

Code of Conduct Regarding Lender Relationships & Loans



(As required by federal regulations & the Higher Education Opportunity Act)

I. ETHICAL PRINCIPLES:

All decisions and actions made or taken by any of WCU's financial aid office associates or any other officers and associates who have contact with guaranty agencies or lenders shall be consistent with the following principles:

- 1. STUDENT CHOICE:** WCU participates in Federal Title IV aid programs that includes Federal Pell Grants, Federal Supplemental Educational Opportunity Grants (FSEOG), Iraq and Afghanistan Service Grants, Federal Work Study, and the William D. Ford Direct Loan programs (subsidized, unsubsidized and PLUS). Students who choose to borrow a loan from a private lender will be given a genuine, fair and equal opportunity to choose among and between all private loan lenders.
- 2. STUDENT INTERESTS:** WCU will seek to establish relationships with those lenders which offer the best benefits for students – interest rates and fees, payment terms and services.
- 3. AVOIDANCE OF CONFLICTS:** No director, officer or associate of WCU will have any relationship – as director or associate or representative – with any lender or guaranty agency nor WCU accept anything of value, other than token marketing items and nominal conference refreshments, from any lender. WCU will not accept any service or thing of value from any lender or guaranty agency, other than training for financial aid staff relevant to loan processing, loan processing materials and financial literacy materials, emergency staffing services, entrance and exit counseling services conducted under the supervision of a financial aid officer of WCU, and reimbursement of reasonable costs for domestic travel to training conferences hosted by lenders and/or guaranty agencies.
- 4. INSTITUTIONAL DISCLOSURE:** If WCU were to develop and use a preferred lender list, the selection process and criteria will be disclosed in writing to students. If any lender or guaranty agency were to offer to make philanthropic contributions to WCU for institutional aid or student financial assistance, there will be no promise of preferred status or other commitments given in exchange for or because of such contributions.
- 5. STUDENT PRIVACY:** All student financial information – about need, resources, loans and other aid – will be kept confidential and, without written student authorization, not shared with outside parties, other than the United States Department of Education (DOE), state aid agencies, lenders, servicers and guaranty agencies. Any such release will be made pursuant to FERPA regulations.

II. CODE OF CONDUCT:

All directors, officers, associates and other representatives of WCU (“**WCU Representatives**”) are required to comply with each of the following rules in this Code of Conduct for Lender Relationships & Loans (“**Code**”) and to also promptly inform either the WCU's legal counsel or president (as directed by WCU in writing) if they become aware of facts indicating that there may have been a violation of the Code:

- 1. PROHIBITED RELATIONSHIPS:**
 - a.** No WCU Representative shall act as an officer, associate, consultant or sales representative for any guaranty agency or lender, no financial aid officer or associate of WCU (including any officer of WCU with responsibility for overseeing the financial aid office and/or WCU's relationships with lenders) shall serve on the board of directors of a lender, and no other associate, officer and director of WCU shall serve as an uncompensated member of the board of directors of any lender, unless such individual has confirmed in writing that he/she will abide by WCU's published conflict of interest policy and has obtained written permission from legal counsel or president of WCU.
 - b.** No financial aid officer or associate of WCU shall serve on any **advisory board** for any guaranty agency or lender, nor shall any other WCU Representative serve on such a board, unless such service has been **approved in writing** by the legal counsel or president for WCU.
- 2. PROHIBITED INVESTMENTS:** No WCU Representative shall purchase or accept any stock, bond or other equitable or legal interest in any guaranty agency or lender, nor any option to acquire such an interest, but this prohibition shall not preclude ownership of units in a mutual fund holding such stocks or bonds.
- 3. PROHIBITED BENEFITS TO INDIVIDUALS:** No WCU Representative shall accept any prize, gift, compensation, entertainment (including concert and sporting event tickets), meals, travel cost reimbursement or other benefit from any guaranty agency or lender (“**Prohibited Benefits**”), but this does not include promotional items of nominal value, conference meals and refreshments open to all attendees, and reimbursement of reasonable costs for domestic travel to attend conferences or seminars providing training on the administration of loans or to attend advisory board meetings focused on best practices. If any lender or guaranty agency attempts to offer any WCU Representative any Prohibited Benefit, he or she shall promptly report this to WCU's legal counsel or president and to any other entity to which a report of this type of activity is required.

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4. PROHIBITED BENEFITS OR INDUCEMENTS TO WCU:

- a. WCU shall not accept any payment or benefit of any kind from any guaranty agency or lender, including without limitation any rebate or share of revenue and any computer software or hardware (at no charge or at below market rates), as consideration for entering into a contractual relationship or for placing a lender on a preferred lender list.
- b. WCU shall not accept from any lender any 'opportunity pool,' revenue sharing arrangements or similar funding arrangements offered for use in making private loans to higher risk students in exchange for promises or concessions by WCU.
- c. WCU may accept philanthropic contributions from a lender or guaranty agency, only if such contributions are made without any expectation or promise of any preferred status, advantage, recommendation, business volume, or other benefit.

5. PROHIBITED PROMOTIONS: WCU shall not allow its name, logo, emblem or mascot, or any other words, symbols or photographs readily associated with WCU to be used by any guaranty agency or lender in any advertisement, publication or other communication suggesting that WCU has endorsed loans or services offered or guaranteed by the guaranty agency or lender. WCU shall assure that all materials provided to students about private educational loans shall prominently identify the name of the lender.

6. PROHIBITED REPRESENTATIONS & SERVICES:

- a. WCU shall not allow any associate, agent or representative of any lender or guaranty agency to represent himself or herself to the public, or to otherwise act, as an agent or representative of WCU.
- b. No WCU Representative shall represent himself or herself to the public, or otherwise act, as an agent or representative of any lender or guaranty agency.
- c. WCU generally shall not accept any assistance from a lender or guaranty agency for financial aid office or call center staffing, but may accept staffing assistance on a short term basis in the event of a disaster creating emergency needs; entrance and exit counseling services when supervised by a financial aid officer of WCU; and financial literacy materials not promoting any lender or guaranty agency.

7. PROHIBITED INDUCEMENTS BY INSTITUTION: WCU will not offer or provide to any guaranty agency or lender any inducement to secure any business relationship, any particular kind of loans or scholarships, services or other benefits. This prohibition includes, but is not limited to, any promise of loan volume, preferred status, or any other advantage or benefit.

8. PREFERRED LENDER LIST: WCU does not participate in preferred lender arrangements with specific lenders. Students who need additional funds for education may consider an alternative (or private) student loan. These loans are private educational loans from a lender and are not guaranteed by the federal government. Approval of an alternative loan is based on creditworthiness. Most students will require a co-signer. WCU encourages all students to explore federal financial aid funding options prior to applying for a private student loan. Upon request of the applicant, an WCU Financial Aid Representative will discuss the availability of federal, state, and institutional student financial aid.

9. LOAN PROCESSING ARRANGEMENTS:

- a. WCU will not use any software or processing system or practices that create a 'default' arrangement through which a student borrower is automatically referred to any one or more private student lenders, whether or not any such lenders have been designated by WCU as "preferred lenders."
- b. WCU will not use any financial aid processing or packaging practices that delay certification of borrowers choosing private student loan lenders not on the Lender List.

10. LENDER COMPARISONS: If the Institution provides students with information on loans from private lenders, it will provide each student with a separate written reminder of the potential availability of federal student loans and a written comparison of the principal terms of such loans to the principal terms of federal student loans, including eligibility conditions, interest rates, origination fees, and repayment options & terms.

11. LIMITATIONS ON STUDENT INFORMATION DISCLOSURES: In the absence of a signed authorization from specific students or parents (in the case of minors) or documentation showing that the specific students or parents have filed an application with a specific lender, the WCU will not disclose any information about the financial needs, resources and loan options or considerations of its students to any prospective lender or to any other person or entity, excluding those entities and persons to which disclosure is authorized under FERPA statutory and regulatory provisions.

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- 12. PREFERRED LENDER LIST DISCLOSURES:** If a Preferred Lender List is used, WCU will annually give written disclosure to the U.S. Secretary of Education and to students about all lenders selected for inclusion on any Preferred Lender List, explaining the reasons why the lenders were selected, identifying the student benefits they provide, and providing the Model Disclosure Form information and will provide the same written report to any applicable state education department who requires such a report.
- 13. PUBLICATION OF CODE:** A copy of this Code shall be provided at least annually to all associates of WCU. All Financial Aid associates and directors, and all college officers, directors and campus directors, will be required to sign a written certification confirming that they have received and read the Code. This Code shall be posted on the Institution's website and, upon request, a paper copy of the Code shall be given to all students either in written mailings or email notices.

THIS CODE IS BASED ON FEDERAL REQUIREMENTS IN THE 2008 HIGHER EDUCATION OPPORTUNITY ACT (HEOA), PL 110-315 (ADOPTED 8-14-08), SPECIFICALLY SECTIONS 120, 422(D), 436 (B), 1001-1022 (CODIFIED AS 20 USC §§ 151-154, 1078 (b)(3) & 1085 (d)(5) and 15 USC §§ 1631 & 1640), AND THE 2009 FEDERAL LENDER RELATIONSHIP REGULATIONS, 34 CFR §§ 601.01, 601.10, 601.11, 601.12, 601.20, 601.21, 602.30.