

VOLUME 29 ISSUE 2

REAUTHORIZATION

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HIGHER EDUCATION ACT REAUTHORIZATION OF 1998

- The Higher Education Amendments of 1998 reauthorize the Higher Education Act of 1965 for a period of five years.
- The President signed the Higher Education Amendments of 1998 into law on October 7, 1998.
- Unless otherwise indicated, the provisions are effective as of October 1, 1998.

TITLE I – GENERAL PROVISIONS

- Changes the 85/15 Rule for Proprietary schools to 90/10.
- Establishes a 15 member advisory committee to advise the Secretary with respect to the eligibility and certification process for institutions of higher education and make recommendations for improvement.
- Restricts eligibility to federal funding, including Title IV, to institutions who certify to the Secretary that they have adopted and implemented a program to prevent the use of illicit drugs and the abuse of alcohol by students and employees.
- Requires institutions to provide certain college cost data to the Commissioner of Education Statistics with penalties up to \$25,000 for failure to comply.
- Establishes a Performance-Based Organization (PBO) in the Department of Education, which will be responsible for managing the operational functions in the delivery of federal student assistance.
- Creates a student loan ombudsman position to provide timely assistance to borrowers of loans in resolving complaints.
- Provides that the Secretary and the Chief Operating Officer of the PBO encourage and participate in the establishment of voluntary consensus standards and requirements for the electronic transmission of information necessary for the administration of Title IV assistance.

TITLE IV- STUDENT ASSISTANCE

- FEDERAL PELL GRANT PROGRAM
- OTHER PART A PROGRAMS
- FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANTS
- STATE STUDENT INCENTIVE GRANT PROGRAM
- FEDERAL FAMILY EDUCATION LOAN PROGRAM
- FEDERAL WORKSTUDY PROGRAM
- WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM
- FEDERAL PERINS LOAN PROGRAM
- PART F NEED ANALYSIS
- PART G GENERAL PROVISIONS
- PART H PROGRAM INTEGRITY

FEDERAL PELL GRANT

- Provides for an alternative, more accurate and timely payment system, once the Secretary publishes notice in the Federal Register with an opportunity to comment.
- Authorizes maximum Pell Grant at the following:
 - \$4,500 – 1999-2000
 - \$4,800 – 2000-2001
 - \$5,100 – 2001-2002
 - \$5,400 – 2002-2003
 - \$5,800 – 2003-2004
- Changes the "tuition sensitivity" figure from \$2,400 to \$2,700 for purposes of calculating Federal Pell Grant awards.
- Allows students enrolled at least half-time in a post-baccalaureate program that does not lead to a graduate degree and in courses required by a State in order to receive a professional certification or licensing credential required for employment as a teacher in an elementary or secondary school, to receive Pell on a case by case basis.
- Provides that any school that loses eligibility to participate in the FFEL programs for the first time as a result of their FY 96 default rate also loses eligibility to participate in the Federal Pell Grant program. Institutions that had previously lost their loan eligibility but were participating in Pell as of the date of enactment continue to be eligible to participate, unless the institution subsequently participates in the loan programs.

OTHER PART A PROGRAMS FEDERAL TRIO PROGRAMS

- Reauthorizes the programs.
- Provides for a review of applications submitted to the Secretary by a peer review group of at least 3 individuals who are not Federal Government employees.

GAINING EARLY AWARENESS AND READINESS FOR UNDERGRADUATE PROGRAMS (GEAR UP)

- Establishes a new program to promote early intervention, college awareness and the availability of financial assistance to eligible low-income students.

ACADEMIC ACHIEVEMENT INCENTIVE SCHOLARSHIPS

- Establishes a new program in which Federal Pell eligible students who graduate in the top 10% of their high school class after May 1, 2000 are eligible to receive a matching scholarship during their first two academic years of undergraduate education.

Child Care Access Means Parents in School

- Creates a program to support the participation of low-income parents in post-secondary education by providing childcare services.

Learning Anytime Anywhere Partnerships

- Authorizes the Secretary to make grants to, or enter into contracts or cooperative agreements with, eligible partnerships to develop and assess model distance learning programs, innovative software, assessment measurements and student support services.

FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT

- Replaces the 5% requirement allocation to independent and part-time students with that of "a reasonable proportion."
- Updates the institution's base rate to the FY 1999 funding allocation.
- Eliminates the Pro Rata Share allocation formula.
- Allows institutions to carry forward and carry backward up to 10% of their allocation each year.

STATE STUDENT INCENTIVE GRANT PROGRAMS

- Changes the name to the Leveraging Educational Assistance Partnership Program.
- Allows States to match at a higher level and use funds for transition programs.

FEDERAL FAMILY EDUCATION LOAN PROGRAM

- Provides that a student enrolled in a program less than an academic year is eligible to receive a pro-rated loan equal to the number of semester,

- trimester, quarter, or clock hours divided by the credit or clock hours in a one-academic year program.
- Lowers interest rate for loans made on or after October 1, 1998, and before July 1, 2003.
 - Allows students to annually change the selection of their repayment plan.
 - Modified deferment language so that students attending part-time do not have to borrow another loan to receive a deferment, and those who provide evidence of eligibility for unemployment can receive deferments with no additional paper work.
 - Allows the Secretary to enter into a voluntary, flexible agreement with up to six guaranty agencies through FY 2001.
 - Allows the Secretary to establish additional PLUS loan eligibility requirements.
 - Requires verification of the immigration status and social security numbers of PLUS borrowers.
 - Eliminates the 30-day delayed disbursement requirement and the multiple disbursement requirement for a period of no more than one semester, quarter, or four months for schools with CDRs under 10% for the three most recent cohort years.
 - Establishes a loan forgiveness program for elementary and secondary teachers employed for five consecutive years and child care providers in low-income communities.
 - Adds new mitigating circumstances language.
 - Provides that institutions which are currently exempt from the loss of eligibility after three years of CDRs at 25% would continue this exemption until July 1, 1999. In order to remain eligible after that point, they would have to submit a default management plan, engage an independent third party to provide technical assistance and provide evidence of cohort default rate improvement. The Secretary may continue the school's eligibility on a yearly basis until 2001.
 - Extends the period before which a loan is considered in default from 180 to 270 days, and for loan repayments made on a less frequent schedule, increases from 240 to 330 days.
 - Requires the Secretary to discharge a student's liability on a loan if the school failed to make a refund owed to the student.

FEDERAL WORKSTUDY PROGRAMS

- Expands the definition of community service to include childcare services provided on campus and services to students with disabilities.
- Changes the allocation formula to parallel the FSEOG language.
- Changes the percentage of community service FWS required for an institution to receive reallocated funds from 10% to 5%, and mandates that reallocated funds only be used for tutoring in reading and family literacy activities.
- Allows federal share for tutoring and literacy students to exceed 75%.

- Requires that at least 7% of an institution's FWS allocation be used for community service beginning in FY 2000.
- Modifies law to only require that a "reasonable portion" of funds be made available to part-time and independent students if the students were used to determine the school's allocation.
- Allows the institution to, upon the student's request, make payments to the student by crediting his or her account or making a direct deposit into the student's account at a depository institution. The school may only credit for tuition and fees, institutionally owned housing, room and board, and other institutionally provided goods and services.

WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

- Changes generally parallel FFEL program.

FEDERAL PERKINS LOAN PROGRAM

- Uses same allocation formula as described in FSEOG.
- Exempts from the requirement to have a default reduction plan any institution whose CDR is less than 20%, and which has fewer than 100 borrowers in the year.
- Eliminates the requirement to establish a default reduction plan in the FY2000 and replaces the sliding scale default penalties with a single penalty. A school with a Perkins CDR of 25% or more receives no FCC and schools with CDRs less than 25% have no default penalties.
- Eliminates eligibility for a school beginning in FY2000 whose CDR exceeds 50% for each of the three most recent years.

PART F NEED ANALYSIS

- Allows a reasonable allowance for the documented rental or purchase of a personal computer in the COA.
- Modifies determination of room and board costs.
- Excludes parent in the number enrolled in post-secondary education when determining EFC.
- Increases Income Protection Allowances.
- Allows inclusion of 1040 as qualifying form for simplified need analysis, if filed to take advantage of tax credits.
- Lists specific circumstances under which an aid administrator may exercise professional judgement. Those provided were, the inclusion of elementary and secondary tuition expenses, medical and dental expenses, high child care costs recent unemployment, number of parents enrolled at least half-time in a degree, certificate or other program leading to a credential at a Title IV eligible school, or other changes in a family's income, assets, or student's status.

- Places aid administrators' authority to refuse to certify or certify a loan for a lesser amount under professional judgement.

GENERAL PROVISIONS

- Changes master calendar to require publication of regulations by the Secretary by November 1 instead of December 1, for implementation on July 1.
- Allows FAFSA to serve as loan application.
- Adds language to make a student who has completed a secondary school education in a home school setting or private school under State law eligible for Title IV assistance.
- Amended to make students enrolled in telecommunication courses leading to a recognize certificate for a program of study 1 year or longer eligible under the same conditions as degree programs.
- Add provisions to allow the Secretary to secure income and tax information directly from the IRS. The Secretary must establish procedures for the IRS to notify an applicant when information is being provided.
- Added language which describes the suspension of Title IV eligibility for drug related convictions under Federal and State law, and how eligibility is restored.
- Modifies the refund policy so that an institution now determines the percentage of Title IV aid earned, versus the percentage of tuition earned. This becomes effective 2 years after date of enactment, although an institution may choose to implement earlier.
- Adds electronic media as an appropriate method of disseminating information to students and performing exit counseling.
- Provides that students are provided on an annual basis a list of all information required under FERPA, withdrawal and refund information.
- Modifies disclosure requirements regarding athletically related student aid and campus crime reporting.
- Require the Secretary to provide borrowers access to NSLDS.
- Allows the Secretary to select up to 15 schools for participation in a distance education demonstration program the first year and 35 more the third year.
- Adds a new program participation requirement which requires schools that are in states where the National Voter Registration Act does not apply, to make a good faith effort to distribute mail voter registration forms, requested and received from the state to each enrolled student physically in attendance at the institution.
- Expands Quality Assurance Program to allow waiver of regulatory requirements regarding the processing and disbursement of aid, in addition to verification.
- Modifies Experimental Site authority.

- Provides that student assistance may not be subject to garnishment except to satisfy a debt owed to the Secretary.
- The Secretary is given authority to subpoena Title IV assistance documents.
- Modifies negotiated rulemaking process.
- Requires the Secretary to assure Y2K compliance and develop a contingency plan.

PART H PROGRAM INTEGRITY

- Eliminates language-authorizing SPREs, but requires States to notify the Secretary of violations.
- Requires Accrediting Agencies to include distance education programs in assessments.
- Changes financial responsibility standards.
- Makes site visits for recertification discretionary instead of mandatory, and extends maximum period of time of certification to six years.
- Provides that program review guidelines be made available to schools, and that schools be allowed to cure an administrative, accounting or record keeping error if there is no pattern of error and no evidence of fraud or misconduct. In addition, the civil penalty must be based on the gravity of the violation, failure or misrepresentation.
- Requires the Secretary to review the regulations periodically to see if they are duplicative or no longer necessary, and to specifically see how they affect schools receiving less than \$200,000 in Title IV in each of the two most recent years.



MD ASFAA News

The Executive Committee of the Maryland Association of Student Financial Aid Administrators is currently making plans regarding training and activities and special events for the next few months. If there is a particular area in which you feel we need to focus our attention, please notify **Barb Miller at 410-780-6975** or bmiller@essex.cc.md.us. We would like to plan something special for the association to participate in as a group. If you have some ideas, let us know. A short time ago, a message was sent to all Maryland institutions soliciting information for a "Helping Hands Resource Directory." This directory is to be used as a reference for financial aid professionals. We are seeking anyone with expertise in a specific financial aid issue/area to be a part of this directory. Many schools in our state are facing budgetary restraints and are not able to send all financial aid personnel to training. This directory will provide a list of names of individuals who are willing to assist a colleague. This assistance could be in the

way of a phone call or possible visit. To sign up or for more information, please contact **Sandy Brown at 410-778-4065** or sbrown@dmv.com or **Janet Walker at 410-337-5155** or jlwmedix@aol.com.



Delaware News by Eleanor Kelly , DE President

Maureen Laffey of the DE Higher Education Commission has agreed to serve as Chair for the DE H.S. nights.
Goals for 1998-99

- i. Develop a new guidance counselor workshop involving electronic resource training.
- ii. Discuss and vote on the formation of an Executive Committee.
- iii. Provide professional development training to DE ASFAA membership as requested.
- iv. Work with the Tri-state Electronic Services Committee to develop a webpage for Delaware.



Site Selection Report

The dates and locations of the DE-DC-MD ASFAA Annual Fall Conferences are as follows.

- 1999 November 6-9 Sheraton Fountainbleu Ocean City, MD
- 2000 November 11-14 Sheraton Fountainbleu Ocean City, MD
- 2001 November 10-13 Sheraton Fountainbleu Ocean City, MD

If you have any suggestions for future sites please contact Patricia Rhodes or any member of the Executive Board.



PD&T Holds First-Ever APT Workshop

by Patty Williams

The first Advanced Professional Training Workshop was enthusiastically received on December 3 at Essex Community College as evidenced by evaluation comments turned in such as "Excellent!", "Great Job", "Time Flew", and "Came away with much useful information!". Twenty two professionals participated in a lively day that focused on Personnel Management issues. Among the highlights was fun and energizing morning session with Zeb Davenport. In presenting styles

of management and team building, Zeb had the participants literally tossing and catching numerous balls in the air, building a Martian Welcome Center out of paper plates, popsicle sticks, and marbles, as well as helping each other cross a chocolate river on marshmallows. The day ended on a similar high note with Maurice Whelan's charged presentation on personnel motivation. Maurice drew on the personnel motivation themes found in The Wizard of Oz and the Velveteen Rabbit and expounded by Pooh Bear to help the group see this issue in a new and very positive light. Attorney Larry Seegull expertly guided the group through the legal aspects of hiring and firing from the initial application to the final discharge communication with an emphasis on avoiding liability. Paul Naden introduced the participants to a unique method of conducting business meetings. Next year's "personnel management day" will be even better as we incorporate the suggestions from this year's group - plan to attend!



Public Relations

- Mindy Shaefer is leaving Bowie to be a Financial Analyst at Maryland Higher Education Commission.
- Wachovia is pulling out of the student loan business.
- Peg Adams is leaving Montgomery College for the Northeast.
- The annual holiday party at Gary Spoales' house was a crowded success according to an attendee. This event is held every first Saturday in December.
- Jennifer Bates is no longer at Washington College. She is an Assistant Director at Maryland Institute College of Art in Baltimore.
- Robyn Dinicola is the new Assistant Director for Client Services at the University of Maryland. She is responsible for the counseling division.

Back in the Saddle Again

Retired financial aid administrator and Lifetime Member Roscoe E. Dann underwent by-pass surgery. After a minor setback he is on his feet and driving again. We wish him well as he continues to grow stronger every day.

In Loving Memory

Financial Aid Administrators mourned the loss of our colleague and friend Faye Perry. Faye served as the Director of Financial Aid at Goucher College for a number of years. At the time of her death she was working part-time for the University of Baltimore.



USA Group Report

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Teaming up to prevent student loan defaults

The recent announcement that the national student loan default rate has declined for a sixth consecutive year—to a record low of 9.6 percent—is certainly cause for celebration. However, there is still room for improvement. The recent record of declining default rates is a tribute to teamwork by colleges and universities, student loan program administrators, and federal policymakers. An ongoing team effort will be required to further reduce student loan defaults. As key players on the team, lenders and student loan guarantors have intensified their default prevention activities. For example, USA Group[®]'s 200 default prevention employees last year increased by 40 percent their volume of calls to borrowers who had fallen 60 days or more behind in their loan payments. USA Group default prevention staff made more than 13 million calls to borrowers during the year. As a result of these efforts, nearly nine of every 10 delinquent accounts were restored to repayment prior to default, averting \$7 billion in potential loan defaults for the year.

Improved counseling of borrowers by their colleges and universities is another factor contributing to lower defaults. Student loans often are the first credit experience for many students. Counseling of both prospective borrowers and borrowers who are entering the post-school grace period helps to reduce student loan repayment problems. Student loan program administrators are supporting these efforts by providing schools with software and Internet-based counseling programs. For example, USA Group provides a Web-based entrance counseling program that includes an optional quiz and e-mail verification to the school of the borrower's completion of the counseling program. Additionally, USA Group is developing a Web-based exit counseling program that is expected to be available by December 1998.

Student loan program administrators also contribute to lower defaults by providing life-of-the-loan service options and by offering financial incentives to reward good repayment habits. Borrower confusion about the status of education loans is reduced when loans are administered by the same organization from origination through repayment. In addition, Web-based access to loan account information helps student loan borrowers keep closer tabs on the status of their accounts. Borrower benefit programs that provide interest rate discounts to borrowers who conscientiously repay their loans are effective default prevention tools. Many discount programs reward borrowers who select automatic payment options. These automatic payment plans promote timely loan payment.

Borrowers who have a consistent record of on-time payment, usually over 48 months, are rewarded with additional discounts.

Working together, schools and student loan administrators help prevent defaults by sharing information about delinquent student borrowers. For example, USA

Group offers schools the option of receiving a list of borrowers who are delinquent in their loan payments. Schools can also receive a list of borrowers in default.

Since failure to graduate is a key factor associated with student loan defaults, student retention efforts are another key to successful default prevention. Colleges that develop strong retention efforts—whether they are developed by campus staff or with the assistance of an outside consultant—have taken another step toward lower default rates.

All parties—borrower, school, lender, guarantor and taxpayer—lose in a student loan default. All parties will benefit by teaming up to extend the current default prevention "winning streak."

New Web-based innovations simplify and speed the education loan process

Many financial aid officers continue to look to the World Wide Web to improve the financial aid process. The Web allows financial aid officers and students 24-hour, seven-day-a-week access to their financial aid information. Interactive features on the Web also help reduce the number of calls into the financial aid office, which frees up the financial aid staff to work with students on other, less routine issues.

Increasingly, innovative, Web-based tools are speeding and simplifying the financial aid process. USA Group[®], the nation's largest guarantor/administrator of student loans, recently announced that it is launching NetWizard, a series of new Web-based education loan delivery innovations. NetWizard allows schools to customize their education loan delivery process. NetWizard will also help schools reduce paperwork and increase efficiency, while allowing the school to work with any USA Group lender partner. "Because USA Group has been developing Web services for financial aid offices for several years, it's now in the position to customize individual services for its broad range of customers," said David Manning, USA Group's Executive Director. "Attentiveness to schools' individual needs sets us apart." The five new services incorporated in NetWizard include:

1. **Online education loan application available through schools' Web sites.** Using this USA Group process, students at participating schools will be able to visit their schools' Web sites to complete and then print their loan applications. This innovation will expedite the loan application process and reduce application errors because students will receive immediate feedback when mistakes are made on the online application. This technology is already available from USA Group for Stafford loans. In the future schools can customize this site to work with their unique student loan process, allowing either the financial aid office or the student to initiate an application. Soon PLUS and private loans will be available through an online application. Future enhancements to this service will also include an online credit review and approval process, a Web-enabled

- school certification process, and an online, rapid guarantee for FFELP loans.
2. **Education loan entrance and exit counseling on the Web.** Financial aid offices can meet federal entrance and exit loan counseling requirements by linking to USA Group's Web site. Schools can customize these Web-based student loan counseling programs, which are offered to schools at no charge. Because this counseling is available on the Web, students can complete their entrance and exit requirements at their convenience. More than 80 schools already use USA Group's entrance loan counseling on the Web. In December USA Group introduced exit loan counseling for schools. Through USA Group's education loan counseling tools, schools can offer both entrance and exit counseling programs through their own Web sites. If schools use USA Group's loan guarantee and servicing, their students will be able to view payment options that reflect their individual situations when USA Group adds this new feature in 1999.
 3. **Status information and change transactions via the Web.** In 1999 schools can visit USA Group's Web site and make online, real-time changes to their students' education loan information, including disbursement amount and date changes, loan period changes, loan cancellations, or subsidized to unsubsidized loan transfers. Schools can already view elements of their students' education loan information and control disbursement releases on USA Group's Web site. Next fall USA Group will enhance this function by combining the Web pages for guaranteed loans and loans in repayment into one section on www.usagroup.com.
 4. **Free software for data sorting and electronic transmission.** In 1999 USA Group will offer free software so that schools can sort and electronically send education loan application information from their own financial aid management system to the FFELP CommonLine¹ network.
 5. **Customized reporting via the Web.** Soon USA Group customers will have direct access to their education loan portfolios on the Web. Schools can visit USA Group's Web site and print existing or customized reports, which organize the schools' data in a way that meets their needs. "Each component in USA Group's NetWizard is school selected, school controlled and school driven," Manning said. "USA Group is excited to offer these enhancements in cooperation with our lender and guarantor partners."

¹CommonLine is a service mark of the National Council of Higher Education Loan Programs (NCHELP).

New study reveals shift in who pays for college and how

A new report reveals a shifting landscape of who pays for college and how they are paying for it. Parents over the last decade are covering less of the growing price of their children's college education. While the average price of attending a

four-year institution has risen by an inflation-adjusted 38 percent in the last 10 years, parental support has actually dropped by 8 percent in that period. Overall, parents are relying on current incomes more, saving at far lower levels than needed to pay for college, and—for those who take out loans—borrowing higher amounts. The report states that parents on average contribute 55 percent of the price of attending college, a decline from 69 percent in 1986. Student loans and other sources are making up the difference. Two-thirds of parents rely mainly on current income to finance college. The average total amount now saved for a college education is \$9,956, or only about one year of the average price of a public, four-year college. For the 25 percent of parents who borrow for college, the average loan amount is up 50 percent over the last five years.

The study indicates that most parents are not going into debt to pay for their children's college education, but do contribute substantially: two-thirds supply cash gifts and 10 percent extend loans to their children. A full 80 percent of parents provide food, clothing and transportation. The report also shows a high level of involvement by parents in their children's efforts to select, enroll, and plan financially for college. The widening gap between higher prices and the levels of support provided by parents, according to the report, is the result of prices climbing faster than available funds. In addition, other factors, such as low saving levels for college, increased reliance on current income, and widespread availability of student loans may be impacting this trend. Parents also may not be realistic about how and how much they expect to pay for college, suggests the report. Although parents rely mainly on current income to pay for college, recent studies indicate that parents of high school students anticipate using savings and grants as their primary source for paying for college (current income was a distant fourth choice).

The report, "It's All Relative: The Role of Parents in College Financing and Enrollment," was commissioned by the USA Group Foundation, a research and philanthropic organization, and prepared by The Institute for Higher Education Policy, a non-profit education research group in Washington, D.C. Findings also show that 83 percent of parents discussed their children's career and degree interests with them, 72 percent helped fill out applications, 65 percent gave advice on applying to schools, 57 percent spoke with an admissions officer, and 50 percent helped in the final choice. The study blends recent research on the parental role in higher education with a new, nationally representative survey of 750 parents who had at least one dependent child enrolled in college during the 1997-98 academic year. The study examines the role of parents in higher education financing in order to help clarify fiscal responsibilities among the federal government, states, institutions, philanthropy, parents and students. The USA Group Foundation is the research and philanthropic arm of USA Group, a non-profit company based in Indianapolis, Indiana, and the nation's largest administrator of student loans. The Institute for Higher Education Policy is a non-profit education research group based in Washington, D.C. "It's All Relative: The Role of Parents in College Financing and Enrollment" is the first monograph published in the USA Group Foundation New Agenda Series. It is also available

on USA Group's Web site, www.usagroup.com, in the General Public & Media section.

USA Group offers money-back service guarantee

INDIANAPOLIS—USA Group®, the nation's largest guarantor and administrator of student loans, recently announced that it will refund the 1 percent guarantee fee paid by a borrower if the financial aid office is not completely satisfied with the guarantee processing and disbursement service they receive on loans guaranteed by USA Funds®.

"This service guarantee demonstrates the care we attach to each and every loan we guarantee and our willingness to stand behind our work," said David Manning, Executive Director.

The service guarantee process is initiated when a problem is reported to a USA Group customer service representative. If the problem is not resolved to the complete satisfaction of the financial aid officer within 72 hours, USA Group will mail a check to the borrower for the 1 percent guarantee fee paid on the affected loan.

For more information on USA Group's service guarantee, please contact Ray Herman, Senior Marketing Representative for Delaware, or Melvina Johnson, Senior Marketing Representative for Washington, D.C. and Maryland, at 410-337-0274.