

# The



# Torch

May 1, 2009

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

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## COHEAO News

### **Register Today for the Mid-Year Conference**

You may now register for the COHEAO Mid-Year Conference. As Congress begins to consider the President's call for major changes to the Perkins Loan Program, COHEAO is making plans for its upcoming Mid-Year Conference. Scheduled for August 1-4, 2009 at the Westin Philadelphia, this event will provide you with an update on what changes (if any) are in store for the program.

Campus accounts receivable management practices and policies will be a focus of this event. Policies and practices in this important area of campus administration will be covered through a conference session and this year's Mid-Year Workshop. The Mid-Year Workshop will take place from noon-5:00 PM on August 4 and costs an additional \$75. The additional costs include lunch at the hotel and workshop fees, and you may register for the workshop when you register for the Mid-Year Conference.

In addition to information on campus accounts receivable management and updates on legislative and regulatory developments, the Mid-Year Conference will offer several informative and entertaining sessions on additional issues related to COHEAO members' day-to-day activities. Session topics under consideration include the FTC Red Flag Rule (a follow-up to the COHEAO teleconference), legal issues including bankruptcy litigation, campus accounts receivable management, new cancellations in the Title IV loan programs, cohort default rates, and efforts to mitigate the impact of the economic downturn for students.

COHEAO is pleased to continue to offer affordable rates for its events. The prices for this year's Mid-Year Conference remain unchanged from last year, \$470 for members and \$570 for non-members school attendees if you register before June 30. Non-member commercial institutions may register for \$1,575 before June 30, and all registrations increase by \$25 after the June 30 discount deadline.

We were also able to negotiate a very affordable rate at a wonderful hotel for this event, the Westin Philadelphia. COHEAO conference attendees registering with the Westin before June 30 are eligible for a rate of \$169 per night, a room rate less than at our previous two Mid-Year Conferences. The hotel's Rittenhouse Square location offers numerous shopping and dining options, as well as museums and historical attractions, including the Liberty Bell, Independence Hall, and the Constitution Center.

Call the hotel at (888) 627-8153 by June 30 and let them know you are attending the Coalition of Higher Education Assistance Organizations meeting to receive this fantastic deal!

Please register for the conference by visiting [www.coheao.org](http://www.coheao.org). If you have any questions about this event, please do not hesitate to contact Wes Huffman at [whuffman@wpllc.net](mailto:whuffman@wpllc.net).

### **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 here 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

### **House and Senate Pass Budget Resolution, Final Conference Agreement Includes Reconciliation for Student Loans and Healthcare**

The House and Senate passed the conference agreement on the budget resolution this week, and both chambers approved the measure along largely partisan lines. Not a single Republican voted for the conference agreement, and the House vote was 233-193 with 17 Democrats voting against it. In the Senate, the vote was 53-43, and Sens. Evan Bayh (D-IN) and Ben Nelson (D-NE) joined Sen. Arlen Specter (D-PA), who just switched parties this week (see related article), in voting against the final budget resolution.

As we have reported before, the most controversial element of the budget resolution is its use of reconciliation for student loan and healthcare reform. While key legislators, such as Senate Budget Committee Chairman Kent Conrad (D-ND) and Rep. Allen Boyd (D-FL), the Blue Dogs representative at conference negotiations, voiced their concerns with the use of reconciliation, in the end, instructions for healthcare and student loan reform were included in the final conference agreement.

Although the President's student loan proposal received a lot of attention in the weeks leading up to the final vote on the budget resolution, the negotiations between conferees and the House and Senate floor debates focused largely on healthcare. However, several Members from both chambers did speak out against the proposal over the course of the week.

Without a doubt, the budget resolution makes it much easier for Congress to approve the President's call for a conversion to 100% Direct Lending, but it is by no means the "slam dunk" it appeared to be in the days after the President first announced his budget outline. The reconciliation instruction provides a deadline of October 15 for both healthcare and student loan reform, and it was described by Democratic leaders as an "insurance policy" for reforms in these areas.

Importantly, House Education and Labor Committee Chairman George Miller (D-CA) again described the President's plan as one of the "options" for student loan reform. While Miller is perfectly clear on his desire to increase Pell Grant funding, these remarks, combined with reports from private conversations, indicate he is open to ideas other than the Obama plan. However, rumors are beginning to circulate that the House Education and Labor Committee is seeking to markup legislation before the July 4 recess. These rumors are completely unconfirmed, but such a timetable does not appear to allow for the most deliberative of processes.

For more information on the budget resolution, visit: <http://budget.house.gov/> or <http://budget.senate.gov>

To view Chairman Miller's statement, visit:

<http://feedproxy.google.com/~r/edlabor Dems/press/~3/O62NkLHfLbw/miller-hails-house-approval-of.shtml>

To view a statement from House Education and Labor Ranking Republican Buck McKeon (R-CA), visit: <http://republicans.edlabor.house.gov/PRArticle.aspx?NewsID=997>

### **Specter Switches Party Affiliation**

While Hill watchers waited for the outcome of the Minnesota Senate Race between Norm Coleman (R-MN) and Al Franken (D-MN) to finalize Committee assignments and party head counts, Sen. Arlen Specter of Pennsylvania was contemplating his own switch across the aisle.

Specter began political life as a Democrat thirty years ago. As he announced his decision, Specter noted the growing conservatism in the party and the reality that he would lose in the upcoming Pennsylvania primary if he stayed on the Republican ticket. Specter is not ready to retire and losing apparently was not an option either so he shocked his colleagues and his constituents by announcing his immediate switch.

The decision appeared final as the desk he has used for 29 years was moved from the Republican to the Senate side of the Senate chamber and nailed to the floor. However, while President Obama said he was glad to have a new Senator from Pennsylvania “on the team,” Specter repeatedly said he would not be an automatic vote for his new party.

Specter immediately made good on his word, joining Sens. Evan Bayh (IN) and Ben Nelson (NE) as the only Democratic Senators to vote against the President’s budget. However, Republicans remained concerned that should Al Franken’s victory hold up in court as expected, by the summer, the Democrats will hold 60 seats in the Senate, enough to avoid a filibuster.

## **INSIDE ED AND THE ADMINISTRATION**

### **FTC Announces Three-Month Delay of Enforcement of ‘Red Flags’ Rule**

On Thursday, the Federal Trade Commission (FTC) announced it will delay the enforcement of the new “Red Flags Rule” until August 1, 2009, to give creditors and financial institutions more time to develop and implement written identity theft prevention programs. For entities that have a low risk of identity theft, such as businesses that know their customers personally, the Commission will soon release a template to help them comply with the law. Today’s announcement does not affect other federal agencies’ enforcement of the original November 1, 2008 compliance deadline for institutions subject to their oversight.

FTC Chairman Jon Leibowitz said, “Given the ongoing debate about whether Congress wrote this provision too broadly, delaying enforcement of the Red Flags Rule will allow industries and associations to share guidance with their members, provide low-risk entities an opportunity to use the template in developing their programs, and give Congress time to consider the issue further.”

To view the full announcement visit: <http://www.ftc.gov/opa/2009/04/redflagsrule.shtm>

## **IFAP Announces Campus-Based Funding for 2009-2010 Award Year**

This week the Department of Education, Federal Student Aid office announced the notification of Campus-Based Funding for the 2009-2010 Award Year.

Awards for the Federal Work-Study (FWS), Federal Supplemental Educational Opportunity Grant (FSEOG), and Federal Perkins Loan (Perkins Loan) programs, authorized under Title IV of the Higher Education Act of 1965, as amended, for the 2009-2010 Award Year (July 1, 2009 through June 30, 2010) have been approved for the schools listed in the attached three reports. Each report covers specific states, and the schools are listed alphabetically within the state in which they are located.

The following information is provided for each school:

- 1) School name and address
- 2) Applicable programs
- 3) Amount of the awards for the Perkins Loan Federal share, the FSEOG Federal share, and/or the FWS Federal share
- 4) Estimated number of student borrowers in the Perkins Loan Program, estimated number of student awards for the FSEOG Program, and/or estimated number of students to be employed under the FWS Program for the award period
- 5) Authorized Perkins Loan Level of Expenditure

A summary of the awards approved under the Perkins Loan Program is below:

### ***Federal Perkins Loan Program***

Under the Perkins Loan Program, schools make low interest loans to needy undergraduate and graduate students. In previous years, Federal funds generally provided 75 percent of the new capital contributions to a school's Perkins Revolving Fund, and the school provided the remaining 25 percent. However, there were no new Federal funds obligated for the Perkins Loan Program for the 2009-2010 Award Year. A school is authorized to use cash from its revolving fund up to the amount of its Perkins Loan Level of Expenditure. School revolving fund resources at 1,642 schools are estimated to benefit 683,481 students.

To view the full announcement and further information visit:

<http://www.ifap.ed.gov/cbawards/0910CBAwards.html>

## **Duncan, ED Commemorate Obama's First 100 Days**

As part of the effort to promote the Administration's first 100 days, the Education Department has posted a "progress report" on its efforts under President Obama thus far, and Secretary Duncan gave an interview with the *Chronicle of Higher Education*.

The progress report describes the Administration's efforts in education as a "'moon-shot' goal to get America on track and to return to being number one in the world in high school and college graduation rates, school readiness, academic achievement, college matriculation and retention,

and completion rates,” while Duncan described the President’s call to lead the world in college graduates by 2020 an “ambitious,” but “achievable” goal.

During the course of the *Chronicle* interview, Duncan indicated his support for the work of community colleges, describing the work of certain schools to develop the workforce their community needs, and said all community colleges should be on the “cutting edge” in serving the students in the area. He also stated the selection of Martha Kanter, a former community college president, for the post of Under Secretary, “was not an accident.”

However, the brunt of Duncan’s interview dealt with the issue of college affordability. In response to the affordability question, Duncan pointed to the planned increase in Pell Grants, and the “psychological impact” on “third, fourth, and fifth grader(s)” from changing it to the mandatory side of the federal budget ledger. He also mentioned the Administration’s plans to tie Perkins funding to school’s efforts to control costs and increased need-based aid, stating “We haven’t historically played a big enough role in incentivizing behavior.”

However, while Duncan also said the Administration would “shine the spotlight” on individual colleges’ successful efforts at controlling costs and “take a hard look” at those less successful in maintaining affordability, he also indicated he thought the spiraling tuition market would “self-correct.”

“Families have more options, and they’re going to shop. Parents and students will vote with their feet,” Duncan said.

Of course, the Secretary of Education has been advocating vociferously for a loan program that would limit the options of families and students, and one that would not allow them to “vote with their feet.”

To view the Department of Education’s “progress report,” visit:  
<http://www.ed.gov/about/reports/annual/100days.html>

### **OIG: FSA Monitoring of Student Loan Participants ‘Needs Improvement’**

The Department’s Office of Inspector General released a final audit this week, “Federal Student Aid’s Oversight and Monitoring of Guaranty Agencies, Lenders, and Servicers Needs Improvement.” The report divided the areas for improvement into four broad categories, listed below:

- Improvement Is Needed in the Control Environment for Oversight and Monitoring of the Guaranty Agencies, Lenders and Servicers
- Improvement Is Needed in the Financial Partners Eligibility & Oversight (FPE&O) Risk Assessment Process
- Control Activities Over Guaranty Agencies, Lenders and Servicers Need Improvement
- FSA Lacked Written Procedures on Sharing Information Related to Policy Guidance and Program Reviews

In its response to the audit, the Office of Federal Student Aid said it had already begun to implement many of its recommendations, and noted that FSA had submitted to an internal audit on its oversight of the student loan programs.

“FSA is committed to the implementation of a strong internal control environment, including the implementation of effective control activities over guaranty agencies, lenders and servicers. FSA has taken many actions to improve its oversight of guaranty agencies, lenders, and servicers in response to recommendations the OIG made in prior audits. We are pleased to report that the actions we have taken, and plan to take in the near future, address many of the issues raised by this audit report,” wrote James Manning, FSA’s Acting COO, wrote in the official response to the report.

To view the full audit, visit:

<http://www.ed.gov/about/offices/list/oig/auditreports/fy2009/a20i0001.doc>

### **Shireman Named to Newly Created Post at ED**

Last week, Secretary of the Department of Education announced a permanent position had been created for Bob Shireman, who had been serving as a “senior consultant” to Secretary Arne Duncan. Shireman was named Deputy Under Secretary of Education. He will report to the Under Secretary of Education (former community college president Martha Kanter was appointed to this role a couple of weeks ago), and the newly created position does not require confirmation.

Since his work began with the Obama Transition in November there has been widespread speculation on a prospective permanent role for Shireman. Many rumors were circulating that he would be named as Assistant Secretary for Postsecondary Education. That post does have some non-policy related duties and would require a Senate confirmation.

According to *Inside Higher Ed*, “It is possible that Congressional supporters of the loan programs (and for-profit colleges) would have gunned for Shireman had he been nominated to a position (like assistant secretary for postsecondary education) that requires Senate confirmation.”

## **INDUSTRY NEWS**

### **Kantrowitz Calls for Better Targeting of Aid to Needy Students**

Mark Kantrowitz, the publisher of Finaid.org and Fastweb.com, issued a paper on the targeting of need-based aid to students. For the study, Kantrowitz examined federal, state, institutional, and private aid programs, some of which were explicitly targeted to needy students and others which were not.

Much like the College Board and NASFAA, Kantrowitz recommends a consolidation of student aid programs into a much larger Pell Grant. He calls for the elimination of Perkins Loans, the

SEOG program, the in-school interest subsidy on Stafford Loans, and the various federal tax credits, and applying these funds to Pell.

Importantly, however, certain programs would provide much more Pell funding than others. For instance, Kantrowitz estimates eliminating subsidized Stafford Loans could provide as much as \$700 in additional funding for the maximum Pell Grant, while eliminating Perkins would only provide about \$100. The paper indicates the elimination of in-school subsidization would allow for more Pell funding, but others who have put forward similar proposals have suggested these savings should be applied to providing assistance for distressed borrowers.

To read the full report, visit: <http://www.finaid.org/educators/20090429TargetingStudentAid.pdf>

### **NASFAA Unveils NCI “Preliminary Recommendations”**

NASFAA released a report providing a series of student aid reform recommendations based on its National Conversation Initiative (NCI). The organization followed the release of the report with a webinar on Wednesday to provide additional details.

According to NASFAA, the release of the “preliminary recommendations” marks the close of the second phase of a four phase process for NCI. The first phase was a listening tour that lasted for much of 2008; the second phase is writing and presenting the initial report; the third phase is feedback from policymakers, the NASFAA membership, and others; and the final phase is advocating for draft legislation to codify the final recommendations. According to NASFAA President Phil Day, the organization aims to finish the third phase by Labor Day, and the organization would work towards passage of legislation by the first part of 2010.

According to NASFAA, the recommendations:

- Significantly simplify the federal student aid application process by eliminating unnecessary application questions, allowing families to initiate the financial aid application process through the federal income tax system, and allowing the neediest students to automatically qualify for maximum aid.
- Expand and simplify grants by setting and indexing the maximum Pell Grant award to 70 percent of the average costs of in-state tuition, fees, room, and board at four-year public colleges and universities, eliminating less effective programs like the ACG and National SMART Grant programs and rolling those expenditures into the Pell Grant.
- Improve financial aid predictability and portability by making it possible for families to understand what aid is available to them well in advance, regardless of chosen school.
- Create a single, new student loan program that combines the best aspects of the Direct Loan, Federal Family Education Loan, and Perkins Loan programs.
- Subsidize student loan borrowers during repayment - instead of while they are in school - and decrease student loan burden by strengthening the Income-Based Repayment program so students never pay more than 10 percent of their discretionary income and loans are forgiven after 20 years of repayment.
- Create a grant program for graduate students in high-need job areas as defined by states.

- Eliminate certain tax benefits that have little impact on increasing college access, repeal taxes on all forms of student aid like scholarships and loan forgiveness, and encourage employers to help students pay off their debt through a Human Capital Tax Credit.
- Encourage families to plan and save for college by providing every child with \$500 to start a college savings account, giving tax breaks to anyone who contributes to a child's college savings account, and provide college aid eligibility estimates for children as young as 10 years old.
- Engage public and private entities to increase public outreach to raise awareness about the benefits of a college education and available financial aid and use as many technologies and mediums as possible to inform students about their financial aid eligibility.

Implementing the NASFAA recommendations obviously would carry significant costs to the government. According to Day, the Brookings Institution's Tax Policy Center will be providing a budget score for the plan "in the next couple of weeks."

As NASFAA had already provided information on its loan recommendations, most of the prepared remarks focused on other elements of the plan. However, Draeger, whom Day credited as the main architect of the loan portion of the plan, fielded questions on how the NASFAA plan is different than the President's call for total Direct Lending, as well as concerns with a decrease in the level of student support services in the proposed loan program.

NASFAA intentionally did not provide pricing information for the new loans, but the organization expects the loans to price at the cost of administering the program. According to Draeger, these loans, which would carry limits equal to the maximum Pell Grant in a given year, would price around 3.4%, the target interest rate for subsidized Staffords in CCRAA.

For more information on the National Conversation Initiative recommendations, visit: <http://www.nasfaa.org/redesign/nci/ncicenter.html>

### **ACE Offers Support for Switch to Direct Lending**

Last Tuesday, the American Council on Education, writing on behalf of 27 education associations, sent a letter to Congress urging support for the President's proposal to make Pell Grants an entitlement through the elimination of FFEL. The document acknowledges concerns within the higher education community over the switch to a government monopoly, but states FFEL institutions are "open to considering it" due to the Pell entitlement.

Those who question the President's plan, particularly the "savings" the government claims will occur through the switch, noted ACE's acknowledgement that the purported savings from eliminating FFEL "are at their most optimal levels" and are "not likely to happen again." Critics of the plan have raised concerns over the assumptions behind its budget scoring, and the ACE letter suggests some of its supporters have the same

questions, but they view them as an impetus for approving the President's proposal rather than a hindrance.

To read the ACE letter, please visit:

<http://www.acenet.edu/AM/Template.cfm?Section=LettersGovt&TEMPLATE=/CM/ContentDisplay.cfm&CONTENTID=32171>

### **TICAS Issues Report on Private Loan Borrowing**

Last week the Project on Student Debt released the results of a new study this week that shows the percentage of all undergraduate students who borrowed private student loans increased from five percent in 2003-2004, to 14 percent in 2007-2008.

The figures in study were calculated by the Project on Student Debt using data from the National Postsecondary Student Aid Study, a federal survey of college students conducted every four years by the National Center for Education Statistics.

The report claims one in four private student loan borrowers in 2007-2008 did not take out any federal Stafford loans that year. Fourteen percent of all private loan borrowers did not apply for federal financial aid, and 12% filled out the FAFSA but did not take out a Stafford loan. The results also showed that students attending higher tuition colleges were most likely to borrow private loans in 2007-2008. Schools charging more than \$10,000 in tuition and fees enrolled about 16% of undergraduates overall, and 37% of private borrowers.

“These data are troubling because private student loans are more like credit cards than financial aid, and have very little in common with federal student loans. Too many students are missing out on federal loans and going straight to one of the riskiest borrowing options,” said Lauren Asher, Acting President of the Institute for College Access & Success (the parent organization of the Project on Student Debt—TICAS’ founder and president, Robert Shireman, is “on leave” from the organization).

Responding to the study, House Education and Labor Committee Chairman George Miller (D-CA) stated, “This report confirms our fear that many students – coping with a worsening college cost crisis – may be turning to more expensive, risky private student loans before first maximizing cheaper federal student aid they may be eligible for. These loans pose far greater financial dangers to students than federal student loans and have a history of being marketed to students in deceptive and aggressive ways.”

Miller also noted that the study shows the need to expand Pell Grants and make federal student loan programs more sustainable and efficient.

For more information visit: [http://projectonstudentdebt.org/pub\\_view.php?idx=449](http://projectonstudentdebt.org/pub_view.php?idx=449)

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