

# Federal Potpourri

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**Allied Health Education**

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# Federal Potpourri

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- **Providing Consumer and Safety Information**
- **Defining a Credit Hour**
- **Satisfactory Academic Progress**

# Providing Consumer Information

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- Net Price Calculator
- Federal Educational Rights and Privacy Act (FERPA)
- General Student Disclosures
  - Financial assistance available to students;
  - Information about the school's academic, costs, facilities, and policies including:
    - Withdrawal procedures, refunds, and return of Title IV aid;
    - Transfer of credit policies;
    - Penalties and institutional policies on copyright infringement;
    - Completion rates broken down by gender and race (must update by 7/1);

# Providing Consumer Information, cont.

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- Retention, placement, and post-graduate study; and
  - Student body diversity.
- Disclosures on gainful employment – must update for 2011-2012 by 1/21/2013:
- Occupations that the program prepares students to enter by occupation name and SOC code, along with links to occupational profiles on the O\*Net website;
  - Completion of program in normal time frame;
  - Tuition and fees for the program; cost of room and board, if applicable, and the typical costs of books and supplies;

# Providing Consumer Information, cont.

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- Job placement for students completion the programs; and
- Median loan debt by FSA loan; private educational loans; and institutional financing.

# Providing Consumer Information, cont.

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- **Campus Crime and Safety Information**
- Textbook Information
- Loan Counseling (Entrance and Exit Counseling)
- **Drug and Alcohol Abuse Prevention Program**

# Common Mistakes in Implementing Campus Security & Safety

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## #1 Failure to Properly Report Crimes Based on Geography

- On-campus
- Non-campus buildings and property
- Public property

## #2 Improper Classification and Under-Reporting of Crimes

- Must refer to the Uniform Crime Reporting under the Department of Justice

# Common Mistakes in Implementing Campus Security & Safety, cont.

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## #3 Lack of or Inadequate Policy Statements

- Problem Areas:
  - Timely Warnings
  - Reporting Crimes
  - Confidential Reporting
  - Sexual Assault Policies
  - Crime Prevention Programs
  - Local Law Enforcement Relationship

# Common Mistakes in Implementing Campus Security & Safety, cont.

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## #4 Failure to Publish and Distribute the Annual Security Report (ASR) as a Comprehensive Document

### ■ Problem Areas:

- Information not centralized in ASR
- Notice of ASR availability (by 10/1 of each year) to all current students and employees directly or posting on an accessible internet/intranet site (paper copy must be available) and notice to prospective students and employees

# Common Mistakes in Implementing Campus Security & Safety, cont.

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**#6 Incorrect Reporting of Referrals for Disciplinary Action for Liquor Law, Drug, and Illegal Weapons Violations**

**#7 Inaccurate Reporting of Crime Statistics to OPE**

■ Problem area:

- Discrepancies between reported and disclosed

**#8 Deficient Crime Log**

■ Problem areas:

- Accuracy/Completeness
- Availability to the public

# Common Mistakes in Implementing Campus Security & Safety, cont.

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- Maintenance

## #9 Inaccurate Reporting of Hate Crimes

### ■ New Categories:

- Clergy Offenses plus
- Larceny-theft, simple assault, intimidation, destruction/damage/vandalism of property

## #10 Failure to Develop, Implement, and Adhere to Established Policy

### ■ Problem areas:

- Timely warning policies
- Rights of accuser and accused

# Common Mistakes in Implementing Campus Security & Safety, cont.

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- Emergency response and evacuation procedures

# Drug and Alcohol Abuse Education and Prevention Program (DAAPP)

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- On an annual basis, schools must distribute the DAAPP to all current students and employees:
  - Standards of conduct prohibiting the possession, use, and distribution of drugs and alcohol;
  - Possible sanctions for violations of Federal, state, and local drug and alcohol laws as well as sanctions for violation of institutional policies;
  - Health risks associated with use of drugs and alcohol;
  - Information on counseling, rehabilitation, and treatment programs; and

# Drug and Alcohol Abuse Education and Prevention Program (DAAPP), cont.

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- A clear statement that the school will impose sanctions on students and employees who violate drug and alcohol laws, ordinances, and/or institutional policies.
- Biennial Review – to determine the effectiveness of its DAAPP and to ensure consistent enforcement.

# Credit Hour

§§600.2, 602.24, 603.24, and 668.8  
(DCL GEN-11-06)

# Definition of Credit Hour

- Credit hour is defined as an amount of work represented in intended learning outcomes and verified by evidence of student achievement that is an institutionally established equivalency that reasonably approximates:
  - One hour of classroom or direct faculty instruction and a minimum of *two hours of out of class student work each week for approximately 15 weeks for one semester or trimester of credit, or 10 to 12 weeks for one quarter credit, or equivalent amount of work over a different amount of time; or*

# Definition of Credit Hour, cont.

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- Credit hour is defined as follows (cont.):
  - At least an equivalent amount of work as required in the first paragraph for other academic activities including laboratory work, internships, practica, studio work, and other academic work leading to the award of credit hours.

# Clock-Hour Program

- The regulations require certain credit-hour programs to be considered clock-hour programs for Title IV purposes if:
  - The program is required to *measure student progress* in clock hours when receiving federal or state approval or licensure to offer the program; or
  - The program is required to *measure student progress* in clock hours when completing clock hours is a requirement for graduates to apply for licensure or the authorization to practice the occupation that the student is intending to pursue; or
  - The credit hours awarded are not in compliance with the proposed definition found in 34 CFR 600.2.

# Clock-to-Credit-Hour Conversion

- Required for non-degree programs at any type of institution if each course in non-degree program does not transfer into at least a 2-year degree program; have enrolled students; and graduates.
- Except in certain cases discussed below, the method of converting clock hours to credit hours is modified using 900 clock hours as the minimum. *Therefore, a semester hour will be based on 37.5 clock hours and a quarter hour will be based on 25 clock hours.*

# Clock-to-Credit-Hour Conversion, cont.

- *The institution's conversions to establish a minimum number of clock hours of instruction per credit hour may be less than 37.5 or 25 clock hours if, for participation in Title IV programs, neither the accrediting agency nor the state agency has identified deficiencies with the institution's policies and procedures or its implementation for determining credit hours as defined in 34 CFR 600.2 so long as:*
  - *The institution's students' work outside of class combined with the clock hours of instruction meet or exceed the numeric requirements in the conversion formula; and:*

# Clock-to-Credit-Hour Conversion, cont.

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- A semester or a trimester hour must include at least 30 clock hours of instruction; and
- A quarter hour must include at least 20 clock hours of instruction.

# Responsibilities of an Accrediting Agency

- The responsibilities of an accrediting agency are to conduct an effective review and evaluation of an institution's policies and procedures for the assignment of credit hours and the institution's application of its policies and procedures in assigning credits. The accrediting agency meets the requirement if it reviews each institution's:
  - Policies and procedures for determining credit hours that the institution awards for courses and programs;
  - Application of the institution's policies and procedures to its courses and programs;

# Responsibilities of an Accrediting Agency, cont.

- Makes a reasonable determination of whether the institution's assignment of credit hours conforms to commonly accepted practice in higher education;
- The accrediting agency may make use of sampling or other methods in the evaluation;
- The accrediting agency must take appropriate actions to address any deficiencies;
- If an agency finds systemic noncompliance, the agency must promptly notify ED; and
- Accreditation reviews occur for initial or renewal of accreditation; however, during the interim, an institution is held responsible and accountable for meeting definition.

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# **Satisfactory Academic Progress**

§§668.16(e), 668.32(f), and 668.34

# Elements of SAP found in §668.34

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- SAP elements included in policy are as follows:
  - Must be at least as strict as any policy applied to students not receiving Title IV aid;
  - Must provide for consistent application of standards to all students within categories (i.e., full-time, part-time, undergraduate, graduate, and educational programs);
  - Evaluation of student's progress:
    - At the end of each payment period if the program is either one academic year in length or shorter than an academic year; or

# Elements of SAP found in §668.34, cont.

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- For all other programs, at the end of each payment period or at least annually to correspond with the end of a payment period;

Note: The June 6, 2011 electronic announcement provides guidance on payment periods for clock hour programs:

- Scheduled hours have elapsed;
  - Student has attended scheduled hours; or
  - Student has successfully completed scheduled hours.
- Must state the cumulative GPA that a student must achieve at each evaluation (qualitative standard);

# Elements of SAP found in §668.34, cont.

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- If a student is enrolled in a program of more than two academic years, must specify that at the end of the second academic year, student must have a “C” or its equivalent, or have academic standing consistent with the institution’s requirements for graduation;
- Must state pace at which a student must progress through program to ensure that student will complete program within maximum time frame (quantitative standard):
  - Pace is measured by dividing the cumulative number of hours the student has successfully completed by the cumulative number of hours the student has attempted; and

# Elements of SAP found in §668.34, cont.

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- Remedial courses are not required to be included in quantitative (must include in qualitative review);
- Must address how student's CGPA and pace are affected by incompletes, withdrawals, repetitions, or transfers of credit:
  - Transfers of credit must count as both attempted and completed hours;
- A student who has not achieved minimum CGPA or who has not successfully completed program at minimum pace is not eligible for Title IV assistance;

# Elements of SAP found in §668.34, cont.

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- A student placed on Financial Aid Warning may receive Title IV assistance for one payment period;
- A student placed on Financial Aid Probation may receive Title IV assistance for one payment period:
  - At the end of the one payment period, the student must meet the minimum SAP standards; or
  - Must meet the requirements of the academic plan developed by the institution and the student;

# Elements of SAP found in §668.34, cont.

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- The student must request an appeal to be placed on Financial Aid Probation and the specific elements to be included are:
  - How the student will re-establish his/her eligibility to receive Title IV assistance;
  - The basis for filing an appeal:
    - Death of a relative;
    - Injury or illness of the student; or
    - Other special circumstances;
  - Information as to why student failed to meet SAP and what has changed in the student's situation that will allow the student to meet SAP at the next evaluation;

# Elements of SAP found in §668.34, cont.

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- If appeal not permitted, how the student may reestablish his/her eligibility for Title IV assistance; and
- Notification to students of results of an evaluation that impacts the student's eligibility for Title IV assistance (not required if student making SAP).

# Maximum Time Frame

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- For an undergraduate program, a period that is no longer than 150% of the published program length, as measured in credit hours;
- For an undergraduate program, a period that is no longer than 150% of the published program length, as measured in cumulative number of clock hours the student is required to complete and expressed in calendar time; and
- For a graduate program, a period defined by the institution based on the length of the program.

Questions??



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## Practice Areas:

- Education
- Title IV Eligibility & Compliance
- Program Reviews and IG Audits
- Accreditation
- Mergers & Acquisitions
- Public Policy & Government Relations
- State Licensing
- Education Policy

## Member:

- NASFAA
- CCA

## Education:

- Ph.D., University of Maryland, 1976
- BA, State University of Buffalo, 1971, *summa cum laude*

Sharon H. Bob, Ph.D., Higher Education Specialist on Policy and Regulation, is a member of the Education Group at the Washington, D.C. law firm of Powers Pyles Sutter & Verville, P.C. Dr. Bob advises all sectors of higher education regarding strategic issues pertaining to their participation in the federal student financial assistance programs, accreditation, licensure, education tax benefits, and related regulatory matters.

Dr. Bob advises public and private colleges and universities, as well as private and publicly-traded companies. In this role, she provides clients with detailed technical guidance related to compliance with applicable statute and regulations. She regularly assists postsecondary educational institutions on issues relating to institutional eligibility, program eligibility, student eligibility, financial responsibility and administrative capability standards, changes of ownership, adding locations and programs, program reviews and compliance audits, and institutional responsibilities for the education tax benefits. Through training seminars and on-site reviews, she assists clients in complying with the federal requirements for administering federal student financial assistance. Dr. Bob has authored numerous articles on federal financial aid issues for *The Career Education Review*, *NASFAA's Journal of Student Financial Aid*, *NASFAA's Student Aid Transcript*, the *Career College Link*, and other higher education publications and frequently speaks at meetings of college officials and student aid administrators.

Dr. Bob received her undergraduate degree *summa cum laude* from the State University of New York at Buffalo and was elected to *Phi Beta Kappa*. She received her doctorate from the University of Maryland.

Dr. Bob is a member of the Dean's Advisory Committee of the College of Arts and Sciences for SUNY at Buffalo.

Powers Pyles Sutter & Verville is a Washington, D.C.-based law firm that focuses on health care, education, and the law of tax-exempt organizations.