

The



Torch

March 20, 2009

A bi-weekly report from the Coalition of Higher Education Assistance Organizations

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COHEAO News

Save the Date! COHEAO Mid-Year Conference in Philadelphia, PA

Save the Date for the COHEAO Mid-Year Conference August 1 though August 4. This year's Mid-Year conference will take place in historic Philadelphia, PA. The conference will feature important legislative and regulatory updates. The conference will be located in downtown Philadelphia and is ideally located next to many of the city's most visited attractions, including city hall, the art museum, Reading Terminal Market, Penn's Landing and Citizen's Bank Park, home of the Philadelphia Phillies! Registration will be available shortly on the COHEAO website.

COHEAO is also looking for any individuals who are interested in serving on the Conference Agenda Committee, which held its first, very productive, call on Thursday. Those interested should immediately contact Larry Rock at Concordia College at larock@concordia.edu. Larry is also interested in ideas for session topics.

As more information becomes available it will be posted on the COHEAO website.

Scholarships: Deadline TOMORROW

The deadline for COHEAO Scholarship applications is tomorrow, March 21. COHEAO is accepting applications for the 2009-2010 scholarships. Scholarships are awarded to undergraduate students who attend COHEAO member institutions. This year, four \$2,000 scholarships will be awarded to deserving students. The Board of Directors voted unanimously to award one scholarship this year in honor of COHEAO member Marty Damien of Massachusetts, who passed away in January.

Scholarship recipients are chosen by the Scholarship Selection Committee made up of representatives from COHEAO member schools and institutions. The application deadline for the 2009-2010 scholarships is March 21, 2009. A flyer suitable for printing and posting is attached to the Torch.

In recent years, the funds raised for the COHEAO scholarship have helped students at UC Berkeley, Gonzaga University, Northern Arizona University, UCLA, Iowa State University, Yale University and many others.

Distribution Policy for *The Torch*

COHEAO would like to remind all of our members, to please abide by the distribution policy for *The Torch*. Redistribution of this memorandum or its content outside the immediate organization of the intended recipient without the express prior permission of COHEAO is prohibited.

If you have any questions regarding this policy, please contact Krista Heckler or Harrison Wadsworth.

Get Your Spring Fashions at the COHEAO Store

Spring is around the corner and that means it's time to update your wardrobe with the latest from the COHEAO store, <http://www.westernprinting.net/coheao>, where you will find high-quality clothing and outerwear bearing the distinctive COHEAO flame logo. The net proceeds from the sale of the clothing will go to the COHEAO scholarship fund, which awards \$1,000 scholarships every year to deserving students with financial need who are attending COHEAO member institutions of higher education. Check it out today and help yourself – and a student who can really use the assistance.

Congress

Lawmakers Expressing Reservations on Use of Budget Reconciliation

Budget reconciliation was the hot term on Capitol Hill this week, as the Administration and certain Members of Congress engaged in a public back and forth on the use of the parliamentary procedure to “fast-track” the Obama agenda.

Despite the President's very public campaign (he said he was going out to talk to "voters" this week), there are growing objections to using budget reconciliation as a means of enacting major changes in domestic policy. This process would bypass hearings and effectively exclude most Members of Congress from any input into the process. The budget would be adopted prior to the administration submitting full details on what it is they are proposing.

Leaders in the Administration have been pushing for the use of reconciliation to take advantage of Obama's high popularity and pass major portions of his agenda. There is much speculation that Chief of Staff Rahm Emanuel, who has been known to say "never waste a crisis" as a means of moving an agenda, is pushing hard for the use of this process, and OMB Director Peter Orszag said he preferred not to circumvent the traditional legislative process, but also did not want to take reconciliation "off of the table."

Speaker of the House Nancy Pelosi and other Members in the Majority are pushing for reconciliation to limit the influence of moderate Republicans and Democrats in the Senate in shaping the budget. However, in the Senate, several Democrats, most notably Budget Committee Chairman Kent Conrad (D-ND) and Finance Committee Chairman Max Baucus (D-MT) have raised objections.

Although most of the objections mentioned are not referencing the administration's student loan proposal, many believe the rejection of reconciliation as a legislative process for considering it this year represents the best shot at saving a role for private sector capital in student lending. NASFAA wrote to Congressional leaders on Tuesday opposing the use of reconciliation for student loan reform. However, in a subsequent letter to members following a meeting of NASFAA lobbyists with Education and Labor Committee Chairman George Miller, the organization said it could support reconciliation after it was given "assurances" that Congress would give consideration to alternatives to the Obama proposal.

The House Budget Committee is slated to mark-up their version of the budget resolution on Wednesday, March 25th. The Senate Budget Committee is likely to mark-up the same week. Both chambers may pass their versions of the resolution prior to the start of the Congressional Spring Break, scheduled to begin on Friday, April 3rd. The Senate Democratic leadership has indicated they believe the resolution will be done by Wednesday, April 22nd.

House Budget Committee Convenes ED FY2010 Budget Hearing

As Members from both parties began to express concern with certain aspects of the Obama FY2010 budget proposal, Administration officials continued the effort to sell Congress on the plan last week. In addition to OMB Director Peter Orszag and Secretary of the Treasury Tim Geithner, who both testified before the Senate Budget Committee, Secretary of Education Arne Duncan discussed the Department of Education's portion with the House Budget Committee.

In his testimony and in answers to the questions that followed, Duncan echoed the remarks of President Obama in his first major speech on education policy that had been delivered earlier in the week. Together they hope to start a “race to the top”, rather than the bottom, regarding student expectations; inspire the best and the brightest to enter the teaching profession and compensate teachers well enough that they will want to stay; create Early Learning Challenge Grants that will help states expand birth-to-five preschool programs; press states to lift the cap on the number of charter schools in hopes of inspiring innovation; and dramatically increase financial support for college attendance and investment in programs to assure student success.

While Budget Committee Chairman John Spratt (D-SC) closed the hearing last week by heaping praise on Duncan and his team, and some higher education trade publications suggested a “surprising” lack of scrutiny for the student loan proposal, several Members did express concern or ask specific questions relating to the Administration’s plans to eliminate FFEL. Rep. Paul Ryan (R-WI), the Ranking Member on the Committee, said he was opposed to the proposal in his opening remarks, and Chairman Spratt, along with Rep. Cynthia Lummis (R-WY), questioned the Secretary as to whether the Department had the capability to take on additional loan volume.

For more information on the hearing, including Duncan’s testimony, visit:
<http://budget.house.gov/hearings.aspx#03122009>

INSIDE ED AND THE ADMINISTRATION

Fed Releases Draft Private Loan Regulations

The Federal Reserve Board last Wednesday proposed amendments to Regulation Z (Truth in Lending) that would revise the disclosure requirements for private education loans.

The amendments implement provisions of the Higher Education Opportunity Act (HEOA). Under the amendments, creditors that extend private education loans would provide disclosures about loan terms and features on or with the loan application and would also have to disclose information about federal student loan programs that may offer less costly alternatives.

According to the proposed regulations the rule would also “apply to covered educational institutions that extend private education loans to their students, including flight training schools. The rule would also apply to other types of postsecondary schools including both accredited and unaccredited postsecondary schools.”

Additional disclosures would have to be provided when the loan is approved and when the loan is consummated. The Board is also proposing model disclosure forms that creditors could use to comply with the new disclosure requirements.

The new disclosure requirements would apply to loans made expressly for postsecondary educational expenses but would not apply where educational expenses are funded by credit card advances, or real-estate-secured loans. The proposal does not apply to education loans made, insured, or guaranteed by the federal government, which are subject to disclosure rules issued by the Department of Education.

The proposed regulations also address certain private student loan marketing practices, implementing HEOA's restrictions on using the name, emblem, or mascot of an educational institution in a way that implies that the institution endorses the creditor's loans.

The public comment period ends 60 days after publication of the proposed amendments in the *Federal Register*. Publication has yet to occur, but the Board's announcement states it is "expected shortly."

A list of attachments from the Federal Reserve is included below.

[Draft *Federal Register* notice \(398 KB PDF\)](#)

Model forms and samples:

- [H-18 \(286 KB PDF\)](#) Private education loan application and solicitation model form
- [H-19 \(289 KB PDF\)](#) Private education loan approval model form
- [H-20 \(279 KB PDF\)](#) Private education loan final model form
- [H-21 \(288 KB PDF\)](#) Private education loan application and solicitation sample
- [H-22 \(286 KB PDF\)](#) Private education loan approval sample
- [H-23 \(286 KB PDF\)](#) Private education loan final sample

ED Announces New Appointments

This week, Secretary of Education Arne Duncan announced the appointment of Jo Anderson Jr. as senior advisor to the Department of Education. Anderson will conduct outreach to teachers and teacher organizations. Currently, Anderson serves as the Executive Director of the Illinois Education Association (IEA-NEA). Before assuming that post, he held a variety of other positions with IEA-NEA, working on a range of issues from school restructuring to professional development.

"Jo Anderson has spent many years as an effective advocate for teachers and a strong champion of school improvement," Duncan said. "His outstanding leadership abilities and partnering skills will be a real asset as we look to collaborate with teachers on our reform initiatives. I am honored to have Jo on my team."

Also announced this week was the nomination of Gabriella Gomez, a senior education policy advisor for the House Education and Labor Committee, to serve as Assistant Secretary for Legislation and Congressional Affairs at the Department of Education.

“I am thrilled that President Obama has nominated Gaby to be Assistant Education Secretary. Over the past three years, she has helped Congress enact some of the most significant changes to higher education policy in history, including increasing \$20 billion in college aid for students and families, cleaning up shady practices in the student loan industry, and modernizing our higher education program,” said Committee Chairman George Miller (D-CA).

Obama Outlines Education Reform Agenda

Last week in a speech to the Hispanic Chamber of Commerce, President Obama argued for education reform. The President proposed five pillars for a reform effort:

- Investing in early childhood initiatives;
- Encouraging better standards and assessments;
- Recruiting, preparing, and rewarding outstanding teachers;
- Promoting innovation and excellence in America’s schools by supporting charter schools, reforming the school calendar and the structure of the school day; and
- Providing every American with a quality higher education.

In discussing his plans, Obama again referenced the elimination of FFEL. He also said that an overhaul of the nation’s education system is an economic imperative.

In addition to dismantling the FFEL public-private partnership, there are other controversial aspects of the President’s education reform plan. The two most notable controversies stem from heavy increases in federal spending for early child education, and perhaps even more contentious, merit pay for teachers in the class room. The President acknowledged as much in his remarks.

“Too many supporters of my party have resisted the idea of rewarding excellence in teaching with extra pay, even though we know it can make a difference in the classroom. Too many in the Republican Party have opposed new investments in early education, despite compelling evidence of its importance,” said Obama.

To read a full transcript of Obama’s speech visit:

<http://www.whitehouse.gov/blog/09/03/10/Taking-on-Education/>

Duncan Offers Some Insight on Perkins Plans

During the Association for Career and Technical Education’s annual conference, Secretary of Education Arne Duncan provided additional insight on the Administration’s plans for the Perkins Loan program.

In response to a question from an ACTE member about what President Obama is planning to do to help middle class and moderate-income students attend college that do not qualify for the Pell Grant, Duncan referred to Obama’s proposal to overhaul the

Perkins Loan program, which would expand it from \$1 billion to \$6 billion a year, but would also remove the in-school interest subsidy and change the way money flows from the government to schools to students and families, stating “the loans, coupled with the larger tax credit, would help about seven million more students go to college.”

The Perkins proposal was also a topic of discussion at this week’s House Budget Committee hearing. Rep. Tim Bishop (D-NY) joined Committee Chairman John Spratt (D-SC) in seeking additional clarifications on the program. While Bishop, a long-time supporter of Perkins, endorsed the increased investment in Perkins, he also sought reassurances that the program would remain truly “campus-based” and existing Perkins schools would not be penalized in the revamped program.

Duncan responded the proposal “is not a zero-sum game,” instead it “is increasing the pie,” and Thomas Skelly, the longtime ED budget director, said the Administration would work with Congress in redesigning the allocation formulas under the new program. Bishop said he looked forward to working with the Administration and urged Skelly and Duncan to consider maintaining the institutional match aspect of the current Perkins program.

INDUSTRY NEWS

NASFAA Announces Student Loan Reform Proposal – Combining Perkins with FFEL and Direct Loans

On Thursday, NASFAA released a “preliminary outline” of its student loan reform proposal. According to NASFAA, the proposal “combines the best aspects of each of the three existing federal loan programs--FFELP, Direct, and Perkins--into a new, simplified program.”

The centerpiece of the NASFAA proposal is the creation of “Education Finance Bonds” (EFB), a special purpose Treasury Bonds to be used by the Department of Education to make, essentially, Direct Loans. In addition to EFBs, the proposal calls for common origination, disbursement, and servicing of student loans through a contract with the Department of Education.

Much like the Obama proposal, NASFAA relies on federal contracting as an “important way to leverage competition that will benefit borrowers.” The NASFAA proposal also calls for multiple servicers and federal contracts determined “not only on price, but also on past performance, stability and longevity in the marketplace, an adequate technological infrastructure, and a set of other predetermined operational standards defined with input from students and schools.”

The NASFAA plan does allow for guaranty agencies to contract with the Department for default prevention services on all loans, but does not include a role for-profit lending institutions beyond investing in the bonds and contracting with the Department of

Education as one of the multiple, unidentified to the customer, servicers, or as the lone originator under contract with ED.

The proposal states that state agencies may “participate” in the program by paying down a portion of a student’s loan, or purchasing it outright from the Department of Education to offer terms and conditions better than those set-forth by the federal government. The proposal does not address how these state agencies would fund the purchasing of loans.

This preliminary student loan model is just one piece of a larger set of “National Conversation Initiative” policy recommendations that NASFAA will make public shortly. The recent release of President Obama's FY 2010 budget convinced the organization to release its student loan proposal in advance to ensure is considered as part of the continuing conversation and dialogue on changes to the student loan program.

For more information, visit:

<http://www.nasfaa.org/PDFs/2009/NASFAALoanModel.pdf>

Colleges and Universities Remain Uncertain about New GI Bill

The new GI bill goes into effect on August 1, 2009, and as the date approaches, colleges and universities are preparing to welcome veterans who will be eligible to receive the laws benefits.

The law will allow veterans who served at least 90 days on active duty on or after Sept. 11, 2001 to be eligible for tuition and fees for 36 months (depending on length and time of service).

While the terms of the law seem clear cut, many colleges and universities are facing uncertainty on what happens if a veteran chooses a higher-price option such as a private college or a graduate program at a public school in another state. In those cases, the federal government will pay up to what it would have cost to enroll in the highest-priced undergraduate program at an in-state public school. Schools that charge more and agree to put up a certain amount of money toward the difference can get federal matching money to help close the gap.

Many of the details still remain unclear, but some private colleges and universities are planning to participate in the program, while other schools are waiting for more clarification.

In an interview with *USA Today*, Susan Hattan, senior consultant at the National Association for Independent Colleges and Universities, said that most members view the new GI bill benefits as "an incredibly positive opportunity. There are clearly a lot of questions out there (but) I don't know that that's unusual, given that they're bringing up this entire massive new program in about a year."

UNCF to Provide Aid to Students at HBCUs

The United Negro College Fund (UNCF) announced this week that in an effort to help students, they will help provide financial aid to those students threatened with not graduating from or being dropped from some of the Historically Black Colleges and Universities because they've run out of money.

UNCF started an Emergency Student Aid Campaign to raise money for these students in need. The first phase of the campaign is to raise at least \$1.5 million by the end of March. According to John Donohue, executive vice president of development for the UNCF, this will allow 600 students to receive aid. Phase II of the campaign begins after March 31, with the goal of raising \$5 million to continue helping students.

The campaign has received a \$1 million donation from ExxonMobil. According to the UNCF, \$500,000 of the donation will go to needy students immediately while the other \$500,000 will be used as a "challenge grant."

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COHEAO Scholarship

2009-2010



For the 2009 – 2010 academic school year, the Coalition of Higher Education Assistance Organizations (COHEAO) will award four \$2,000 scholarships.

The eligibility requirements for applicants for the 2009-2010 academic year are as follows:

- Applicants must be U.S. citizens;
- Applicants must attend a COHEAO Member School;
- Applicants must have a minimum GPA of 3.75 on a 4.0 scale;
- Only undergraduate students, who will be entering their sophomore, junior, or senior year in 2009-2010, are eligible to apply: freshmen and graduate students are not eligible;
- Only one scholarship per family per academic year will be awarded; and
- COHEAO members and their immediate family members are not eligible for COHEAO scholarships.

Further information about the COHEAO scholarship is available via the Web at:
<http://www.coheao.org/scholarship/scholarship.html>

The application deadline is March 21th, 2009