

**Issue 4**  
**Proposed Regulatory Language**  
**Team II - School-based Loan Issues**

**Origin:** HEOA section 493

**Issue:** PPA: Private Education Loan  
Certification

**Statutory cites:** HEA section 487(a)(28)

**Regulatory cites:** New §668.14(b)(29)

**DCL GEN-08-12 cite:** Page 71

**Summary of issue:** The HEOA adds a new requirement to the Program Participation Agreement (PPA) that an institution participating in any Title IV program must, upon the request of an applicant for a private education loan, provide the applicant the self-certification form for private education loans required under section 128(e)(3) of the Truth in Lending Act (TILA) and the information needed to complete the form, specified in HEA section 155(a)(4), to the extent the institution has that information. The information to be supplied by the institution (if available) to the applicant includes:

- The applicant's cost of attendance (COA) at the institution;

- The applicant's expected family contribution (EFC), if the applicant completed the Free Application for Federal Student Aid (FAFSA);
- The applicant's estimated financial assistance (EFA);
- The difference between the COA and the EFA; and
- The sum of the EFC and the difference between the COA and EFA.

**Regulatory language:**

**§ 668.14 Program participation agreement.**

(a) (1) An institution may participate in any Title IV, HEA program, other than the LEAP and ~~NEISP~~ GAP programs, only if the institution enters into a written program participation agreement with the Secretary, on a form approved by the Secretary. A program participation agreement conditions the initial and continued participation of an eligible institution in any Title IV, HEA program upon compliance with the provisions of this part, the individual program regulations, and any additional conditions specified in the program participation agreement that the Secretary requires the institution to meet.

(2) An institution's program participation agreement applies to each branch campus and other location of the institution that meets the applicable requirements of this part unless otherwise specified by the Secretary.

(b) By entering into a program participation agreement, an institution agrees that-

\* \* \* \* \*

(29) (A) It will, upon the request of an applicant for a private education loan (as defined in 34 CFR 601.2), provide to the applicant the self-certification form required under 34 C.F.R §601.10(d) and the information required to complete the form, to the extent the institution possesses such information, including--

(i) The applicant's cost of attendance at the institution, as determined by the institution under part F of title IV of the Act;

(ii) The applicant's expected family contribution, for students who have completed the free application for Federal student aid;

(iii) The applicant's estimated financial assistance, as determined by the institution in accordance with 34 C.F.R. §682.200;

(iv) The difference between the amounts under paragraphs (b) (29) (A) (i) and (29) (A) (iii) of this section, as applicable; and

(v) The sum of the amounts under paragraphs (b) (29) (A) (ii) and (b) (29) (A) (iv) of this section, as applicable.

(B) It will, at the applicant's request, discuss the availability of Federal, State, and institutional student financial aid with the applicant.