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Code verses the statement

Code of Conduct

- Code of Conduct is prescriptive: rules of conduct.

 Aspirational

 Aspirational

 Aspirational

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 NASSAA members should strive to meet these goals.

 There are enforcement procedures tied to the Items in the Code.

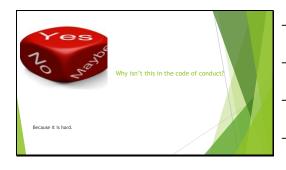
Statement of Ethical Principles

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- financial aid office by applicants is protected in accordance with all state and federal statutes and regulations, including FEBPA and the Higher Education Act. "

 Protect the information on the FAFSA from inappropriate use by ensuring that this information is only used for the application, award and administration of aid awarded until Title IV . . . "

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So what about data requests?	
➤ This lives in the Statement of Ethical Principles.	
 "Ensure that student and parent private information provided to the financial aid office by applicants is protected in accordance with all 	

Primary Resources for Answers

- NASFAA's publication, July 2016 "Financial Aid Data Sharing".
 DOE's publication, January 2017, "Guidance on the Use of Financial Aid Information for Program Evaluation and Research."

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Applicable Laws

- Higher Education Act 483(a)(3)(E) use of the FAFSA data and 485B(d)(2) prohibition on use of NSLDS.

 FERPA protection of students educational record.

 Privacy Act governs the collection, maintenance and use of records by federal agencies.

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Educational Record

- Any record that directly relates to the student and is maintained by or on behalf of, an educational agency or institution or a party acting for a the educational agency or institution.

 This includes information from the FAFSA and the ISIR as well as information we receive from MSLOS and COD and any other information from a schools own financial daysterns and detabases.

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HEA 483 & 485

483(a)(3)(E)

- 483(a)(3)(E)

 Limits the use of FAFSA application data to the awarding and administration of Title IV funds and other aid programs.

 ▶ FAFSA data is personally identifiable (PII).

 These prohibitions are applicable to all KSLDS data, including NSLDS data reviewed by institutions via the ISIR.

485B(d)(2) & 485B(d)(5)(B)

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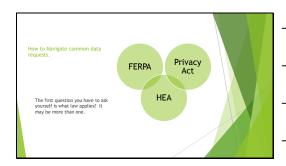
FERPA

- ▶ Federal law that protects the privacy of students education records.
- Provides the student with the right to exercise some control over the disclosure of his/her educational record, even to parents.
- Affords the student certain rights relating to records.



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Slide 13 **FERPA Exceptions** Financial Aid Exception - education records may be disclosed without written consent to determine aid eligibility. Ex: \$3P School Official Exception - educational records may be disclosed to others within the institution who need to know (legitimate education interest) and who are under the direct control of the institution. who are under the direct control of the institution. Audit & Evaluation Exception - electational records may be disclosed without written consent to state and local educational authorities (i.e., NE-CCPE). Studies Exception - educational records may be disclosed to a third party conducting a study for or on behalf of the institution for the purposes of developing, validating or administering predictive test; administering student aid or improving instructions. There must be written agreement between the institution and the third party that includes specific provisions. Slide 14 Student Aid Internet Gateway - vehicle that allows the exchange of vehicle that allows the exchange of the state electronically with the DOE. SAIG agreement dictates the conditions under which the DOE will provide to schools certain at a received or generated by FAFSA applicants and/or other data providers. Authorized presented. Privacy Act Authorized personnel Slide 15 **Case Studies**



Slide 17

The Director of your ir office comes to you asking for a list of enrolled students who filed the fafsa with their adjusted gross income and number in family and number in college. What to do? What law/s apply? What is your answer?

Do you need more information? If so, what do you need to know?

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You receive isirs from students who have not applied for admission to your institution. Can you share the students contact information with your admissions office?

- What law/s apply? What would you do and why?

Slide 19 A private outside scholarship provider requests PII (name and address) as well as adjusted gross income and efc from the FAFSA for recipients of its scholarship at your institution. What lawn squir? What lawn squir? Only on weer more information? Slide 20 Institutions have the responsibility to safeguard the sensitive personal information entrusted to them, and compliance with the law is only the beginning of that process. Minimize Duclaure: http://ptac.ed.gov/tookit