

**Selective Service
Status**

An individual may not receive a loan, grant, scholarship, or other financial assistance funded by state revenue, including federal funds or gifts and grants accepted by this state, or receive a student loan guaranteed by this state or the Texas Guaranteed Student Loan Corporation, unless the individual files a statement of the individual's selective service status with the institution or other entity granting or guaranteeing the financial assistance as required by this section.

This section does not apply to:

1. A female individual if females are not subject to general selective service registration under federal law; or
2. An individual older than the maximum age at which an individual is required to be registered with the selective service system under federal law.

The statement of an individual's selective service status required by this section must require the individual to certify that the individual:

1. Has registered with the selective service system as required by federal law; or
2. Is exempt from selective service registration under federal law.

If an individual files a statement indicating that the individual is registered with the selective service system as required by federal law, the individual is not required to file a statement of the individual's selective service status the next time the individual makes an application to the same entity for financial assistance or a student loan guarantee. If an individual files a statement indicating that the individual is not required to register with the selective service system, the institution or other entity shall require the individual to file a new statement of the individual's selective service status the next time the individual makes an application to the entity for financial assistance or a student loan guarantee.

Education Code 51.9095(a)–(d); 19 TAC 22.3

**Eligibility for
Scholarship**

A person is not eligible to receive a scholarship originating from and administered by an institution of higher education, including a college district, or university system if the person is related to a current member of the governing board of the institution or system, unless:

1. The scholarship is granted by a private organization or third party not affiliated with the institution of higher education or university system;
2. The scholarship is awarded exclusively on the basis of prior academic merit;
3. The scholarship is an athletic scholarship; or
4. The relationship is not within the third degree by consanguinity or the second degree by affinity, as determined under Government Code Chapter 573, Subchapter B [see DBE].

Education Code 51.969(b); 19 TAC 21.471

Statement Required

Before receiving a scholarship originating from and administered by an institution of higher education or university system, a person must file a written statement with the institution or system indicating whether the person is related within the third degree by consanguinity or the second degree by affinity to a current member of the governing board of the institution or system. The required wording of the statement will be developed by the Coordinating Board and will be made available to institutions via the Coordinating Board's website.

A person commits a Class B misdemeanor if the person knowingly files a false statement.

Education Code 51.969(c), (e)–(f); 19 TAC 21.472–.473

Timely Distribution of Funds

All institutions participating in the financial aid programs outlined in 19 Administrative Code Chapter 22 shall follow the guidelines for the timely distribution of funds.

Institutions shall disburse state student financial aid funding, excepting work study, to a student recipient's account no later than three business days after receiving the funds. Undisbursed funds must be returned to the Coordinating Board no later than six business days after the receipt of funds. Gift aid funds for which a student is no longer eligible may be disbursed to a different eligible student for whom funds have not yet been requested in order to meet the timely disbursement requirement.

19 TAC 22.2

Return Upon Student Ineligibility

For state student financial aid funding already disbursed to a student, except work study, institutions shall return funds to the Coordinating Board within 45 calendar days of a student becoming ineligible for the funding. Gift aid funds for which a student has been determined ineligible may be disbursed to a different eligible student for whom funds have not yet been requested in order to meet

the timely determination of ineligibility requirement. In all cases, an institution must provide notification to the Coordinating Board regarding the change in student eligibility, as appropriate for the particular student financial aid program. *19 TAC 22.2(2)*

Return Upon
Cancellation of Aid

For state student financial aid funds already disbursed to a student, institutions may return funds to the Coordinating Board within 120 calendar days of disbursement in situations where a student has notified the institution of his or her decision to cancel the financial aid. Gift aid funds for which a student has made the decision to cancel may be disbursed to a different eligible student for whom funds have not yet been requested in order to meet the timely cancellation requirement. In all cases, an institution must provide notification to the Coordinating Board regarding the student's decision to cancel financial aid, as appropriate for the particular student financial aid program. *19 TAC 22.2(3)*

**Employee Trained in
Certain Student
Financial Assistance
Programs**

Each institution of higher education, including each college district, shall ensure that one or more persons employed by the institution is trained:

1. In understanding state and federal student financial assistance programs available to military veterans or their family members, especially programs specifically applicable to military veterans or their family members; and
2. In assisting military veterans and eligible family members in understanding and obtaining the benefits available under those programs.

The employee must be available to assist military veterans and eligible family members during regular business hours at the financial aid or other office to which the person is assigned.

Education Code 56.006

**Financial Assistance
Information**

Information on financial assistance that the institution must publish and make readily available to current and prospective students under 34 C.F.R. Part 668, Subpart D includes, 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 that institution. These programs include both need-based and non-need-based programs. The institution may describe its own financial assistance programs by listing them in general categories. The institution must describe the terms and conditions of the loans students receive under the Federal Family Education Loan Program, the William D. Ford Federal Direct Student Loan Program, and the Federal Perkins Loan Program.

For each program referred to above in this section, the information provided by the institution must describe:

1. The procedures and forms by which students apply for assistance;
2. The student eligibility requirements;
3. The criteria for selecting recipients from the group of eligible applicants; and
4. The criteria for determining the amount of a student's award.

The institution must describe the rights and responsibilities of students receiving financial assistance and, specifically, assistance under the Title IV, Higher Education Act (HEA) programs. This description must include specific information regarding:

1. Criteria for continued student eligibility under each program;
2. Standards which the student must maintain in order to be considered to be making satisfactory progress in his or her course of study for the purpose of receiving financial assistance; and criteria by which the student who has failed to maintain satisfactory progress may re-establish his or her eligibility for financial assistance;
3. The method by which financial assistance disbursements will be made to the students and the frequency of those disbursements;
4. The terms of any loan received by a student as part of the student's financial assistance package, a sample loan repayment schedule for sample loans, and the necessity for repaying loans;
5. The general conditions and terms applicable to any employment provided to a student as part of the student's financial assistance package; and
6. The exit counseling information the institution provides and collects as required by 34 C.F.R. 674.42 for borrowers under the Federal Perkins Loan Program, by 34 C.F.R. 685.304 for borrowers under the William D. Ford Federal Direct Student Loan Program, and by 34 C.F.R. 682.604 for borrowers under the Federal Stafford Loan Program.

34 C.F.R. 668.42

Net Price Calculator

Each institution of higher education, including each college district, that receives federal funds under 20 U.S.C. Chapter 28, Subchapter IV and 42 U.S.C. Chapter 34, Subchapter I, Part C shall make

publicly available on the institution's website a net price calculator to help current and prospective students, families, and other consumers estimate a student's individual net price at such institution of higher education. Such calculator may be a net price calculator developed by the U.S. Department of Education; or by the institution of higher education, if the institution's calculator includes, at a minimum, the same data elements included in the calculator developed under 20 U.S.C. 1015a(h)(1).

Estimates of an individual net price determined using the net price calculator shall be accompanied by a clear and conspicuous notice:

1. Stating that the estimate does not represent a final determination or actual award of financial assistance; shall not be binding on the U.S. Secretary of Education, the institution of higher education, or the state; and may change;
2. Stating that the student must complete the Free Application for Federal Student Aid (FAFSA) in order to be eligible for, and receive, an actual financial aid award that includes federal grant, loan, or work-study assistance under 20 U.S.C. Chapter 28, Subchapter IV and 42 U.S.C. Chapter 34, Subchapter I, Part C; and
3. Including a link to the website of the U.S. Department of Education that allows students to access the FAFSA.

20 U.S.C. 1015a(h)(3)–(4)

**Loan Debt
Disclosure**

At least annually, and in an electronic format, participating higher educational institutions that enroll one or more students receiving state financial aid administered by the Coordinating Board and that receive education loan information for a student enrolled at the institution, must provide to that student certain estimates regarding the student's education loan obligations.

A participating higher educational institution is not required to provide in any disclosure or report required under this section information regarding loans issued by a private entity.

Education Code 52.335(a), (b-1); 19 TAC 21.46(a)

Disclosure
Procedure

At least annually, a participating higher educational institution shall provide a student loan debt disclosure, as more fully defined in 19 Administrative Code 21.49 to every student who has a balance on one or more student loans, and whose debt records are received by the participating higher educational institution where he or she is enrolled. If the participating higher educational institution has a

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record of unpaid student loan debt, a disclosure must be provided to that student.

Student loan debt disclosures must be sent electronically in a manner that complies with the Family Educational Rights and Privacy Act (20 U.S.C. 1232g; 34 C.F.R. Part 99) and the participating higher educational institution's privacy standards.

Education Code 52.335(b); 19 TAC 21.48, .49(e)

Student loan debt disclosures are required to include education loan debt information that the participating higher educational institution receives or otherwise obtains from the U.S. Department of Education's central database for student aid, currently known as the National Student Loan Data System, which is shared with institutions through the Institutional Student Information Record (ISIR), as well as information that the institution may reasonably collect from its own records.

Student loan debt disclosures must include an estimate of the unpaid amount of state, federal, and other if known and reasonably available to the institution, education loans obtained by the student. The types of education loans must be identified for each total included.

Student loan debt disclosures must include an estimate of the total payoff amount for education loans, or a range for that amount, including principal and interest. At a minimum, institutions shall provide this information based on a ten-year repayment plan.

Student loan debt disclosures must include an estimate of the monthly repayment amount that the student may incur for the repayment of the education loans, including principal and interest. At a minimum, institutions shall provide this information based on a ten-year repayment plan.

The electronic communication of the student loan debt must explain the following:

1. The disclosure may not be a complete and official record of the student's unpaid education loan debt;
2. Why the disclosure may not be complete or accurate, including an explanation that for a transfer student, the institution's estimates regarding state loans reflect only state loans incurred by the student for attendance at the current institution, and not prior institutions; and
3. That the institution's estimates are general in nature and are not intended as a guarantee or promise.

Education Code 52.335(b)–(d); 19 TAC 21.49(a)–(d), (f)

**Disclosures
Regarding Lenders**

An institution of higher education, including each college district, that receives federal funding, or an institution-affiliated organization of such covered institution, that participates in a preferred lender arrangement shall disclose the information described in 20 U.S.C. 1019a.

An institution of higher education that receives federal funding, or an institution-affiliated organization of such covered institution, that provides information regarding a private education loan from a lender to a prospective borrower shall provide the information described in 20 U.S.C. 1019a.

20 U.S.C. 1019(2), 1019a(a)

**Students with
Disabilities**

In providing financial assistance to qualified disabled persons, a recipient of federal financial assistance may not:

1. On the basis of disability, provide less assistance than is provided to nondisabled persons, limit eligibility for assistance, or otherwise discriminate; or
2. Assist any entity or person that provides assistance to any of the recipient's students in a manner that discriminates against qualified disabled persons on the basis of disability.

34 C.F.R. 104.46(a)(1)

A recipient may administer or assist in the administration of scholarships, fellowships, or other forms of financial assistance established under wills, trusts, bequests, or similar legal instruments that require awards to be made on the basis of factors that discriminate or have the effect of discriminating on the basis of disability only if the overall effect of the award of scholarships, fellowships, and other forms of financial assistance is not discriminatory on the basis of disability. *34 C.F.R. 104.46(a)(2)*

**Discrimination on
the Basis of Sex**

Except as provided in 34 C.F.R. 106.37(b) and (c), in providing financial assistance to any of its students, a recipient shall not:

1. On the basis of sex, provide different amounts or types of such assistance, limit eligibility for such assistance that is of any particular type or source, apply different criteria, or otherwise discriminate;
2. Through solicitation, listing, approval, provision of facilities or other services, assist any foundation, trust, agency, organization, or person that provides assistance to any of such recipient's students in a manner that discriminates on the basis of sex; or

3. Apply any rule or assist in application of any rule concerning eligibility for such assistance that treats persons of one sex differently from persons of the other sex with regard to marital or parental status.

34 C.F.R. 106.37(a)

Records Retention

All institutions participating in the financial aid programs described in 19 Administrative Code Chapter 22 shall follow the records retention guidelines outlined below.

An institution shall maintain its records and accounts of all transactions related to state and federal student financial aid in keeping with the institution's records retention schedule to ensure a full accounting for all funds received, disbursed, and expended by the institution.

Records and accounts shall be available for inspecting, monitoring, programmatic or financial auditing, or evaluation by the Coordinating Board, and by others authorized by law or regulation, for a period, whichever is later:

1. Not less than seven years after the date of the completion of the award period;
2. The date of the receipt of the institution's final claim for payment of final expenditure report; or
3. Until a resolution of all billing questions in connection with the account has been resolved.

Records and accounts shall include, but are not limited to, general institutional and program specific recordkeeping requirements in accordance with Federal Student Aid Title IV regulations, 34 C.F.R. 668.24.

If an audit is announced, an institution shall retain its records until the audit has been completed or not less than seven years after the expiration date of the Memorandum of Understanding for State Financial Aid Programs (MOU), whichever is later.

An institution shall make available to the auditing entity all documents and other information related to state financial aid programs.

An institution and any subcontractors shall provide any information the auditing entity deems relevant to any monitoring, investigation, evaluation, or audit.

19 TAC 22.4

Note: Federal financial aid rules are found at 34 C.F.R. part 668. For technical guidance regarding the provision of federal financial aid, visit the U.S. Department of Education [Information for Financial Aid Professionals](#)¹ website. State financial aid and scholarship programs, tuition set-asides, and other requirements are detailed in Education Code Chapters 52 and 56 and 19 Administrative Code Chapters 21 and 22.

¹ Information for Financial Aid Professionals: <https://ifap.ed.gov/ifap/>