- Ability to Benefit



Regulatory Updates – effective July 1, 2024

Final Rules

- <u>Regulations</u> addressing GE were published October 10, 2023
- <u>Regulations</u> addressing other four topics are published October 31, 2023

Gainful Employment

Previous GE regulations in 2011, 2014, and 2019 (rescission)

Final Rule published October 10, 2023

- Most provisions effective July 1, 2024
- Certain requirements related to program information website, acknowledgment requirements, and warning requirements will be implemented July 1, 2026

GE – Two Components

Financial Value Transparency (FVT)

- Applies to GE programs and non-GE programs
- Assesses financial value using debtto-earnings (D/E) rates and an earnings premium (EP) measure
- Consumer information and student
 acknowledgments

GE (Accountability)

- Applies only to GE programs
- D/E rates and EP measure impact program eligibility
- Student warnings and acknowledgements
- GE program certification
 requirements

Initial and Annual Reporting Student and Program Data

Initial reporting

- For most programs, institutions must report no later than July 31, 2024, the required data elements for the second through the seventh prior award years to 7/1/2024
- For qualifying graduate programs, institutions must report no later than July 31, 2024, the required data elements for the second through the eighth prior award years to 7/1/2024

Annual reporting

• For subsequent award years, institutions must report the required data elements by October 1 following the end of the award year



Updating GE Programs

- Effective July 1, 2024, an institution must report to the Department within 10 days any change to a GE program's –
 - Name;
 - CIP code; or
 - Credential level

 An institution must also report any changes or updates related to a GE program's certification



GE Program Certifications

- Institutions must certify that each GE program it offers:
 - Is approved by a recognized accrediting agency or otherwise included in the institution's accreditation by its recognized accrediting agency; or
 - If a public vocational institution, is approved by a State agency recognized to approve such programs in lieu of accreditation
- Transitional Certification is required of currently participating institutions offering GE programs (unless new PPA in process with new certification)
 - Must be submitted to the Department no later than December 31, 2024
- After transition period, institution adding or revising GE program information on E-App that does not result in a new PPA must provide a new certification each time the PPA is updated

Financial Responsibility

- Reorganized regulations
- Annual audit submission deadline modified
- Expanded general standards of financial responsibility
- Update mandatory and discretionary financial triggers and reporting requirements
- Consolidated the financial responsibility requirements for institutions undergoing a change of ownership



- Removed automatic certification if no ED decision within 12 months
- Additional criteria that can lead to provisional certification
- Supplementary performance measures ED may consider include withdrawal rates, licensure pass rates, and educational expenditures
- Expanded signature requirements for PPAs
- Requires all programs that prepare students for occupations requiring programmatic accreditation or State licensure to meet requirements for all new entrants upon the effective date of the regulations
- Requires institutions to comply with all applicable State laws related to closure, including teach-out plans and agreements, tuition recovery funds, surety bonds, and record retention policies

Limiting excessive GE program length (34 CFR 668.14(b)(26))

• Limit the number of hours for new entrants in a GE program to the greater of the required minimum number of clock hours, credit hours, or the equivalent required for training in the recognized occupation for which the program prepares students in the State where the institution is located or in another State, if the institution certifies that certain criteria applies



Transcript withholding (34 CFR 668.14(b)(33)(34))

- Will not withhold official transcripts or take any other negative action against a student related to a balance owed by the student that resulted from an error in the institution's administration of the title IV, HEA programs, or any fraud or misconduct by the institutions
- Upon request by a student, the institution will provide an official transcript that includes all the credit or clock hours for payments periods –
 - In which the student received title IV, HEA funds; and
 - For which all institutional charges were paid or included in an agreement to pay at the time the request is made





Prohibitions against limiting federal financial aid (34 CFR 668.14(b)(35))

•

Prohibit institutions from maintaining policies and procedures to encourage, or that condition institutional aid or other student benefits in a manner that induces a student to limit the amount of Federal student aid, including Federal loan funds, that the student receives, except that the institution may provide a scholarship on the condition that a student forego borrowing if the amount of the scholarship provided is equal to or greater than the amount of Federal loan funds that the student agrees no to borrow



Administrative Capability

Amended Standards

- Financial Aid Communications requires institutions to provide adequate financial aid counseling that includes more information
- Debarment or Suspension prohibits an institution from having any principal or affiliate that has been subject to specified negative actions
- High School Diploma strengthens the requirement that institutions must develop and follow adequate procedures to evaluate the validity of a student's high school diploma



Administrative Capability

New Standards

- Requires that an institution has not been subject to a significant negative action
- Institutions must provide adequate career services to eligible Title IV students
- Require institutions to provide students with geographically accessible clinical or externship opportunities related to and required for completion of the credential of licensure in a recognized occupation, within 45 days of the completion of other required coursework
- Requires that an institution disburse funds to students in a timely manner that would best meet the students' needs
- Requires institutions that offer GE programs to have less than half of their total Title IV revenue come from GE programs that are failing under subpart S



Ability to Benefit (ATB) Student Eligibility

- A student that does not have a high school diploma or its recognized equivalent (e.g., a GED certificate) can receive Title IV aid if they fulfill one of the three ATB alternatives and enroll in an eligible career pathway program (ECPP)
- ATB Alternatives
 - Successfully passing an ED approved ATB Test
 - Completing 6 credits or 225 clock hours without the use of Title IV aid
 - Enrolling in an ECPP through an approved State process
- Until July 1, 2024, the Department will continue implementing the ATB/ECPP requirements in
 - DCL GEN 12-09;
 - DCL GEN 15-09; and
 - DCL 16-09



ATB – State Process

- As of July 1, 2024, ED will amend the State Process
 - Initial application that prohibits institutions with high withdrawal rates from participating in the State process and caps number of students that can enroll in the State process for the first two years
 - Subsequent application (after two years) that will require an outcome metric (success rate) to be calculated for each institution that participates in the State process and allows the Secretary to reduce the 85% threshold for the success rate due to certain specific circumstances



ATB – Eligible Career Pathway Programs (ECPP)

After July 1, 2024, ED will require documentation to substantiate ECPPS that a school offers:

- The regulations will require the Department to approve at least one ECPP at every school that offers an ECPP (with the option to approve more) based on the new documentation standards
- Among the standards are:
 - A government report identifying the need for the ECPP in context of the State or regional economy, and
 - Documentation that program has both a secondary and postsecondary component – the secondary component must be designed to lead to a high school diploma or its recognized equivalent



Rulemaking: Waiting on Proposed Rules

Expected May, 2024

• Student Loan Debt Relief

Expected October, 2024

- R2T4
- Cash Management
- Accreditation
- State Authorization
- Distance Education

No Consensus on any of these topics!





2024-2025 FSA Handbook

• AVG

- FAFSA details
- SAI and Pell Grant Eligibility
- Verification, Updates, Correction
- Volume 1 Student Eligibility
 - Citizenship
 - NSLDS Financial Aid History
 - SSN
- Volume 7 The Federal Pell Grant Program
- Errata and Updates





Top 10 Audit Findings – FY2022

- 1. Student Status inaccurate/untimely reporting
- 2. Repeat Findings/Failure to Correct
- 3. Return of Title IV (R2T4) Calculation Errors
- 4. Student Credit Balance Deficiencies
- 5. Verification Violations
- 6. Entrance/Exit Counseling Deficiencies
- 7. Inaccurate Recordkeeping
- 8. SAP Policy not adequately developed/monitored
- 9. Lack of administrative capability
- 10. Ineligible Student High school student



Top 10 Program Review Findings - FY 2022

- 1. Student Status inaccurate/untimely reporting
- 2. Loan Discharge
- 3. Return of Title IV (R2T4) Calculation Errors
- 4. Return of Title IV (R2T4) Made Late
- 5. Student Credit Balance Deficiencies
- 6. Qualified Auditor's Opinion
- 7. CARES Act/HEERF Non-Compliance
- 8. Verification Violations
- 9. Entrance/Exit Counseling Deficiencies
- 10. Inaccurate Disbursement Dates/Amounts reported



Similar Findings on Both Lists

Audit and Review Findings:

- Student Status inaccurate/untimely reporting
- Return of Title IV (R2T4) Calculation Errors
- Verification violations
- Entrance/exit counseling deficiencies
- Student credit balance deficiencies
- Qualified Auditor's Opinion/Lack of Administrative Capability

Program Review and Audit Findings

Over the last 5 years 70%-80% of top ten audit and program review findings stay the same (just move around in rankings)

Fundamental question to ask yourself if these concerns are occurring on your campus is... WHY!

You cannot fully resolve the programs if you don't address the underlying issues.

Top Student/Borrower Complaints FY 2023

Resolution and Referral Management Group

FY 23 Top 3 categories:

- Grant Disbursement (Pay Out) Process issues regarding how a school pays out federal grant funds to students, amount of federal grant disbursed, concerns about unused portions of federal grant
- Loan Disbursement (Pay Out) Process issues regarding process student or school must complete to receive a federal loan fund, amount of loan funds received and/or not received, issues with MPN/entrance loan counseling, receipt of loan without knowledge/consent of loan
- Financial Allegations (Tuition and Fee Charges) issues regarding tuition/fees too high or incorrect, out-of-state vs. in-state tuition, school debt resulting from R2T4 calculation and a decrease in federal aid

Common FSA Ombudsman Student/Borrower Complaints 2023

FSA Ombudsman Office

Common FSA Ombudsman complaints against schools include...

- Problems receiving funds delayed, canceled or denied
- Issues with tuition and fees unfair or inaccurate
- Problems receiving refunds (credit balances) delayed or canceled
- Aid not returned after withdrawing (R2T4)
- Academic concerns quality of education and shifting requirements
- Loans taken out or enrolled in classes without consent
- Transcript or transfer issues
- NSLDS reporting concerns
- Issues with school-held Perkins loan servicing

FSA Ombudsman Office

Ombudsman assistance:

- Critical schools provide updated contacts for all their OPEIDs in NSLDS and COD
- Ombudsman staff contact schools in one of two ways
 - Send an email from their ED.GOV email addresses, or
 - Send a message from the case management system, which is a Salesforce product – <u>customerservice@studentaid.gov</u> and labeled Federal Student Aid Information Center
 - Ombudsman staff may request student records, including admissions applications, transcripts, enrollment/attendance reports, tuition/financial aid ledgers, etc.
 - Timely responses appreciated

FSA Webinars

- fsatraining.ed.gov Upcoming Webinars
- "Weekly Webinars"
- March 28, 2024 EDExpress 2024-25, 1-2:30
- March 29, 2024 2024-2025 ISIR Highlights, 3-4 ET
- April 10, 2024 Federal Update, 1-2:30 ET
- April 18, 2024 Better FAFSA Better Future Q&A – Session 3, 1-2:30 ET





FSA Training Conference

- December 3-6, 2024
- 22,400 people attended the 2023 conference
- Coming this summer details about the conference
- @FSAConf, #FSATC2024 follow ED





Recent Guidance

- <u>GEN-24-02</u> Applying for Title IV Eligibility for Direct Assessment (Competency-Based Programs)
- <u>GEN-24-01</u> Pell Grant maximum (\$7,395) and minimum (\$740) amounts for 2024-2025 – required by 2/1; 3/22 budget approved
- <u>1/24/24 Federal Register</u> Waivers under the HEROES Act (expires 1/24/29)
- <u>EA GENERAL-23-121 (12/21/23)</u> Institutional and program eligibility requirements required to be substantiated by an independent auditor

Recent Guidance

EA GENERAL-23-120 (12/21/23) FSA Partner Connect – E-App and TPS functionality implemented

EA GENERAL-23-113 (12/13/23) Institutions must maintain appropriate compliance management systems and policies

GENERAL-24-22 (3/15/24) Updated Foreign gift and Contract Data

EA GENERAL-23-96 (11/8/23) Borrower defense school notification process

EA GENERAL-23-92 (10/31/23) 2024-25 College Financing Plan
APP-24-04 (3/19/24) DHS-SAVE Instructions for U.S. Department of Education (School) Users Version 4.0 Available



KEY REFERENCES

- ► <u>Knowledge Center</u>
- ► FAFSA Simplification Information (topics page)
- E-App and Third-Party Servicer Inquiry Form Updates (topics page)
- ► Federal Student Aid Handbook
- ► FSA Data Center School Information
- ► <u>Fsatraining.ed.gov</u>

The Boutell Family in November in Chicago



Crouton helping me work on my slides







Ending with a little music.... Superstition... by Radius

Thank you for asking me to present, TASFAA!

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