

## Section 3

**Policy:** **General Provisions**  
**Regulations:** [668.13](#) (Certification), [668.22](#) (Title IV Refunds), [668.41](#), [668.42](#), [668.43](#), [668.44](#), [668.45](#), [668.46](#), [668.47](#), [668.48](#) (Consumer Information), [668.53](#) (Verification), [668.75](#) (Misrepresentation), [479 A](#) (Professional Judgment), [668.134](#) (Documentation) and [668.135](#) (Secondary Confirmation), [34 CFR 668, Subpart J](#) (Ability To Benefit)

**Purpose:** This section outlines the requirements contained in the General Provisions Regulations.

**Scope:** **Specifically Address:**

- 3.1 Certification
- 3.2 Title IV Refunds
- 3.3 Missing Persons Policy
- 3.4 Consumer Information
- 3.5 Verification
- 3.6 Professional Judgment
- 3.7 Misrepresentation
- 3.8 Documentation
- 3.9 Secondary Confirmation
- 3.10 Ability to Benefit

**Responsibilities:**  
**(Identify individuals and/or offices responsible for developing and updating this section)**

FAA

**Definitions:**  
**(Identify acronyms or definitions that will be used in this section)**

See Appendix A

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### Resources available to assist in the development of a manual:

- Review the Verification Assessment.  
<http://ifap.ed.gov/qahome/qaassessments/fsaverification.html>
- Complete the Professional Judgment Activity #5.  
<http://ifap.ed.gov/qadocs/FSAVeriModule/activity5verif.doc>
- Review Consumer Information Activity #5.  
<http://ifap.ed.gov/qadocs/ConsumerModule/ConsumerInfoAct5.doc>
- Review of the Campus Security Policies and Procedures Checklist.  
<http://www.ifap.ed.gov/qadocs/policiesandprocedures/campussecurityppchecklist.doc>
- Procedures outlining the requirement for Return of Title IV  
<http://www.ifap.ed.gov/qadocs/policiesandprocedures/r2t4ppchecklist.doc>
- Family Policy Compliance Office Website (FERPA)  
[www.ed.gov/policy/gen/guid/fpco/index/html](http://www.ed.gov/policy/gen/guid/fpco/index/html)
- Review the [2009-10 FSA Handbook](#) (Application and Verification Guide, Volumes 1 ,2 and 5) for guidance related to the topics in this section

**This section includes:**

Procedures for the certification (or recertification) process for participating in the Title IV programs.

**Renewal Certification:**

Identify the process in place to ensure that a renewal of certification is completed at least 90 days prior to the expiration of current period of participation.

FAA is aware of renewal of certification deadlines. A staff person in the FA office will be trained to be able to process the PPA and ECAR on the U.S. Department of Education's website.

**This section includes:**

Procedures outlining the requirements for Return of Title IV

**Refund Policy:**

Include a copy of the refund policy developed by the school or as mandated by the school's accrediting agency or state agency.

**RETURN TO TITLE IV REFUND POLICY**

As part of the Higher Education Act of 1998, Congress passed regulations that dictate how Federal Student Aid (Title IV) funds are handled when a student 'completely' withdraws, officially or unofficially, from a college during any given semester. These regulations require that a Return to Title IV (R2T4) Calculation is performed in order to determine how much federal aid the student has earned. The calculation of Title IV funds earned by the student has no relationship to the student's incurred institutional charges, or to the College's institutional refund policy.

Even though students are awarded and have had federal funds disbursed to them at the beginning of the semester, students are required to "earn" the financial aid disbursed to them by attending classes up to the point that at least 60% of the semester has expired. After the 60% point in the payment period or period of enrollment, a student has earned 100% of the Title IV funds he or she received or was scheduled to receive.

When a student completely withdraws, officially or unofficially, from the college before 60% of the semester has expired, the student has failed to "earn" all of the financial aid that he or she received. Therefore, the student may be required to repay a portion of the federal funds he or she received to the appropriate programs.

Bishop State Community College must calculate the portion of the federal financial aid that a student has "earned" based on the date of the student's withdrawal from the college. The withdrawal date for a student that officially withdraws is the date the student **begins** the withdrawal process. In the case of a student who unofficially withdraws or stops attending classes, the midpoint of the semester (50% point) is used as the withdrawal date. The formula used for this calculation is a formula prescribed by the federal guidelines that govern the federal financial aid programs, the Code of Federal Regulations (CFR).

The refund calculation is based on the total number of days in the semester compared to the total number of days that a student attended class before the student withdraws, officially or unofficially, from the college. If a student

receives more aid than he or she "earned", then the "unearned" portion of the student's aid must be returned. A student may owe money to the U.S. Department of Education and/or to Bishop State Community College.

Students who enroll at Bishop State Community College and decide, for any reason, that they no longer want to be enrolled at the college must officially withdraw from class. **Students can obtain the withdrawal form and procedures for withdrawing from the Admissions/Registrar's Office. Please note: For purposes of Return to Title IV Aid Calculations**, the withdrawal date for a student that officially withdraws from all classes is the date the student **begins** the withdrawal process.

Failure to properly withdraw from classes may result in the student receiving failing grades in all of his or her classes. This may negatively impact the student's eligibility for financial aid in future semesters.

### Return to Title IV Calculation

**Official Withdrawals** - The Business Office receives a copy of the official withdrawal form from the Admissions Office. The Business Office clerk performs the Return to Title IV (R2T4) calculation, using the U.S. Department of Education's website. A copy of the calculation and withdrawal form is sent to the FA Office.

**Unofficial Withdrawals** - After grades have been posted and within 30 days after the end of the earlier of: (1) payment or enrollment period, (2) academic year in which student withdrew, or (3) educational program from which student withdrew, a Failure to Pass report is printed and the Business Office clerk reviews each student listed for R2T4 applicability. Instructors reporting a failing grade must enter the last date of recorded attendance. This date is used to determine the earned and unearned return to Title IV percentages.

The Business Office clerk performs the Return to Title IV (R2T4) calculation, using the U.S. Department of Education's website. A spreadsheet of all unofficial withdrawal calculations is created and transmitted to the FA Office.

For all withdrawals - As soon as possible, but no later than 45 days after the College determines the student withdrew, the FA Office is responsible for sending the R2T4 adjustment for the unearned portion of the student's Title IV funds to the federal program from which it was received. The FAA is responsible for monitoring the deadlines for determining that a student withdrew and returning unearned Title IV funds.

Within 30 days of the date the College determines the student withdrew, The Business Office sends written notification to the student with any amounts, if any, he or she owes to the U.S. Department of Education or to the school.

A portion of the Return to Title IV schedule is below:

### BSCC FALL 2009—Return to Title IV Schedule

DATE OF WITHDRAWAL	DAYS COMPLETED	NO. OF CALENDAR DAYS IN SEMESTER	PERCENTAGE COMPLETED	RETURN PERCENTAGE
08/19/09	1	112	1%	99%
09/09/09	22	112	20%	80%
10/14/09	57	112	51%	49%
10/25/09	68	112	60%	0%

\*Based on 112 calendar days in the fall 2009 Semester  
Classes begin August 19, 2009 - Last day of Final Exams December 16, 2009

- **This section includes:** **NA** The College does not maintain on-campus student housing facilities; therefore this section is not required.

Procedures outlining the requirements to be included in the school's Missing Person Policy.

**A school that provides on-campus housing must establish a missing student notification policy for students. Your school should include a policy that addresses the following:**

- Informs each student that they have the option to identify an individual that the school can contact no later than 24 hours after the time the student is determined missing according to the school's official notification procedures.
- Provides each student a way to register confidential contact information in the event the student is determined to be missing for more than 24 hours.
- Advises each student less than 18 years of age (who is not emancipated) that the school must notify a custodial parent or guardian no later than 24 hours after the time the student is determined to be missing according to the school's official notification procedures.
- Requires the school to initiate the emergency contact procedures that the student designates if campus security or law enforcement personnel have been notified and determine that the student has been missing for more than 24 hours and has not returned to campus.

**Your school must also establish official notification procedures for a missing student who resides in on-campus housing. The school must address the following:**

- Include procedures for official notification of appropriate individuals at the school that such student has been missing for more than 24 hours.
- Require that any official missing person report relating to such student be referred immediately to the school's police or campus security department.

**Your procedures must also address the following:**

- In instances where, upon investigation of the official report, the police or campus security department determines that the missing student has been missing for more than 24 hours, the department must contact the individual identified by the student as a contact. If the missing student is under 18 years of age and not emancipated the school must immediately contact the custodial parent or legal guardian of the student and, in cases where the preceding two scenarios do not apply to a student determined to be a missing person, the school must inform the appropriate law enforcement agency that the student is missing.

**This section includes:**

Procedures outlining the requirements for Consumer Information related to specific institutional information, graduation rates, annual security report, and athletic reporting.

Website disclosure – Exact electronic address, where to request paper copy, email notification of availability via website;

**Consumer Information Publications:**

Identify publications and how they are distributed (mailing or electronic media) to disclose the following to enrolled or prospective students or employees as outlined in [668.41](#) :

- **Financial assistance available to students enrolled [668.42](#).**

Information on financial assistance that the institution must publish and make readily available to current and prospective students. The information must include, but is not limited to, a description of all the Federal, State, local, private and institutional student financial assistance programs available to students who enroll at the institution.

List of Available Aid	See 2009-11 Catalog pages 19-22
Students' Rights & Responsibilities	See 2009-11 Catalog page 17
Disbursements	See 2009-11 Catalog page 24

- **Institutional information outlined in [668.43](#).** See

Institutional information that must be made readily available upon request to enrolled and prospective students.

Cost of attendance	See 2009-11 Catalog pages 15-16
Refund policy	See 2009-11 Catalog page 16
Withdrawal policy	See 2009-11 Catalog pages 16, 25 & 26
Degree Programs	See 2009-11 Catalog pages 81-205
Facilities	See 2009-11 Catalog pages 269-272
Faculty List	See 2009-11 Catalog pages 264-268
Special Facilities & Services	See 2009-11 Catalog pages 31-33
Contacts	See 2009-11 Catalog page 7
Accreditations	See 2009-11 Catalog pages 6 & 7

- **Completion of graduation rates [668.45](#).**

An institution annually must prepare the completion or graduation rate of its certificate or degree-seeking, full-time undergraduate students.

Completion of graduation rates is reported on the College's IPEDS and CAPP reports

- **Annual Campus Security report [668.46](#).**

- Institutional security policies and crime statistics.
- Timely reporting of crimes. Schools must have policies that encourage complete timely reporting of all crimes to the campus police and appropriate law enforcement agencies. **(HEOA)**

Campus Police are responsible for maintaining crime log and submitting the Annual Campus Security report. The report is posted to the College's website. That disclosure includes the exact electronic address, where to request paper copy, and a brief description of contents. All students and employees are notified via email that the report is available on the College's website.

- **Athletic Reporting [668.47](#).**

Report on athletic program participation rates and financial support data is submitted annually by October 1.

The Athletic Director is responsible for submitting the report on athletic program participation rates and financial support data annually by October 1.

- **Report on Completion or Graduation Rates for Student Athletes [668.48](#).**

The annual report for institutions that are attended by students receiving athletically related aid is submitted by July 1 as required in [668.48](#).

The Athletic Director is responsible for submitting the annual report for institutions that are attended by students receiving athletically related aid is submitted by July 1 as required in [668.48](#).

- **Fire Safety Report – The College does not maintain on-campus student housing facilities, therefore this section is not required.**

Must contain information about any deaths, injuries, or property damage resulting from fires, as well as campus fire safety practices and standards of the school. **(HEOA)**

**In addition, the following consumer information topics should be addressed in your procedures:**

- **Testing emergency/evacuation procedures.** A school must test emergency response and evacuation procedures annually. **(HEOA)**

**Included in the College's Emergency Management Plan:**

**Drills**

Campus Police will conduct a minimum of three emergency drills during each academic school. Staff and faculty members will be given advanced notice with written directions 2-3 days prior to the actual drill. Drills include Fire, Inclement Weather and Campus Disturbances.

- **Copyrighted Material.** The school must certify that it has developed plans to effectively combat the unauthorized distribution of copyrighted material and will, to the

extent practicable, offer alternatives to illegal downloading or peer-to-peer distribution of intellectual property. (HEOA)

- **Information about the school's facilities, services, and campus policies.** A school must provide students and prospective students with information about the school and its operations, such as the school's accreditation and licensure, the faculty and other instructional staff, degree and certificate programs, any plans the school has for improving the academic programs, instructional and laboratory facilities, special facilities for disabled students, student body diversity in the categories of gender and ethnicity of enrolled and full-time students who receive Federal Pell Grants, and school policies regarding all vaccinations. (HEOA)

The College includes information about its facilities, services, and campus policies in the College Catalog, which is available on the College website, in hard copy, or compact disc format.

- **Textbook information.** A school must include, on its Internet course schedule, the International Standard Book Number (ISBN) and retail price for required and recommended textbooks and supplemental material. If the ISBN is not available, the author, title, publisher, and copyright date, or, if such disclosure is not practicable, the designation "To Be Determined." If applicable, the school must include on its written course schedule a reference to the textbook information available on its Internet schedule and the Internet address for that schedule.  
The College uses the Follett Higher Education Group (FHEG) to operate its bookstores. FHEG has developed *booklook* system as a mechanism to provide the College with all information required by HEOA. The College will fully implement this solution by the July 1, 2010 deadline.
- **Placement/matriculation of graduates.** Placement of and types of employment obtained by graduates of the school's degree or certificate programs, and the types of graduate and professional education in which graduates of the school's 4-year degree programs enrolled. (HEOA)
- **Retention rates.** The retention rates of certificate or degree-seeking first-time full-time undergraduate students. (HEOA)
- **Drug & alcohol abuse prevention.** A school must provide students, faculty, and employees with information that includes: standards of conduct that prohibit unlawful possession or use of drugs on the campus; a description of the school's penalties and penalties under state, local, and federal law; a description of the health risks of drug abuse; and a description of any treatment, counseling, or rehabilitation programs available to students and employees.

**From the College Catalog:  
DRUG AND ALCOHOL ABUSE PREVENTION PROGRAM**

It is the policy of Bishop State Community College that during the month of September of each academic year, the information contained in this document shall be distributed to each student and employee of Bishop State Community College.

It is further the policy of Bishop State Community College that during the month of May, a committee assigned by the College President shall review its Drug and Alcohol Abuse Prevention Program and shall:

1. Determine the effectiveness of its program and report to the President any revisions needed in the program to make it more effective; and
2. Ensure that the standards of conducts described in Part II hereof are fairly and consistently enforced; and
3. Submit a written report to the President stating the findings and recommendations of the committee.

The President shall implement, effective the ensuing September, such of the committee's recommended revisions as deemed appropriate and reasonable. The committee will consist of the following staff members and students:

- a. Dawn Rasberry, Chairperson
  - i. [drasberry@bishop.edu](mailto:drasberry@bishop.edu)
  - ii. 251-405-7103
- b. Victoria King, Nursing
  - i. [vking@bishop.edu](mailto:vking@bishop.edu)
  - ii. 251-405-4493
- c. Kelli Boots, Nursing
  - i. [kboots@bishop.edu](mailto:kboots@bishop.edu)
  - ii. 251-405-4477
- d. Student Representative
- e. President of the Student Government Association
- f. Vice President of the Student Government Association
- g. Vice President of the Sophomore Class

#### STANDARDS OF CONDUCT AND ENFORCEMENT THEREOF

**BISHOP STATE COMMUNITY COLLEGE** is a public educational institution of the State of Alabama and, as such, shall not permit on its premises, or at any activity which it sponsors, the possession, use, or distribution of any alcoholic beverage or any illicit drugs by any student, employee, or visitor. In the event of confirmation of such prohibited possession, use, or distribution by a student or employee, BISHOP STATE COMMUNITY COLLEGE shall, within the scope of applicable Federal and State due process requirements, take such administrative or disciplinary action as is appropriate. For a student, the disciplinary action may include, but shall not be limited to, suspension or expulsion. For an employee, such administrative or disciplinary action may include, but shall not be limited to, reprimand, suspension, termination of employment, or requirement that the employee participate in and/or successfully complete an appropriate rehabilitation program. Any visitors engaging in any act prohibited by this policy shall be called upon to immediately cease and desist from such behavior.

If any employee, student, or visitor shall engage in any behavior prohibited by this policy which is also a violation of Federal, State, or local law or ordinance, that employee, student, or visitor shall be subject to referral to law enforcement officials for arrest and prosecution.



## WHERE TO GET ASSISTANCE

There is help available for persons who are in need of counseling or other treatment for substance abuse. Listed below are several agencies and organizations which can assist persons in need of such services.

### 1. NATIONAL TOLL-FREE HOTLINES

- a) 1-800-729-6686 (M-F, 8:30 am - 4:30 pm) National Institute on Drug Abuse Informational and referral line National Council on Alcoholism

On-line Database: [www.drughelp.org](http://www.drughelp.org)

### 2. LOCAL INFORMATION AND REFERRAL NUMBERS

a) IN-PATIENT - LOW COST

- DAUPHINWAY LODGE 251-438-4729
- HOME OF GRACE FOR WOMEN 251-456-7807
- THE SHOULDERS FOR MEN 251-626-2199

b) DAY TREATMENT PROGRAM

- GATEWAY DRUG TREATMENT CENTER 251-666-2569

c) OUT-PATIENT PROGRAMS

- CATHOLIC SOCIAL SERVICES 251-438-1603
- FRANKLIN MEMORIAL PRIMARY HEALTH CENTER 251-434-8195
- BRADFORD HEALTH SERVICES OF MOBILE 251- 633-0900
- BRADFORD HEALTH SERVICES OF MOBILE 800-333-1865

d) SUPPORT GROUPS

- ADULT CHILDREN OF ALCOHOLISM 251-341-8998
- ALCOHOLICS ANONYMOUS 251-479-9994
- NARCOTICS ANONYMOUS 251- 639-4156

e) INFORMATION, REFERRAL, AND RESOURCES

- DRUG EDUCATION COUNCIL 251-478-7855

f) ALCOHOL AND DRUG PROBLEMS

- BAYVIEW PROFESSIONAL ASSOCIATES (E.A.P.) 251-450-2250

### 3. TREATMENT FACILITIES

The treatment facilities shown below provide either alcohol out-patient, residential, or in-patient basis. Out-patient care generally consists of counseling and other therapy on a periodic basis, such as twice-a-week. In-patient services include such treatment as detoxification and short-term hospital care. Residential services include residing (generally from one to six months) at a treatment facility and participating in such therapeutic activities as lectures, group counseling, individual counseling, and self-analysis.

Some of the facilities listed below are private and some are public. In most instances, the care offered at a public facility is less expensive than similar services offered at private facilities. However, many health and hospitalization insurance policies include coverage for substance abuse treatment. There are also situations in which private facilities receive public funding to offer services to eligible clients

who would not otherwise be able to afford such services.

**Baldwin County Mental Health/Mental Retardation Center (A/D)**

372 South Greeno Road  
Fairhope, AL 36532-1905

251-928-2871

**Franklin Memorial Primary Health Center, Inc. (A/D)**

1303 Dr. Martin L. King Jr. Avenue  
Mobile, AL 36652-2048

251-432-4117

**Gateway Drug Treatment Center**

2400 Gordon Smith Drive  
Mobile, AL 36617

251-473-4423

**AltaPointe Health Systems**

2400 Gordon Smith Drive  
Mobile, AL 36617

251-473-4423

**Safe Haven Homes (A)**

2400 Gordon Smith Drive  
Mobile, AL 36617

251-634-8464

**Salvation Army-Dauphin Way Lodge (A/D)**

1009 Dauphin Street  
Mobile, AL 36604

251-438-4729



**Important** A critical piece of information that, if overlooked, could result in an error

### **FERPA (See 34 CFR, Part 99)**

Schools must be aware the requirements for FERPA. The procedures should include the information outlined in 34 CFR, Part 99. Review these regulations to ensure your school addresses the following information:

- FERPA General Requirements
  - Rights of parents and students
  - Annual notification to parents and students
- Rights of Inspection and Review of Education Records
  - Rights of parents and eligible students to inspect and review education records
  - Charging a fee for copies of education records
  - Limitations on the right to inspect and review records
- Procedures for amending records
  - Procedures for a parent or a student to amend a student's education records
  - Conditions outlining when a student or parent has a right to a hearing
  - Minimum requirements for conducting a hearing
- Procedures for disclosing personally identifiable information from education records
  - When prior consent to disclose information is required
  - When prior consent to disclose information is not required
  - Recordkeeping requirements for requests and disclosures
  - Limitations for redisclosure of records
  - Disclosure of information to other educational agencies or institutions
  - Disclosure of information for Federal or State program purposes
  - Disclosure of information in health and safety emergencies
  - Disclosing directory information
- Enforcement Procedures
  - School's responsibility when there is conflict with State or local laws
  - Notifying students of right to file complaints regarding alleged violation under the act

### **POLICY ON SAFEGUARDING OF CONFIDENTIAL FINANCIAL AND PERSONAL INFORMATION** **OVERVIEW**

Bishop State Community College receives and stores financial documents, registration and personnel records of a confidential nature. This includes, but is not limited to, the collection on payments from students, parents and customers via check, money order, cash and credit/debit cards. It may also include, but not limited to, all documents pertaining to the awarding of financial aid assistance, the input of registration documents, drop/add transactions, grades, transcripts, and withdrawals from courses or from the College.

The policy completely excludes unauthorized personnel, including employees who are enrolled as students at the College, from processing their own transactions or those of their relatives.

To comply with safeguarding confidential financial documents, registration and personnel records as well as other related personal information, the College policy:

1. Designates the Director of Computer Services and the Dean of Students to coordinate the information security program safeguards;
2. Identifies and assesses risks to customer information, and;
3. Evaluates the effectiveness of the information security program safeguards.

The College has considered the risks to the security, confidentiality, and integrity of student and employee information. This risk assessment considers risks in each of the following relevant areas:

1. Employee training and management
2. Information systems, and
3. Detecting, preventing, and responding to attacks, intrusions, or other system failures.

The College has designed and implemented information safeguards to control the identified risks and will regularly test and monitor the effectiveness of those safeguards. The College's program will be evaluated and adjusted as a result of this testing and monitoring process or any other material change in operations.

The College will oversee any service providers by selecting and retaining service providers capable of maintaining appropriate safeguards and by requiring service provider contracts to implement and maintain such safeguards.

Information security program safeguards include, but are not limited to:

1. Administrative controls, such as continued employee training and confidentiality statements;
2. Technical controls, such as information systems security controls, passwords, and limited approved access to applicable systems, and
3. Physical controls, such as secure storage solutions.

#### **SCOPE OF THE POLICY**

The policy applies to all personnel who administer, manage, maintain or use financial or personal information pertaining to students and employees. All offices at the College that handle confidential financial transactions or personal information shall designate at least one employee who will coordinate the safeguards; annually assess risks to customer information to include evaluating the effectiveness of the safeguards; designate and implement a safeguard that includes regular compliance monitoring and evaluation; ensure that staff members are trained on the rules of confidentiality; and ensure that all staff members who handle aspects of any office transactions sign an Employee Confidentiality Statement that is maintained in the employee's department and personnel file. This policy will be made available in the Faculty/Staff manual, all departmental manuals, and on the College's website.

Each department head are responsible for ensuring compliance with the confidentiality policy within their areas.

#### **POLICY AGAINST FRAUDULENT, UNETHICAL AND OTHER DISHONEST ACTS**

Bishop State Community College is committed to the highest standards of moral and ethical behavior. Breaches of these standards, especially through acts involving fraudulent, unethical and other dishonest behavior, are not only costly, but they tend to erode the public's trust and confidence in the integrity of the College. By issuing this formal policy, the College reaffirms its longstanding duty and responsibility to aggressively combat such behavior.

This policy is intended to (1) communicate a “zero tolerance” for fraudulent, unethical and other dishonest activities; (2) Institute preventive measures designed to deter these activities or make them easier to detect and stop and (3) provide for the reporting and investigation of such activities.

Fraud generally involves a willful or deliberate act or omission with the intention of obtaining an unauthorized benefit, service, property or something of value by deception, misrepresentation or other unethical or unlawful means. Fraud can be committed through many methods, including mail, wire, telephone and the Internet.

Fraudulent, unethical and other dishonest acts may include, but are not limited to:

1. Forgery or unauthorized alteration of documents or computer records;
2. Falsification or misrepresentation of reports to management and external agencies, including time sheets, official travel claims for reimbursement or other expense reimbursement reports;
3. Authorizing or receiving payment for time not worked;
4. Misappropriation of funds, securities, supplies or other assets;
5. Impropriety in handling or reporting of money or financial transactions;
6. Engaging in unauthorized activities that result in a conflict of interest;
7. Disclosing confidential or proprietary information to unauthorized individuals;
8. Removal of College property, records or other assets from the College without supervisory approval;
9. Unauthorized use or destruction of College property, records or other College assets; and
10. Taking information and using it or providing the information that would lead to identity theft.

Employees determined to have participated in any of these acts will be subject to disciplinary actions. In such instances, the Office of Human Resources, or the appropriate office will be consulted.

This policy will be made available in the Faculty/Staff manual, all departmental manuals, and on the College’s website.

## **BISHOP STATE COMMUNITY COLLEGE**

### **EMPLOYEE STATEMENT OF UNDERSTANDING REGARDING CONFIDENTIALITY**

I understand that in the course of my work at Bishop State Community College, I may be given or have access to personal information regarding employee, customer, student, or parent accounts with the College (e.g. name, address, social security number, employment, type and/or amount of debt owed, payment, banking or other similar information) and other information that is confidential, including but not limited to, students, parents, custodians, customers and lists (actual or prospective and including charges and payment histories); financial information, including financial statements, purchases, computer programs and/or systems information; information relating to College operations, methods, strategies and techniques and their use and effectiveness; and employee information (including disciplinary and other similar matters). This information may be on paper, contained in software, visible on screen displays, in computer readable form or otherwise. I understand that from time to time, the College may revise the description of

"Confidential Information" and that I may obtain clarification as to what is "Confidential Information."

I will receive and hold all personal information as highly confidential, as hereby affirm that I will not (i) use any of it except in my work for the College; (ii) copy any of it except as necessary to such permitted use; and/or (iii) publish, disclose or provide access of any of it (including to a student's parent unless written permission is received) except for limited disclosure and access to other College employees who need to know for the same permitted use or as otherwise directed by the College. Upon the termination of my employment, or earlier as instructed by the College, I will return to the College all copies (original and duplicate) of all materials in whatever form containing Confidential Information.

I understand I am responsible for reading, understanding and complying with the policies of the College on Family Educational Rights and Privacy, the Use of Technology Resources, Information Technology Security Policy, and Records Management and Public Records.

I am responsible for taking basic steps to maintain the security, confidentiality and integrity of customer information, such as:

- Locking rooms and file cabinets where paper records or other backup media are kept;
- Using strong passwords (at five alphanumeric characters long);
- Changing passwords periodically and not posting passwords near my computer or sharing passwords with others;
- Verifying telephone fax numbers prior to transmitting secure data; and
- Recognizing any fraudulent attempt to obtain customer information and reporting it to a supervisor and appropriate law enforcement agencies.

I understand and agree that any violation by me of the foregoing may result in disciplinary action, including termination of my employment.

\_\_\_\_\_  
EMPLOYEE SIGNATURE

DATE

\_\_\_\_\_  
EMPLOYEE NAME (PRINT)

**This section includes:**

Procedures outlining the requirements for Verification as required by Title IV Regulations.

**Written Verification Policies and Procedures:**

Your school must have written policies and procedures on the following verification issues:

- Deadlines for students to submit documentation and consequences of the failure to meet those deadlines,
- A method of notifying students of award changes due to verification,
- Required correction procedures for students, and
- Standard procedures for referring overpayment cases to the Department [668.16\(g\)](#).

Additionally, the school must give each applicant selected for verification a written statement explaining the following:

- **Documents required for verification.**
- **Student responsibilities**—including correction procedures, the deadlines for completing any actions required, and the consequences of missing the deadlines.
- **Notification methods**—how your school will notify a student if his or her award changes as a result of verification, and the time frame for such notification.

If the Central Processing System (CPS) selects an application for verification, you must verify the five major elements listed below. **In addition to verifying these required items for CPS-selected students, you can choose to verify any other application items, requiring any reasonable documentation, in accordance with consistently applied institutional policies.** You may decide which students must provide documentation for any additional data elements and what constitutes acceptable documentation.

- household size,
- number enrolled in college,
- adjusted gross income (AGI),
- U.S. income tax paid, and
- certain untaxed income and benefits.

**BISHOP STATE COMMUNITY COLLEGE****Verification Policies and Procedures**

In compliance with CFR668, Subpart E, Bishop State Community College will verify that the data reported on the Free Application for Federal Student Aid (FAFSA) is accurate by obtaining documentation to support the financial data reported on the FAFSA.

The college will verify all of the students selected for verification by the U.S. Department of Education as well as those students selected for verification under the institution's verification selection criteria.

A Pell applicant selected for verification must complete the process by the deadline published in the *Federal Register* or 120 days after the last day of the student's enrollment, whichever is earlier.

A financial aid award will not be processed until all the required documentation is submitted to the Financial Aid Office. If the documentation is not received by the Federal deadline, all Title IV aid will be forfeited.

### **Verification Criteria**

The primary items that are verified are:

- Household size
- Number in college.
- Adjusted Gross Income (AGI)
- U.S. Taxes paid.
- Untaxed income which includes:
  - Child Support Received
  - IRA/Keogh Exclusions
  - Child support paid out to another individual that has been reported on FAFSA

### **Criteria for Requesting Additional Information**

The College reserves the right to require students to submit additional information under the following conditions:

1. Student is only independent because s/he indicated on the FAFSA that they provide more than 50% of the support for a dependent, but have zero income.
2. Student and/or parent(s) of dependent student report zero or very little income.
3. Student and/or parent(s) indicate they did not file a federal tax return, but are required to file based on the Internal Revenue Service's tax-filing requirements.
4. Married students and/or parent(s) have filed as Head of Household.
5. ISIR is flagged for discrepant information.
6. Documentation submitted conflicts with the FAFSA data or reveals income that should have been reported on the FAFSA.

### **Required Documentation**

Students selected for verification will be notified that they have been selected for the verification process and will be asked to provide the following documentation. A Pell applicant selected for verification must complete the process by the deadline published in the *Federal Register*, or 120 days after the last day of the student's enrollment, whichever is earlier.

1. Verification Worksheet.
2. Copies of the student's and/or parents' federal tax return for the most recent tax year.
3. Explanation of any income reported on the FAFSA. Students and parents may report untaxed income on verification worksheets. The FAO will only ask for documentation of untaxed income and benefits if there is reason to believe that there is a discrepancy.
4. Documentation of any monetary value reported on the FAFSA.
5. Any other documentation needed to resolve discrepant information on the FAFSA.



## Notification to Students

Once the Financial Aid Office receives the ISIR, the system will generate a request for additional information to those students who are selected for verification. The students will be required to submit the required documentation for verification purposes.

## The Verification Process

Once the Financial Aid Office determines that the student and/or parent(s) have submitted all of the required documents, the Financial Aid Office will perform verification by comparing the documentation with the data reported on the FAFSA and

1. Verifying that there are no issues of concern or 'C' code issues.
2. Confirming that the following data reported on the FAFSA agrees with the tax return or other financial documentation for anyone's income reported on FAFSA:
  - Adjusted Gross Income
  - Taxes paid
  - Untaxed income and benefits:
    - a) Child support received and paid out
    - b) IRA/Keogh deductions
3. Ensuring that the Verification Worksheet is completed correctly and the income data, household size and number in college reported on the Verification Worksheet agrees with the data reported on the FAFSA. If not, conflicts will be resolved and corrections will be submitted.
  - Only those person's in the student's parent's household that are under the age of 24 will be counted in the household unless the parent can document that they are truly providing more than 50% of the person's support.
  - Independent students will have to prove that they provide more than 50% support to a person listed in the household who is not the student's biological or adoptive child.

## Verification Exclusions

A student's application may be exempt from some or all of the verification requirements due to unusual circumstances. Except in the case of a student's death, however, none of these exemptions excuse the College from the requirement to resolve conflicting information.

- **Incarceration** - An applicant selected for verification does not have to be verified if the applicant was in jail or prison at the time of verification.
- **Recent immigrant** - A recent immigrant does not have to be verified if the student is an immigrant that arrived in the United States during the calendar years that are representative of the award year.
- **Spouse unavailable** – The school isn't required to verify spousal information (or to obtain the appropriate signature for verification purposes) if any of the following conditions apply:
  - The student's spouse is deceased or mentally/physically incapacitated.
  - The spouse is residing in a country other than the US and can't be contacted by normal means.
  - The spouse can't be located because his or her address is unknown, and the student can't obtain it.

You should document the basis for the exclusion. Because this exemption only applies to the spouse's data, the application must still be verified according to all other requirements.

- **Parents unavailable** – You don't have to verify a dependent student's application if any of the following conditions apply:
  - Student's parents are deceased or physically incapacitated.
  - The parents' are residing in a country other than the U.S. and cannot be contacted by normal means
  - The parents can't be located because their address is unknown, and the student can't obtain it.
- **Death of the Student** – If you make an interim disbursement during verification and the student dies before it is completed, you don't have to continue verification to justify the first disbursement. You can't make any additional disbursements, except for FWS funds already earned, to any of the student's beneficiaries. For more information see Chapter 2 of Volume 5 of the FSA Handbook.
- **Applicant verified by another school** – You don't have to verify the selected application of a student who completed verification for the current award year at another school before transferring. However, to document a student's eligibility for this exclusion, you must get a letter from the school that completed the verification. The letter must include:
  - a statement that the student's application data have been verified,
  - the transaction number of the verified application, **and**
  - if relevant, the reasons why the school was not required to recalculate the student's EFC (for example, the application errors may have been within the allowable tolerance – see "Verification tolerance," page 89 of the FSA Handbook)
- **Pacific Island resident** – You don't have to verify the selected application of a student who is either
  - a legal resident of Guam, American Samoa or the Commonwealth of the Northern Mariana Islands or
  - The applicant is a citizen of the Republic of the Marshall Islands, the Federated States of Micronesia or the Republic of Palau.

#### Correction Procedures

All corrections are processed by the FA advisors/counselors.

Step 1 – Review all ISIRs flagged by CPS. Any ISIRs requiring corrections are transmitted to CPS for correction.

Step 2 – Retrieve and review corrected ISIRs to ensure required corrections were made.

Step 3 - Process student awards based on corrected EFC.

#### Withdrawals

Students who withdraw before completing the verification process have 120 calendar days after their withdrawal date to complete the verification process in order to be eligible to receive a post-withdrawal disbursement for the award year.

#### Overpayment Referrals

Two types of events can cause overpayments – (1) R2T4 and (2) Potential Over award notice. Students are notified in writing of overpayment situation and the overpayment due to the U.S. Department of Education is reported on the NSLDS website. Once repayment is made the FA Office notifies the NSLDS website and updates the student's record.

#### Resolving Conflicting Information

Before an award can be made to a student, conflicting information will be resolved.

For example: In checking the NSLDS database the FA Office discovers that the student has attended another college but failed to inform the Admissions Office. The Financial Aid Office will notify the Admissions Office of the conflict and place a processing hold on the student's record. The student will be informed that in order to be awarded financial aid, the academic transcript from the other college must be received by the Admissions Office.

As conflicts arise they will be addressed and any other offices involved will be notified.

#### **Miscellaneous Verification**

The Financial Aid Office will resolve the following conflicts by obtaining the appropriate documentation from the student and/or parent:

- Married couples filing as Head of Household- students and/or parents will be informed that they must
  - re-file taxes as married filing jointly,
  - re-file taxes as married filing separately, or
  - obtain a letter from the IRS that says that they were eligible to file as Head of Household.
- Persons have filed their taxes incorrectly or not filed according to IRS regulations.
- Tax returns reveal other income, benefits and assets that were not reported on the FAFSA.

#### **Financial Aid Awards**

The Financial Aid Office will not award any financial aid to students until verification is performed, all conflicts have been resolved, and corrections have been received from the U.S. Department of Education's Central Processing System.

#### **Changes to Financial Aid Award**

Students will be notified, in writing by the Financial Aid Office, of any changes to their original award and the reason for the change.

#### **Verification Document Deadlines**

In order to receive Pell Grants a student selected for verification must complete the process by the deadline published in the *Federal Register*, or 120 days after the last day of the student's enrollment, whichever is earlier. The deadline date published is usually in late September, following each award year.

#### **Disbursements**

Students selected for verification will not have their aid disbursed until all required documents have been received and reprocessing is completed, if necessary.

**This section includes:**

Procedures outlining the requirements for students who request an appeal to exercise Professional Judgment.

**Appeal Committee:**

If your school has an appeal committee for Professional Judgment, identify the role of the committee:

The College does not use an appeals committee for professional judgment. The FAA is responsible for evaluating professional judgment requests. The FAA'S decision is final

**Written Professional Judgment Policy for Appeals:**

Provide the school's written policy for the review of an appeal and identify documentation to be collected. Reference [479 A](#):

**Verification of file required before Appeal Decision:**

Include procedures to ensure file is verified before making an appeal decision:

**Professional Judgment**

The Higher Education Act of 1992 allows financial aid administrators to make professional judgment decisions to make adjustment for special or family or student circumstances. These circumstances must be documented. Circumstances requiring professional judgment decisions must be analyzed on a case-by-case basis.

Financial Aid Administrators may treat a student with special circumstances differently than the strict application of the methodology would otherwise permit. Adjustments can either increase or decrease a student's EFC or cost of attendance. In the case of an adjustment to a student's EFC or cost of attendance specified adjustments may be made to data elements. The reason for the adjustment must relate to that student's special circumstances and must be documented in the student's file.

**Documentation**

Documentation must be maintained in the student's file. Because professional judgment situations are unique specific required documentation is not listed for each case. It is left up to the discretion of the Financial Aid Administrator to determine what appropriate documentation is. Typically,

1. Documentation should substantiate the student's situation.
2. Documentation should be from a professional outside the family and not a family member.
3. If collecting documentation about a student's life situation, documentation from more than one person should be collected.

The following page contains a worksheet to assist you in writing your policy and procedure. This worksheet can be accessed by selecting the link:  
<http://ifap.ed.gov/qadocs/FSAVeriModule/activity5verif.doc>

Requirement	What is the School's Procedure for this requirement?
<b>If a dependency override decision is made for a student, the school does NOT make the decision using any of following (Remember, there must be some documented unusual circumstance that establishes a student as one where an expectation of a parental tie is not appropriate): Parents refuse to contribute to the student's education; Parents unwilling to provide information on FAFSA or for verification; Parents do not claim student as a dependent for income tax purposes; student demonstrates total self-sufficiency.</b>	Yes
<b>Is the reason for professional judgment documented and on a case-by-case basis?</b>	Yes
<b>Does the documentation relate to the student's *special circumstances that differentiate the individual student (not to conditions that may exist for a whole class of students)?</b>	Yes
<b>Is the documentation contained in the student's file?</b>	Yes
<b>Does the financial aid administrator prepare a written statement of the PJ determination including the identification of the specific unusual circumstances in which the PJ decision was based and retained the statement with the supporting documentation used to make the determination?</b>	Yes
<b>The institution resolves all inconsistent or conflicting information for a student before exercising PJ?</b>	Yes
<b>The institution makes a determination of any PJ decision annually?</b>	Yes
<b>The institution make its own determination and does not make any PJ decisions based on a decision made by a school previously attended by the student or that the student applied for aid?</b>	Yes
<b>All PJ decisions are made according to your institution's policies &amp; procedures?</b>	Yes
<b>Where are procedures for PJ and Dependency Overrides kept?</b>	Included in FA Policies & Procedures Manual – posted on Website

\*Effective July 1, 2009, the CCRAA provides additional guidance to financial aid administrators by providing three examples of special circumstances that may be considered as factors in making an adjustment to the expected family contribution (EFC) calculation or to the cost of attendance. The examples are: The loss of employment of an independent student, cases where a family member is a dislocated worker, or cases where a change in the student's housing status results in homelessness.

Further, the HEOA expanded the examples of special circumstances to include nursing home expenses not covered by insurance, dependent care, and a student who is a dislocated worker.

In addition, the HEOA provides new authority for a financial aid administrator to offer a dependent student an unsubsidized Stafford loan under the FFEL or Direct Loan program, without requiring the parents to file a FAFSA, if the financial aid administrator verifies that the parent(s) has ended financial support and refuses to file the FAFSA. It is important to note that providing financial support includes not only payment by the parent of educational costs, but also providing other cash and non-cash support to the student such as room and/or board.

**Professional judgments/Dependency overrides** are performed for students that have/had unusual circumstances that are rare, extraordinary, uncommon, unexpected and distinctive.

**Dependency override** is performed for a student that is declared independent by a financial administrator based on unusual circumstances. The following documents must be presented by the students in order for the financial administrator to determine that the student is eligible for aid.

1. Statement written by student explaining his/her specific situation. The student must note where parents are at the present time.
2. Third party documentation, i.e. high school counsel, social worker, etc. Two documents are required and documentation cannot come from someone who will benefit.
3. Verification of income.

***NOTE: EMPLOYEES OF BSCC CANNOT WRITE LETTERS FOR THE STUDENT.***

**Professional judgment** is performed for student/student's parents that have/had a loss of income or unusual debt for the year. The following documents are required:

1. Request in writing by student/student parent explaining circumstances and specific action to be performed (i.e. parent or student request that base year income not be used to determine adjusted gross income.)
2. Documentation to support situation.
3. Separation notice from job (if dependent only parent(s) separation notice.)
4. Verification of unemployment benefits, etc.
5. Last pay check stub for student/parent and tax return
6. Documentation of other non-taxable income and benefits.

**This section includes:**

Procedures outlining how the school responds to written allegations or complaints from different sources

**Written Procedures For:**

In the case of written allegations or complaints from a student enrolled at the institution, a prospective student, the families of a student or prospective student, or a governmental official, include the process to respond to the designated department official, as required:

**GRIEVANCES AND DUE PROCESS PROCEDURES****ACADEMIC GRIEVANCES****The Ad Hoc Committee Process**

Recognizing the right of students to be granted protection by the inclusion of due process in all matters relating to academic grievances, the College assures due process through the action of the Ad Hoc Committee for hearing matters related to the academic area, including the grade appeals process.

**Procedures for Communicating Concerns about Academic Matters**

In expressing concerns about academic matters, students should address the appropriate personnel at each of the levels shown in the chart below. The Official Complaint Form should be completed entirely to document students' concern(s). (NOTE: Only in the event of compelling personal circumstances may students bypass the next level of personnel regarding their concern(s). Whenever this occurs, the student should notify in writing the personnel at the level being omitted of his or her intent to express the matter(s) at the next highest level.) The above procedure should be used for all academic matters except grade appeal. The procedures for requesting a hearing for grade appeal are outlined below.

**The purposes of the Ad Hoc Committee are as follows:**

1. To hear and receive information and materials related to a grievance or grade appeal which may be initiated by the student or the staff member.
2. To review information presented and make recommendations to the Academic or Technical Dean regarding the findings of the committee.

**Composition of the Ad Hoc Committee:**

When there is a need to become involved in academic grievances, the Academic or Technical Dean will assemble an "Ad Hoc Committee." The Committee will consist of three faculty members from different divisions/departments, one staff employee, and one student representative.

**Procedures for Requesting a Hearing for Grade Appeal**

Once a disputed grade is received, a grade appeal must be initiated by mid-term of the semester following the assignment of the grade in question.

1. In the case of a grade appeal, the student is advised to meet with the instructor and/or divisional chairperson in an effort to resolve the grade dispute.
2. If the grade dispute is not resolved, the student should schedule a conference with the appropriate dean (academic or technical). If the student feels that the problem is resolved, the matter will be closed. If the student feels that the problem has not been resolved, formal procedures may be initiated which would involve the Ad Hoc

Committee. The student should send a written request for a hearing to the appropriate dean within 24 hours of the conference which was held between the dean and the student.

3. Upon receipt of the student's request, the dean will notify the student of the selected date time and location of the hearing. The student will also be forwarded a copy of the procedures for the Ad Hoc Committee Hearing.
4. The printed procedures of the Ad Hoc Committee hearing will be followed.
5. If the student is not satisfied with the decision of the committee, the student can appeal in writing to the President within 24 hours after receiving the committee's recommendation from the dean.
6. Upon receipt of the student's written request to appeal, the President will notify the student within seven (7) days of the final decision regarding the appeal. Either the President or the student can delay this time frame by mutual agreement.

### **Hearing Procedures:**

#### **A. Attendance at Hearing:**

1. The Ad Hoc Committee hearings shall be private and confidential and will be limited to persons involved. Persons present shall include the committee members, the student requesting the hearing, his or her adviser, the involved staff member, a representative to record the hearing, and witnesses for both parties. Witnesses will be present only when giving testimony.
2. The student has the right to have one adviser present during the hearing; however, the adviser may not address the hearing or give evidence on behalf of the student. In answering and asking questions, the student may seek advice from the adviser before proceeding.
3. Minutes of the proceedings will be recorded and distributed to the committee members. Minutes will be filed in the office of the dean and will be kept confidential.

#### **B. Order of Hearings:**

1. Opening remarks will be made by the chairperson of the committee.
2. Review of the charges or the reason for the hearing will be made by the committee chairperson.
3. Opening statement will be made by the party requesting the hearing (the student or staff person).
4. Testimony and questioning of witnesses or the review of materials related to the issue.
5. Both parties to the action and the committee members have the right to question witnesses.
6. The closing statement by both parties will be made.



**C. Deliberations:**

The committee will conduct its deliberations in closed and confidential session and will direct its recommendations to the appropriate dean. Each committee member must vote on the action to be taken and the recommendations must be signed by each committee member. The dean will notify the student within seven (7) days of the final decision regarding the appeal.

**D. Time Limit On Hearings:**

The committee will make a determination of the total time allotted for the hearing and may limit the time for all aspects of the hearing.

**NON-ACADEMIC GRIEVANCES**

Students' inquiries and grievances concerning non-academic matters should flow as shown in the chart below. The arrows denote the flow of communications to and from the administration

Where there has been serious violation of college policies and a student's continued presence will greatly threaten the welfare of others, the President or the designated presidential representative will immediately suspend the student pending a formal hearing by the Student Conduct and Appeals Committee.

Such action shall be temporary and the student shall be entitled to a hearing at the earliest possible time.

**Purpose**

The purpose of the grievance procedures is to provide students with a mechanism to address their differences with the College, discuss them in an orderly and amicable fashion, and resolve them fairly and promptly without the exercise of economic force by either party.

Students may process a personal grievance on one or more of the following grounds:

1. Improper application of college rules, regulations, and procedures.
2. Unfair treatment by a college staff person, including coercion, restraint, or reprisal.
3. Discrimination because of race, religion, color, creed, national origin, or because of disabilities.

**Definitions**

1. Aggrieved Person – The person making the claim.
2. Coordinator – The person designated to coordinate Bishop State's efforts to comply with and carry out its responsibilities and implement the regulations.
3. Day – A school day; the calculation of days in grievance processing shall exclude Saturdays, Sundays, and holidays.
4. Formal Procedure – A more detailed procedure designed to permit the student to follow a system of appeals to resolve the problem. The formal procedure has prescribed time limits for each step.
5. Grievance – A student's claim of unfair treatment based upon interpretation, application, or violation of college policies and procedures by a member of the college staff.
6. Grievance Decision – The written statement of a hearing officer, the findings regarding

the validity of the grievance allegation, and possible corrective action.

7. Grievant – The person who has a grievance and is filing claim against the offender.
8. Informal Procedure – A simple procedure designed to resolve the problem at the lowest level.
9. Respondent – A person who is alleged to be responsible for the violation stated in the grievance.
10. Time Limits – The maximum number of days indicated at each level to file a grievance or reach a grievance decision and communicate that decision back to the grievant. Every effort should be made to expedite the process. However, the time limits specified may be extended by mutual agreement of the grievant and the staff person or administrator in charge.

### **Informal Procedures**

In an effort to resolve grievances at the lowest administrative level, the College seeks to promote simple, honest, and straightforward communication between the student and the College. A student who has a grievance should present the matter in writing, using the Official Complaint Form (Appendix C), to the Dean of Students immediately after the alleged discrepancy is recognized. The Grievant and the Dean of Students should have a meeting to resolve the matter. If the Grievant feels that the problem is resolved or if no further action is needed, the matter will be closed. If the Grievant feels that the problem has not been resolved, formal procedures may be initiated within ten (10) working days.

### **Formal Procedures**

Any student may register a grievance when improper treatment, misinterpretation, or violation of college regulations has occurred. In an effort to secure consideration, adjustment, or settlement of grievances, students shall be free of interference, restraint, coercion, or reprisals. It is desirable that problems are resolved at the earliest possible time and at the lowest level of authority. If students believe they have a grievance, they may advise the Dean of Students and request an explanation or relief. If the student is not satisfied with the action taken, a formal grievance may be initiated according to the following procedures:

**STEP 1:** The grievance must be submitted in writing to the Dean of Students within ten (10) days after the problem occurred or should have been known. The grievance shall cite the reasons and nature of the complaint and must be signed by the aggrieved person. The Dean of Students will afford the student a hearing if one is requested or may call a meeting. The Grievant may be accompanied by one adviser of choice at the hearing. Within five (5) working days of receipt of the grievance, the Dean of Students will provide the Grievant a written reply. If the grievance is not within the Dean of Students' authority, the Dean of Students shall advise the student to appeal to the appropriate level at the College.

**STEP 2:** If not resolved satisfactorily within five (5) working days (excluding Saturdays, Sundays, and holidays) or after receipt of reply, the grievance and the Dean of Students' reply should be forwarded to the President of the College. The President or a designee will afford the Grievant a hearing, at which time the Grievant may be accompanied by one adviser of choice. The President will provide a written reply within ten (10) working days after receipt of the grievance.

**This section includes:**

Procedures outlining the confirmation of immigration status.

**Immigration Status Documentation:**

Include the school's written policies and procedures for requesting proof and securing confirmation of the immigration status of applicants for Title IV, HEA student financial assistance who claim to meet the eligibility requirements of [668.33\(a\) \(2\)](#). The procedures must:

- Provide the student a deadline by which to provide the documentation that the student wishes to have considered to support the claim they meet the requirements.
- Provide the student information concerning the consequences of a failure to provide the documentation by the deadline set by the school and informing the student that the school will not make a determination that the student is not an eligible non citizen until the school has provided the student the opportunity to submit the documentation.
- Provide documentation in writing, to each student required to undergo secondary confirmation. This must include a clear explanation of the documentation the student must submit as evidence that he or she satisfies the requirements. It must also include student's responsibilities with respect to their compliance with [668.33\(a\) \(2\)](#), including the deadlines for completing any action required and any required action as specified in [668.137](#).

See Part 3.9

**This section includes:**

Institutional Procedures for completing secondary confirmation.

**Secondary Confirmation:**

Written procedures that establishes that within 10 business days after a school receives the documentary evidence of immigration status submitted by a student that is required to undergo secondary confirmation, that the school completes the request portion of the Immigration and Naturalization Service (INS) Document Verification Request Form G-845, copy front and back sides of all immigration-status documents received from the student and attach copies to the Form [G-845](#); and submit Form [G-845](#) and attachments to the INS District Office.

Your school should establish procedures to ensure due process for the student if FSA funds are disbursed but the aid office later determines (using secondary confirmation) that the student isn't an eligible noncitizen. The student must be notified of his or her ineligibility and given an opportunity to contest the decision by submitting to your school any additional documents that support their claim to be an eligible noncitizen. If the documents appear to support the student's claim, you should submit them to U.S. Citizenship and Immigration Services (USCIS) using paper secondary confirmation. You must notify the student of your office's final decision, based on the secondary confirmation results.

## Citizenship Verification Procedures

A student must be a citizen or eligible non-citizen to receive Title IV student financial assistance. The College will utilize guidelines provided under citizenship requirements in the Federal student Handbook in resolving citizen issues cited on the ISIR.

1. All ISIRs received from the CPS will be reviewed for citizenship status.
2. Students flagged by the CPS as a result of unsuccessful citizenship match with the SSA will be required to provide documents to prove his or her citizenship status. Acceptable documents are listed in the Federal Student Handbook.
3. In the event that a student fails the automatic secondary confirmation or if the Colleges suspects conflicting information, the FA Office will initiate a paper secondary confirmation using Form G-845 and send it to the USCIS.
4. Photocopies of the front and back sides of the immigration document must be attached to the Form G-845.
5. Upon receipt of the officially completed form and if the immigration document is verified as valid, the student will be awarded Title IV student financial assistance.
6. The College will not disburse Title IV funds until the immigration document submitted with the Form G-845 is received from USCIS and certified as valid.

**Part  
3.10**

### Ability to Benefit

This section is required:  
**34 CFR 668, Subpart J**

**Note:** This section is required only if your Admissions Policy accepts ATB students.

#### **This section includes:**

Procedures outlining the Ability to Benefit requirements.

#### **Ability to Benefit procedures:**

Your policy for Ability to Benefit must include the following:

- The process to ensure that ATB students are beyond the age of compulsory attendance.
- Ability to Benefit limits. To be eligible for Federal Student Aid, students who are beyond the age of compulsory attendance but who do not have a high school diploma or its recognized equivalent must meet ability-to-benefit criteria or meet the student eligibility requirements for a student who is home schooled. No more than 50% of a school's regular students may be enrolled without a high school diploma or equivalent at a school that does not provide a 4-year bachelor's degree or 2-year associate degree program.
- If a test is used, the name of the approved test used.
- Process to show that the test is independently administered.
- If you admit students as ability to benefit based on satisfactorily completing 6 credit hours or equivalent coursework applicable to degree or certificate, include the process for determination.

#### **Admission of Ability to Benefit Students**

Applicants to courses not creditable toward an associate degree and programs comprised exclusively of courses not creditable toward an associate degree may be admitted provided they meet the above standards or provided they are at least 16 years of age and have not been enrolled in secondary education for at least one calendar year (or upon the recommendation of the local superintendent) and have specifically documented ability to benefit.

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The College may establish higher or additional requirements for a specific program or service when student enrollment must be limited or to assure ability-to-benefit. These students shall be classified as “Non-Degree-Eligible” students and shall not be allowed to enroll in courses creditable toward an associate degree.

A regular student is someone who is enrolled or accepted for enrollment in an eligible institution for the purpose of obtaining a degree or certificate offered by the school. Students who have passed the ATB test are classified as regular students and are eligible for Title IV financial assistance.

Beginning November 2009 the COMPASS Test is used to measure ability to benefit for all students in accordance with the College’s policies. The electronic test is given and graded by the test software. The Learning Resource Center is responsible for scheduling and coordinating the test for all students. The Learning Resource Center reports to the Associate Academic Dean.