Summary

This procedure identifies the information that State University of New York (University) campuses must disclose to prospective and currently enrolled students pursuant to federal law 34 CFR §668.43 and New York State Law 8 NYCRR Part 53 (Information for Students and Prospective Students). An Abbreviated Disclosure Guide for Campuses, in the Appendices section, provides a table summarizing this information.

Process

I. Format for Provision of the Information

A. While federal regulations allow the information in items A to M of section II to be made available in a discretionary manner, New York State law 8 NYCRR Part 53 (Information for Students and Prospective Students) requires that a majority of this information in addition to that set forth in section XI of this document be provided in a catalog or bulletin, or catalogs or bulletins for individual programs. It is therefore advisable, for simplicity and for compliance with 8 NYCRR Part 53 (Information for Students and Prospective Students), to provide all of the information in the official campus catalog or bulletin whether in electronic or paper form.

B. Notice of the Availability of General Campus Information

1. A notice of where current information in its entirety can be found for items A to M of section II (hereinafter “The Notice”) must be provided annually and individually to currently enrolled students. Upon request of a currently enrolled student, the campus must immediately provide the information in its entirety in paper form.

2. Notice of the availability of information for items A to M of section II should be provided to prospective students using appropriate means.
C. Vehicle and Form for the Notice of the Availability of General Campus Information

1. The Notice may be provided through appropriate individual postal mailing or individual electronic mail (email) to all currently enrolled students.

2. The Notice may be provided by appropriate publications, mailings, or electronic media to prospective students.

3. For both current and prospective students, the notice should include:
   a. a summary or description of the information required to be disclosed;
   b. exact locations of publications or web sites where the information can be found;
   c. a statement that the student is entitled to a paper copy upon request; and
   d. information on how to request a paper copy.

II. General Campus Information to be Made Available to Prospective and Currently Enrolled Students

This section describes the general information that University campuses must disclose to prospective and currently enrolled students pursuant to federal law 34 CFR §668.43. See section XI of this checklist for additional New York State requirements. Campuses must disclose:

A. costs of attending the campus such as:
   1. tuition;
   2. fees;
   3. average cost of books;
   4. average cost of supplies;
   5. room and board;
   6. living expenses
   7. applicable transportation costs for commuting; and
   8. any other additional costs such as but not limited to costs for special programs;

B. campus policy on refund of tuition and fees, room and board and other assessments for the cases of students withdrawing from the campus or failing to complete the academic term;

C. requirements for officially withdrawing from campus;

D. a statement of the requirements for the return of Federal Student Aid (FSA) program funds when the student withdraws from campus;

E. the degree programs offered by the campus listed by their titles registered at the New York State Education Department (NYSED) as well as other training and education offered;
F. the instructional, laboratory and other physical plant facilities associated with the academic programs;

G. a list of the faculty and other instructional personnel; their degrees, and the campuses from which they obtained their degrees;

H. names of associations, agencies, and or governmental bodies that accredit approve or license the campus and its programs and how a student can receive a copy of the campus’s accreditation, licensure or approval;

I. special facilities and services available to disabled students;

J. the name of the contact person for financial aid questions and the name of the contact person for general campus questions;

K. the availability of a General Educational Development (GED) program, if the campus admits students who do not have a high school diploma or equivalent;

L. a statement indicating that a student may be eligible for FSA even if they pursue a study abroad program approved for credit by the home school; and

M. a statement of the terms and conditions under which a student may obtain a deferment for federal education loans while serving in the Peace Corps, under the Domestic Volunteer Service Act, or as a volunteer for a tax-exempt organization of demonstrated effectiveness in the field of community service.

III. Financial Aid Information Required to be Made Available to Prospective and Currently Enrolled Students

This section describes the University campuses’ financial aid information that must be disclosed to prospective and currently enrolled students pursuant to 34 CFR §668.42. See section XI of this checklist for additional New York State requirements.

A. Campuses must disclose the following financial aid information:

1. need-based and non-need-based federal financial aid that is available to students;

2. need-based and non-need-based state, local, private and campus financial aid that is available to students;

3. statements describing how students apply for the various types of financial aid;

4. statements of how the eligibility for each of its financial aid programs is determined;

5. a clear description on how the campus distributes aid among the students;

6. statement of the rights and responsibilities of the students receiving various types of financial aid;

7. timelines for when various types of financial aid will be disbursed and the process for the disbursements;

8. the terms and schedules for repayment of various types of loans;

9. the necessity for loan counseling at an entrance interview and an exit interview when the student separates from the campus through graduation or withdrawal;

10. the terms and conditions for any employment that is part of any financial aid program; and
11. the conditions defining satisfactory academic progress (SAP) and how student may reestablish eligibility for financial aid once they have failed to meet SAP.

B. Format for Provision of the Information

Information is to be provided in the following format:

1. If a campus publishes more than one catalog or bulletin such as those for separate programs or schools, only the information described in sections II, III and XI of this document which pertains to the individual programs or schools need be included. However, a statement indicating that separate catalogs or bulletins are in use must be included in each catalog or bulletin.

2. If the campus publishes its catalog or bulletin less than annually, a statement shall warn of the possibility of out-of-date information and provide the name, address and telephone number of the person or office to be contacted for the most recent information.

3. The information and accompanying displays and charts if any provided under sections II, III and XI of this policy shall be clear, precise and easy to understand.

4. Advertisements, brochures or solicitations to prospective students shall clearly note the availability of more extensive information in the catalog or bulletin.

C. Notice of Available Financial Aid Information

1. The notice and its format for provision of the location of information for items 1 to 11 of section III.B. should be provided as described in sections I.B. and I.C. However, before a prospective student can enter into any financial obligations with the campus, the campus must provide the campus’s report on graduation or completion and transfer-out (section IV.A.).

IV. Required Graduation or Completion and Transfer-out Information for the General Student Population Report

This section describes the graduation or completion and transfer-out information that must be disclosed to prospective and currently enrolled students pursuant to 34 CFR §668.45.

A. Graduation or Completion and Transfer-out Report

The graduation or completion rate and transfer-out rate, if applicable, should be available in appropriate paper publications such as catalogs, student handbooks or brochures or can be provide electronically through a web site. The vehicle used to make the information available is left to the discretion of the campus.

1. The graduation or completion rate must be calculated and updated each year by July 1 for the cohort of first-time students that passed 150% of the expected time for graduation or completion by August 31 of the year prior to the July 1.

2. A campus is required to report transfer-out rates if its mission includes providing substantial preparation for students to enter another campus for continuation of studies.

3. A campus may report graduation rates for those students who transfer into the campus.

4. A campus may report graduation or completion and transfer-out rates for students noted as exclusions under this section of the code if it so chooses. These students include those who:
a. left to serve in the armed forces;

b. left to serve on official church missions;

c. left to serve on a federal foreign aid service such as the Peace Corps;

d. are totally and permanently disabled; or

e. died during their tenure at the campus.

5. The report must also be filed with the federal department of education by the deadline for the National Center for Education Statistics (NCES) Integrated Postsecondary Education Data System’s (IPEDS) graduate rate survey deadline.

B. Notice of the Availability of the Graduation or Completion and Transfer-out Report

1. The notice and its format for provision of the location of information for items Section IV.A. should be provided as described in section I.B. and I.C.

V. Required Graduation or Completion and Transfer-out Information for Prospective Student Athletes Report to be Made Available

This section describes the graduation or completion and transfer-out information that must be disclosed to prospective student athletes, their parents, high school guidance counselors and high school coaches pursuant to 34 CFR §668.48, if the campus provides athletically-related financial aid.

A. Graduation or Completion and Transfer-out Information

If a campus provides athletically-related financial-aid, it must create a report by July 1 of each year that contains:

1. the number of students, categorized by race and gender, who attended the campus during the prior year;

2. the number of students in V.A.1 who received athletically related student aid, categorized by race and gender within each sport;

   a. The sports to be used as categories are: basketball, football, baseball, a combination of cross-country and track, and then all other sports combined;

3. the information from IV.A. (Graduation or Completion and Transfer-out Information for the General Student Population), categorized by race and gender;

4. the graduation or completion and transfer-out rates if applicable for students counted in V.A.3., who received athletically-related student aid, categorized by race and gender within each sport (as noted in V.A.2.a.);

   a. The procedures for calculating the rates and defining students for inclusion in the calculations are the same as that for IV.A.

   b. A campus need not report a category required in this subsection if that category contains five or less students.
5. the graduation or completion and transfer-out rates if applicable for the four most recent classes of entering students as described in section IV, categorized by race and gender; and

6. the graduation or completion and transfer-out rates if applicable for the four most recent classes of entering students as described in section IV and who received athletically-related financial aid, categorized by race and gender within each sport (as noted in V.A.2.a.).

7. the campus may choose to provide additional information as described in section IV.A.4. broken down by race and gender within each sport (as noted in V.A.2.a.).

B. Provision of Graduation or Completion and Transfer-out Report to Prospective Athletes and other Parties

1. Campuses must provide this report in paper form or electronically directly to each prospective student athlete and their parents, coaches and guidance counselors when an offer of financial aid is made to the student-athlete. Posting the report to a web site is insufficient.

2. The report must also be filed with the United States Department of Education by the deadline for the NCES IPEDS graduate rate survey deadline.

VI. Required Equity in Athletics Disclosures

This section describes a campus’s disclosure of actions to provide equitable opportunities in athletics for men and women pursuant to 34 CFR §668.47. This reporting requirement is mandatory for all campuses that participate in any Title IV, Higher Education Act program and have an intercollegiate athletic program.

A. Report Information

A campus that participates in any Title IV, Higher Education Act program and has an intercollegiate athletic program must create a report for a twelve-month period chosen by the campus but ending before October 15. The report for that twelve-month period is to be completed by October 15 of each year. The report should contain the following information:

1. the number of male and female full-time undergraduate students who attend the campus;

2. a listing of the varsity teams that competed in intercollegiate athletic competition and for each team;

   a. the totals number of participants as of the first day of its first scheduled contest of the reporting year;

   b. the number of participants who also participated in other varsity sports and the number of other teams of which they were members;

   c. total operating expenses;

      i. a campus may also list the per participant expenses for each men’s and women’s team.

         (Expenses for closely related sports like swimming and diving and track and field can be reported as aggregates. Expenses for men’s and women’s teams should be listed separately.)

   d. the gender of the head coach and whether the head coach assigned to the team was a full- or part-time employee of the campus;
To view the document, please download the PDF file attached.
Expenditures not attributable to a particular sport may only be listed in the totals for intercollegiate athletics.

7. the total amount of money spent on athletically related student aid, including the value of waivers of educational expenses, aggregately for men’s and women’s programs;

8. the ratio of the amount of athletically related student aid awarded to male athletes to the amount of athletically related student aid awarded to female athletes;

9. average annual salaries for head coaches:
   a. the average annual campus salary of the non-volunteer head coaches of all men’s teams, across all offered men’s sports on per person and per full-time equivalent position bases;
      i. the number of persons and full-time equivalents used to calculate the numbers in VI.A.9.a. should be listed.
   b. the average annual campus salary of the non-volunteer head coaches of all women’s teams, across all offered women’s sports on per person and per full-time equivalent position bases;
      i. the number of persons and full-time equivalents used to calculate the numbers in VI.A.9.b. should be listed.
   c. if a head coach has responsibilities for more than one sport and the campus does not allocate the salary by team, his or her salary shall be assigned in a prorated fashion to each team based on the assignment of responsibilities.

10. average annual salaries for assistant coaches:
   a. the average annual campus salary of the non-volunteer assistant coaches of all men’s teams, across all offered men’s sports on per person and per full-time equivalent position bases;
      i. the number of persons and full-time equivalents used to calculate the numbers in VI.A.10.a. should be listed.
   b. the average annual campus salary of the non-volunteer assistant coaches of all women’s teams, across all offered women’s sports on per person and per full-time equivalent position bases;
      i. the number of persons and full-time equivalents used to calculate the numbers in VI.A.10.b. should be listed.
   c. if an assistant coach has responsibilities for more than one sport and the campus does not allocate the salary by team, his or her salary shall be assigned in a prorated fashion to each team based on the assignment of responsibilities.

B. Provision of Equity in Athletics Report to the General Public and the Federal Department of Education

1. Campuses must make this report available to the general public through appropriate publications, mailings or through electronic media.

2. The report must also be filed with the United States Department of Education by the deadline for the NCES IPEDS 15 days after it is made available to the public, students and prospective students.

3. A campus may not deny the report to the media or require that an individual come to the campus to
review the report. It must promptly supply the report to anyone who requests it.

C. Notice of the Availability of the Equity in Athletics Report for Current and Prospective Students

1. The notice and its format for provision of the location of the Equity in Athletics Report should be provided as described in section I.B. and I.C.

VII. Drug and Alcohol Abuse Information

See the University’s Drug-Free Schools and Communities Act/Drug-Free Work Place Act Compliance Policy for details of the required programs and disclosures and the manner in which the disclosures should be made. Compliance with that policy also satisfies 34 CFR §668.14(c) requiring the campus to provide a drug abuse prevention program that the campus has determined to be accessible to any officer, employee, or student at the campus.

VIII. Campus Security Report

See the University’s Campus Security Policy and Campus Crime Statistics Reporting Procedures for information that must be made available to prospective and current students as well as current and prospective employees pursuant to 34 CFR §668.46.

IX. Family Educational Rights and Privacy Act Disclosures

This section describes the campus’s responsibility to disclose its policies and procedures under the Family Educational Rights and Privacy Act (FERPA) pursuant to 34 CFR §99.37, 34 CFR §99.31 (a)(13) and (14) and 34 CFR §99.7. See the University’s FERPA policy and procedure for full details of the statute’s requirements.

A. Disclosure Information

Each campus shall annually notify parents of students currently in attendance, or eligible students currently in attendance, of their rights under FERPA. The notice must inform parents or eligible students that they have the right to:

1. inspect and review the student's education records;

2. seek amendment of the student's education records that the parent or eligible student believes to be inaccurate, misleading, or otherwise in violation of the student's privacy rights;

3. consent to disclosures of personally identifiable information contained in the student's education records, except to the extent that FERPA and its implementing requirements (34 CFR 99.31) authorize disclosure without consent; and

   a. The following information regarding directory information that is disclosed without notice should be provided to the parents of students or eligible students:

      i. the types of personally identifiable information that the campus has designated as directory information; and

      ii. a parent's or eligible student's right to refuse to let the campus designate any or all of those types of information about the student as directory information; and

      iii. the period of time within which a parent or eligible student has to notify the campus in writing that he or she does not want any or all of those types of information about the student
designated as directory information.

4. file with the United States Department of Education a complaint under 34 CFR 99.63 and 34 CFR 99.64 concerning alleged failures by the campus to comply with the requirements of FERPA.

B. Notice of the Family Education Rights and Privacy Act Requirements

1. The notice must include all of the following:
   a. the procedure for exercising the right to inspect and review education records.
   b. the procedure for requesting amendment of records under 34 CFR 99.20.
   c. if the campus has a policy of disclosing education records under 34 CFR 99.31(a) (1), a specification of criteria for determining who constitutes a campus official and what constitutes a legitimate educational interest.

2. A campus may provide this notice by any means that are reasonably likely to inform the parents or eligible students of their rights.
   a. A campus shall effectively notify parents or eligible students who are disabled.
   b. A campus shall effectively notify parents who have a primary or home language other than English.

X. Teacher Preparation Report

This section describes the campus’s responsibility to annually disclose to the state and general public information regarding their teacher preparation program as well as outcomes of students of those programs on required assessments. This disclosure is required by Title II, Section 207(f)(1) and 207(f)(2) of the Higher Education Act Amendments of 1998.

A. Section 207(f)(1) requires that teacher education programs to report annually to the state and to the general public:
   1. the pass rate of program completers on assessments required by the state for licensure;
   2. the statewide pass rate on those examinations; and
   3. other basic information about the teacher preparation program.

B. Section 207(f)(2) requires campuses to report this information through publications such as campus catalogs and web sites as well as through promotional materials sent to potential applicants, secondary high school guidance counselors, and prospective employers of the campus’s graduates.

XI. Additional New York State Mandated Disclosures of Campus and Financial Aid Information

This section describes requirements pursuant to New York State law (8 NYCRR 53) (Information for Students and Prospective Students) that are additional to those federal requirements listed in sections II and III of this document. These additional elements should be incorporated into the federal requirements in a manner appropriate with sections II and III of this document to provide a clear and complete picture for the intended audience.

A. Additional General Campus Information The following information or statements shall be provided to students:
1. all certificate and diploma programs shall be listed;

2. the approved Integrated Postsecondary Education Data System (IPEDS) number shall be listed with the programs’ titles and degrees;

3. a statement that enrollment in other than New York State registered or otherwise approved programs may jeopardize a student’s eligibility for certain student aid;

4. each degree or diploma program shall be described in terms of both prerequisites and requirements for completion;

5. the academic year in which each instructional offering or course is expected to be taught shall be indicated;

6. narrative and/or other statistical information shall be provided about library collections and facilities, student unions, and campus-operated eating places;
   a. the hours of operation, including holiday and vacation schedules shall be provided in appropriate brochures and announcements;

7. the rank of each faculty member shall be listed in addition to items in II.G.;

8. the department or major program to which a faculty member is assigned;

9. the estimated number of adjunct teaching faculty and teaching assistants in each major program or department;

10. information on student retention;

11. the academic calendar;

12. course cancellation policies;

13. campus and state complaint procedures;

14. the requirements for admission of students to the campus and to specific curricula;

15. the requirements for residency and graduation;

16. the requirements for awarding of academic credit, degrees, or other credentials;

17. grading practices;

18. standards of academic progress;

19. course withdrawal processes;

20. standards of conduct and disciplinary measures;

21. processes for redress of grievances;

22. information on each of its vocational and professional programs that includes but need not be limited to:
a. as available, relevant statistics about the labor market and job availability for each job title for which a vocational and professional program is offered, including the source of the statistics and the period of time and geographic area to which the statistics refer;

b. as applicable, the extent to which the program prepares students for state licensure or certification; and

c. as available, the most recent student outcome measures prepared for the purposes;

23. as available, job placement data after graduation and or placement data for students pursuing graduate or professional postgraduate study.

B. Additional Financial Aid Information The following information or statements shall be provided to students:

1. a description of the forms and their preparation necessary for various types of financial aid;

2. current procedures and definitions related to determination of emancipated student status;

3. the campus office and contact information where detailed information on financial aid can be obtained;

4. the descriptions of state financial aid programs for which students may be eligible shall be detailed and must include the following:
   a. information on the Tuition Assistance Program (TAP);
   b. Regents scholarships;
   c. Regents nursing scholarships;
   d. Regents awards for children of deceased or disabled veterans;
   e. state assistance for Native Americans;
   f. guaranteed student loans;
   g. special programs for the economically disadvantaged such as:
      i. Higher Education Opportunity Program (HEOP);
      ii. Educational Opportunity Program (EOP);
      iii. Search for Education and Elevation through Knowledge (SEEK);
      iv. College Discovery (CD); and the v. Work Incentive Program (WIN).
   h. any other state program which accounts for 10 percent or more of the total state student aid administered by the campus shall also be described in a manner comparable to that of sections XI.B.4.a to XI.B.4.g.

5. the descriptions of federal financial aid programs for which students may be eligible shall be detailed and must include the following:
   a. Federal Pell Grants; This program no longer exists - now known as Federal Pell Grants
b. Federal Supplemental Educational Opportunity Grants  
c. Federal Perkins Loan Program  
d. Federal Work Study: These programs are now known as “Federal Supplemental Educational Opportunity Grants”, “Federal Perkins Loan Program” and “Federal Work Study”  
e. National Direct Student Loans (NDSL);  
f. College Work Study (CWS);  
g. Social Security payments to children of deceased or disabled parents;  
h. Federal aid to Native Americans;  
i. Veterans Administration educational benefits; and  
j. any other federal program which accounts for 10 percent or more of the total state student aid administered by the campus shall also be described in a detailed manner comparable to that of sections IX.B.5.a. to IX.B.5.g.  

6. The descriptions of local campus financial aid programs for which students may be eligible shall be detailed and must include the following:  
   a. grants, scholarships, waivers, deferrals, loans including small emergency loans and work-study arrangements which are administered by the campus.  
      i. financial aid programs involving awards of $300 or more per year shall be listed and described separately including restrictions.  
      ii. the number and average value of programs with awards of less than $300 per year shall be provided along with the name, address and telephone number of a campus office from which more detailed information can be obtained.

XII. Minimum Living Standards and the Rights and Responsibilities of Students

The campus’s responsibility to disclose to students the minimum expectations for accommodations used by the students for residing on campus is described in the University’s Minimum Living Standards Policy. The policy clearly describes behavioral and administrative expectations. Standards and campus-based requirements adopted under this policy are to be communicated to the students using appropriate means such as the catalog, student handbook, website, or other appropriate brochures and publications.

XIII. Notification of Student Rights Under Section 224-a of New York State Education Law – Absence Due to Religious Observation

Written notice shall be given to all students of their rights under § 224-a of NYS Education Law informing them that each student who is absent from school, because of his or her religious beliefs, must be given an equivalent opportunity to register for classes or make up any examinations, study or work requirements which he or she may have missed because of such absence on any particular day or days.

XIV. Publication of Rules for the Maintenance of Public Order.

Written notice of the rules for maintenance of public order shall be provided to all students.
Forms

There are no forms relevant to this procedure.

Related Procedures

Campus Security Policy and Campus Crime Statistics Reporting

Other Related Information

Bias-Related Crime Prevention Policy

Drug-Free Schools and Communities Act/Drug-Free Work Place Act Compliance

Rules for the Maintenance of Public Order

Minimum Living Standards

Sexual Assault Prevention Policy

Family Educational Rights and Privacy Act, Compliance with

Authority

34 CFR §668.43 (Institutional information)

20 USC §1092 (Institutional and financial information for students)

The following link to FindLaw's New York State Laws is provided for users' convenience; it is not the official site for the State of New York laws.

NYS Education Law §224-a (Prohibitions)

In case of questions, readers are advised to refer to the New York State Legislature site for the menu of New York State Consolidated.

8 NYCRR §53 (Information for Students and Prospective Students)

Chapter 228, Laws of 1992

Chapter 416, Laws of 1988

Chapter 161, Laws of 1977

State University of New York Board of Trustees Resolution 89-130 adopted June 21, 1989.

History

Memorandum to presidents from office of University counsel and the vice chancellor for legal affairs, dated December 30, 1992 making campuses aware of new requirements under selected provisions of the Higher Education Amendments of 1992, including the Campus Security Act, The Family Educational Rights
Memorandum to presidents from office of University counsel and the vice chancellor for legal affairs, dated August 2, 1991 detailed new federal legislation relating to student consumer rights requires all State University campuses to collect and publish additional statistics and other information for prospective and current students as early as August 1, 1991. The information gathering requirements are contained in legislation known as the Student Right-to-Know and Campus Security Act ("Act") as amended by the Higher Education Technical Amendments of 1991 (120 U.S.C §1092).

Memorandum to presidents from the office of the University counsel and vice chancellor for legal affairs, dated April 20, 1978 detailed final regulations issued by the United States Office of Education and the New York State Education Department which defined and interpreted §493A of the Higher Education Act of 1965 ("Student Consumer Information Requirements") and Public Law 94-482, §1088b-1 of Title 20, U.S. Code. The State regulations met or exceeded nearly all of the federal requirements. The memo also outlined the type of information state regulations, adopted pursuant to section 607 of the Education Law; require that all degree granting postsecondary institutions provide to students and, upon request to prospective students.

Appendices

Appendix A - Abbreviated Disclosure Guide for Campuses