

October 11, 1007

OSFA/FFELP #07-08:01

Dear Student Loan Participant:

On September 20, 2007, the *Common Manual* Governing Board approved nine proposals from Batch 142 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:

- **Partial Discharge of a Consolidation Loan**
- **Stafford Annual Loan Limits for Students Taking Preparatory Coursework for Enrollment in an Undergraduate Program**
- **Increased Unsubsidized Stafford Loan Limits for Health Profession Students**
- **Common Forms**
- **Student Eligibility Requirements**
- **Borrower Certification of the Statement of Educational Purpose on the PLUS MPN**
- **Additional Unsubsidized Stafford Loan Eligibility for a Dependent Student**
- **Student Authorization to Release Loan Funds Received via EFT or Master Check**
- **Operations Desert Shield/Desert Storm**

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

Partial Discharge of a Consolidation Loan

The *Common Manual* has been revised by adding text describing the use of NCHELP's Request for Reimbursement Due to Partial Discharge of a Federal Consolidation Loan form. The form may be used by a lender to request a partial discharge of the consolidation loan for a portion that represents any underlying loans that are eligible for discharge due to disability (only for comade Consolidation loans), closed school, death, or false certification discharge. A new figure has been added to the Manual that will help lenders determine what information must be provided on the Request for Reimbursement Due to Partial Discharge of a Federal Consolidation Loan form. Detailed descriptions of these items are located in the Instructions for Reimbursement Due to Partial Discharge of a Federal Consolidation Loan form.

Affected Sections: 13.8 Discharge

Effective Date: Lenders may have begun using the Request for Reimbursement Due to Partial Discharge of a Federal Consolidation Loan form upon the applicable publication date.

Basis: None.

Policy Information: 963/Batch 142

Guarantor Comments: None.

Figure Policy 963

Information to Be Provided on the Request for Reimbursement Due to Partial Discharge of a FFELP Consolidation Loan Form

<u>Item Description</u>	<u>Required¹</u>
<u>Reason type.</u>	•
<u>Date condition occurred (DCO).</u>	•
<u>Borrower name.</u>	•
<u>Borrower Social Security number (SSN).</u>	•
<u>Comaker name.</u>	•
<u>Comaker Social Security number (SSN).</u>	•
<u>Dependent student name.</u>	•
<u>Dependent student Social Security number (SSN).</u>	•
<u>Loan ID.</u>	•
<u>1st disbursement date for Consolidation loan.</u>	•
<u>Principal amount outstanding for the Consolidation loan based on date of death or disability, or for closed school or false certification based on date of disbursement of the Consolidation loan. Also, include the sum of the outstanding principal amounts provided.</u>	•
<u>Interest rate and interest rate type for Consolidation loan.</u>	•
<u>Proration rate.</u>	•
<u>Loan type for each underlying loan to be discharged.</u>	•
<u>First disbursement date for each underlying loan to be discharged.</u>	•
<u>Amount requested.</u>	•
<u>Interest-paid-through date.</u>	•
<u>Interest claimed as of (date and amount).</u>	•
<u>Total amount requested.</u>	•
<u>Eligible payments.</u>	•
<u>Reimbursement amount requested.</u>	•
<u>Lender's six-digit lender ID assigned by the Department and, as applicable, four-digit non-Department suffix.</u>	•
<u>Servicer's six-digit servicer ID assigned by the Department.</u>	•
<u>Lender/servicer name/address.</u>	•
<u>Preparer's name and telephone number.</u>	•

¹Refers to information the lender must provide on the Request for Reimbursement Due to Partial Discharge of a FFELP Consolidation Loan form.

COMMON MANUAL UPDATES

Stafford Annual Loan Limits for Students Taking Preparatory Coursework for Enrollment in an Undergraduate Program

The *Common Manual* has been updated to clarify that a dependent student who is taking preparatory coursework necessary for enrollment in an undergraduate program is eligible to borrow the base Stafford annual loan limit of \$2,625. An independent student, or a dependent student whose parent is not eligible for a PLUS loan, who is taking preparatory coursework necessary for enrollment in an undergraduate program is eligible to borrow a combined subsidized and unsubsidized Stafford annual loan limit of up to \$6,625, of which no more than \$2,625 may consist of subsidized Stafford loan funds.

Affected Sections: 6.11.A Stafford Annual Loan Limits
 Figure 6-4 Stafford Undergraduate Annual and Aggregate Loan Limits

Effective Date: Loans first disbursed on or after July 1, 2007.

Basis: HEA §428(b)(1)(A)(vi)(I), as amended by the Higher Education Reconciliation Act (HERA) of 2005; §682.204(a)(6)(i); DCLs GEN-06-02/FP-06-01 and GEN-06-03/FP-06-02.

Policy Information: 964/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Increased Unsubsidized Stafford Loan Limits for Health Profession Students

The *Common Manual* has been revised to state that a health profession student must be enrolled at least half time in an eligible health profession program at an eligible school in order to qualify for the increased unsubsidized Stafford annual loan limits..

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

Effective Date: Loan periods beginning on or after May 1, 1999.

Basis: 05-06 FSA Handbook, Volume 3, Chapter 4, p. 3-91.

Policy Information: 965/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Common Forms

The *Common Manual* has been revised by deleting reference to the Ad Hoc Standardization Committee and to refer to the National Council of Higher Education Loan Programs (NCHELP) task forces as NCHELP workgroups. Revised policy adds that the common default aversion and claim forms are developed and updated by NCHELP. Because these are not forms used by the Department to collect information, the Department does not participate in their development or update, and the forms are not subject to the Office of Management and Budget (OMB) review and approval process. Further, the listings of various common forms in Subsection 2.3.C have been updated.

Affected Sections: 2.3.C Common Forms

Effective Date: Upon approval by the Governing Board on September 20, 2007.

Basis: None.

Policy Information: 967/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Student Eligibility Requirements

The *Common Manual* has been updated to clarify that a student must be enrolled or accepted for enrollment on at least a half-time basis to be eligible for a Stafford or PLUS loan. In addition, cross-references to Section 5.11, “Student Enrollment Requirements,” were added to Subsections 5.1.B, 6.15.B, and 6.15.C.

Affected Sections:	5.1.B	Student Eligibility Requirements
	6.15.B	Stafford Loan Certification
	6.15.C	PLUS Loan Certification

Effective Date: Retroactive to the implementation of the *Common Manual*.

Basis: §668.32(a)(1)(i) and (iii).

Policy Information: 968/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Borrower Certification of the Statement of Educational Purpose on the PLUS MPN

The *Common Manual* is being revised to clarify that the requirement that a PLUS borrower certify a statement of educational purpose is fulfilled when the borrower signs the Federal PLUS Application and Master Promissory Note (PLUS MPN), and to remove any reference in Subsection 5.1.C to the party with whom the borrower files that PLUS MPN. In addition, the regulatory citations for this requirement have been corrected.

Affected Sections: 5.1.C Graduate or Professional Student and Parent PLUS Loan
Borrower Eligibility Requirements

Effective Date: Retroactive to the implementation of the *Common Manual*.

Basis: §668.24(c); §668.32(h); §682.201(b)(1); §682.201(c)(1)(v);
§682.610(b).

Policy Information: 969/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Additional Unsubsidized Stafford Loan Eligibility for a Dependent Student

The *Common Manual* is being revised to clarify that a dependent student who is attending a school that participates in the Federal PLUS Loan Program and whose parent is unable to obtain a PLUS loan is *entitled* to borrow additional unsubsidized Stafford loan funds. The school in this situation does not have the option of refusing to certify the additional funds for an otherwise eligible student, unless the school's refusal to certify is based on a documented reason, as outlined in Subsection 6.15.E.

Affected Sections: 6.15.D Additional Unsubsidized Stafford Loan Certification

Effective Date: Retroactive to the implementation of the *Common Manual*.

Basis: §682.201(a)(3); §682.603(e).

Policy Information: 970/Batch 142

Guarantor Comments: None.

COMMON MANUAL UPDATES

Student Authorization to Release Loan Funds Received via EFT or Master Check

Figure 8-6, “Delivery or Return of Loan Funds,” in the *Common Manual* has been updated by adding a footnote to clarify that the required authorization for the school to deliver loan funds received by electronic funds transfer (EFT) or master check is included on the Master Promissory Note (MPN). However, if the MPN is signed by a third party with power of attorney for the borrower, the school must obtain a separate EFT authorization from the borrower. This requirement does not apply to students enrolled in a study-abroad program, as detailed in Subsection 7.7.E.

Affected Sections: Figure 8-6 Delivery or Return of Loan Funds

Effective Date: Retroactive to the implementation of the Federal Stafford Loan Master Promissory Note (Stafford MPN).

Basis: None.

Policy Information: 971/Batch 142

Guarantor Comments: None.

Delivery or Return of Loan Funds Figure 8-6

For more detailed information about the delivery of loan proceeds, see subsections 8.7 and 8.9

Situation	Condition Under Which Proceeds May Be Delivered to Student	Latest Delivery Date:	Time Frame for Returning Undelivered Proceeds to Lender ^{1,3}
Enrolled student fails to respond to request for endorsement of loan check or fails to authorize EFT or master check ⁴	After endorsement or authorization ² , subject to FFELP loan delivery requirements	Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Student is on an approved leave of absence [§682.604(c)(4)]	Student returns from the leave of absence	Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Student fails to undergo initial loan counseling [§682.604(f)]	After counseling, subject to FFELP loan delivery requirements	Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Student selected for verification [§668, Subpart E]	When verification is completed, subject to FFELP loan delivery requirements	Within 45 days of receipt of proceeds [§668.58(c); §668.60(b)(3)]	Promptly, but no later than 10 business days after the latest delivery date if verification is not completed [§668.167(c)(1)]
Missing financial aid information for student (see subsection 5.14.A) [§668.19]	When all required financial aid information is received, subject to FFELP loan delivery requirements (see section 8.7)	Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date if all required financial aid information is not received [§668.167(c)(1)]
Student fails to register [§682.604(d)(3)]	N/A	<i>Only to determine time frame for returning proceeds</i> Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Registered student withdraws or is expelled before first day of classes, or fails to attend [§682.604(d)(3)]	N/A	<i>Only to determine time frame for returning proceeds</i> Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Student fails to maintain at least half-time enrollment or loses loan eligibility [§682.604(b)(2)(i)]	N/A	<i>Only to determine time frame for returning proceeds</i> Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date [§668.167(c)(1)]
Student is overawarded [§682.604(h)]	Student is eligible for portion of proceeds	Check: Within 30 days after receipt of proceeds EFT/Master Check: Within 3 business days after receipt of proceeds [§668.167(b)(1)(ii) and (iii)]	Promptly, but no later than 10 business days after the latest delivery date if entire loan disbursement [§668.167(c)(1)] Within 60 days of determining an overaward exists if portion of proceeds

¹ Schools may delay delivery of loan proceeds for a conditional period of 10 business days after the last day of the initial period if, within this conditional period, the school expects the student to complete the required number of clock or credit hours in a preceding payment period or the school expects the student to meet all FFELP eligibility requirements. The school is encouraged to document the reason for holding loan proceeds for delivery within this conditional period. This provision does not apply to students for whom verification has not been completed.
[§668.167(c)]

² In the case of an overaward, schools *must* indicate in writing the reason for returning loan proceeds and, if applicable, provide the student's withdrawal date. In all other cases, schools are encouraged to provide the reason for returning loan proceeds and, if applicable, provide the student's withdrawal date. If, during the return period, the school determines that the student has become eligible to receive the loan proceeds, the school may deliver the proceeds rather than return them to the lender, provided the delivery is made on or before the last day of the return period.
[§668.167(b)(3); §682.604(h)]

³ For purposes of returning undelivered proceeds to the lender, the term "promptly" means that a school may not delay initiating and completing its normal return process. "Returning the proceeds promptly, but no later than 10 business days" means that the school must either mail a check or initiate an electronic funds transfer to the lender by the close of business of the last day of the return period.
[§668.167(b)(2)]

⁴ The required authorization is included on the Master Promissory Note (MPN). However, if the MPN is signed by a third party with power of attorney for the borrower, the school must obtain a separate authorization from the borrower. This requirement does not apply to students enrolled in a study-abroad program (see Subsection 7.7.E).

COMMON MANUAL UPDATES

Operations Desert Shield/Desert Storm

The *Common Manual* has been updated by removing text from Subsections 11.3.A and 11.3.C that addresses an Armed Forces deferment for a borrower serving in Operations Desert Shield/Desert Storm. The text from Subsection 11.3.A will be relocated for historical purposes to Section H.4, History of Statutory and Regulatory Waivers. The text from Subsection 11.3.C will be relocated for historical purposes, to Section H.1. In addition, a reference to existing text in Section H.1 under April 9, 1991, regarding a post-deferment grace period applicable to Operations Desert Shield/Desert Storm has been added to Appendix G under the definition of “Post-Deferment Grace Period.”

Affected Sections: 11.3.A Eligibility Criteria—Armed Forces
 11.3.C Length of Deferment—Armed Forces
 Appendix G
 Appendix H

Effective Date: Upon approval by the Governing Board on September 20, 2007.

Basis: None.

Policy Information: 974/Batch 142

Guarantor Comments: None.