

March 8, 2010

OSFA/FFELP #09-10:05

Dear Student Loan Participant:

On February 18, 2010, the *Common Manual* Governing Board approved five proposals from Batch 165 to modify the *Common Manual*. The changes will be incorporated into the *Common Manual* with the publication of the next annual update. Enclosed are the following updates:

- **Transfer of Ownership Notification or Assignment**
- **Student Consumer Information**
- **Increased Unsubsidized Stafford Loan Limits for Health Profession Students and Academic Year Length**
- **How to Pay Credit Balances**
- **Delivery Methods**

For further information you may contact me at (850) 410-6846 or e-mail at reitha.scott@fldoe.org.

Sincerely,

Reitha Scott, Policy Manager
Office of Student Financial Assistance

COMMON MANUAL UPDATES

Transfer of Ownership Notification or Assignment

The *Common Manual* was previously updated with the new data elements that both the selling and purchasing lenders are required to include in their notification to the borrower of a loan sale, assignment, or transfer. New regulatory language amends current terminology to use the term “transfer of an ownership interest” with respect to loans that are transferred or sold and for which the lender is required to send notification to an affected borrower. The Manual’s language is amended in this single context to use the term “transfer of ownership interest.”

Affected Sections: 3.4.B Loan Assignment, Sale, or Transfer

Effective Date: Loan transfers of ownership and assignments on or after July 1, 2010, except that the new data elements required in the change notification to the borrower were effective with the implementation of the Higher Education Opportunity Act on August 14, 2008.

Basis: §682.208(e).

Policy Information: 1163/Batch 165

Guarantor Comments: None.

COMMON MANUAL UPDATES

Student Consumer Information

The *Common Manual* has been updated to conform with regulatory changes published in the October 28, 2009, *Federal Register*. Revised policy replaces the guarantor recommendation that the school summarize the terms of a FFELP loan in its consumer information requirements with a requirement for the school to describe the terms and conditions of Title IV loans (i.e., a FFELP, FDLP, or Perkins Loan) that are available to a student who enrolls at the school.

Affected Sections: 4.4.B Consumer Information

Effective Date: Student consumer information disclosures provided by a school on or after July 1, 2010.

Basis: §668.42(a)(1) and (4); *Federal Register*, Vol. 74, No. 143, dated July 28, 2009, p. 37446; *Federal Register*, Vol. 74, No. 207, dated October 28, 2009.

Policy Information: 1164/Batch 165

Guarantor Comments: None.

COMMON MANUAL UPDATES

Increased Unsubsidized Stafford Loan Limits for Health Profession Students and Academic Year Length

The *Common Manual* is being revised to provide guidance for a school that is certifying increased unsubsidized Stafford loan funds for certain health profession students who are attending programs that have academic years that are other than 9 or 12 months in length. It is permissible to certify the increased unsubsidized Stafford annual loan limit for an academic year that meets the requirements of a Title IV academic year, but that is shorter than 9 months in length. In such cases, the school is not required to prorate the limit but may certify the full 9-month limit if the student is otherwise eligible. For academic year that is 10 or 11 months in length, the school must divide the applicable 9-month loan limit by nine and multiply that amount by the number of months in the student's academic year.

Affected Sections: 6.11.D Increased Unsubsidized Stafford Loan Limits for Health Profession Students

Effective Date: Loans certified by the school for eligible students in certain eligible health professions programs on or after July 1, 1996.

Basis: Private letter guidance from Pam Moran, U.S. Department of Education, dated September 21, 2009; 09-10 FSA Handbook, Volume 3, Chapter 6, pp. 3-100 to 3-112.

Policy Information: 1165/Batch 165

Guarantor Comments: None.

COMMON MANUAL UPDATES

How to Pay Credit Balances

The *Common Manual* has been revised by renaming Subsection 8.8.A “Timeframes for Paying Credit Balances.” Subsections 8.8.B, 8.8.C, and 8.8.D have been redesignated as 8.8.C, 8.8.D, and 8.8.E, respectively. A “new” Subsection 8.8.B, entitled “How to Pay Credit Balances” has been added. Subsection 8.8.B contains text, moved from subsection 8.7.H, that addresses the delivery methods that a school may use in the payment of a credit balance to a borrower. These methods are the issuance of a school check, making payment to a borrower’s bank account, and making payment by means of a stored-value card. Proposal 1167 revises subsection 8.7.H with regard to a school’s delivery methods for loan proceeds, i.e., crediting a student’s account at the school and direct delivery to a borrower.

Affected Sections:	8.8.A	Delivering Credit Balances
	8.8.B	Holding Credit Balances
	8.8.C	Treatment of Title IV Credit Balance When a Student Withdraws
	8.8.D	Treatment of a Title IV Credit Balance When a Student Dies

Effective Date: Effective for schools opening bank accounts or issuing stored-value cards to pay credit balances to a student or parent borrower on or after July 1, 2008, unless implemented earlier on or after November 1, 2007.

Basis: §668.164(c) and (e); DCL GEN-05-16; 09-10 FSA Handbook, Volume 4, Chapter 1, pp. 4-14 to 4-18.

Policy Information: 1166/Batch 165

Guarantor Comments: None.

COMMON MANUAL UPDATES

Delivery Methods

The *Common Manual* has been reorganized to clarify that there are two methods for delivering loan funds to borrowers, by establishing two new subheadings. These new subheadings are “Crediting the Student’s Account” and “Direct Delivery to a Borrower”. Information on current- and prior-year charges is now addressed under the first subheading. Information related to releasing or mailing a loan check to the borrower, issuing a school check to the borrower, initiating an electronic funds transfer (EFT) transaction to a bank account designated by the borrower, issuing a stored-value card, or dispensing cash to the borrower now resides under the second subheading.

In addition, the details with regard to initiating payments to a borrower by means of a designated bank account, opening a bank account, and stored-value cards has been moved to a new Subsection 8.8.B, “Paying Credit Balances” (see policy proposal 1166).

Affected Sections: 8.7.H Delivery Methods

Effective Date: Upon approval by the *Common Manual* Governing Board.

Basis: None.

Policy Information: 1167/Batch 165

Guarantor Comments: None.