

**(2) Annual report**

Each covered institution, and each institution-affiliated organization of such covered institution, that has a preferred lender arrangement, shall—

(A) prepare and submit to the Secretary an annual report, by a date determined by the Secretary, that includes, for each lender that has a preferred lender arrangement with such covered institution or organization—

(i) the information described in clauses (i) and (ii) of paragraph (1)(A); and

(ii) a detailed explanation of why such covered institution or institution-affiliated organization entered into a preferred lender arrangement with the lender, including why the terms, conditions, and provisions of each type of education loan provided pursuant to the preferred lender arrangement are beneficial for students attending such institution, or the families of such students, as applicable; and

(B) ensure that the report required under subparagraph (A) is made available to the public and provided to students attending or planning to attend such covered institution and the families of such students.

**(3) Code of conduct****(A) In general**

Each covered institution, and each institution-affiliated organization of such covered institution, that has a preferred lender arrangement, shall comply with the code of conduct requirements of subparagraphs (A) through (C) of section 1094(a)(25) of this title.

**(B) Applicable code of conduct**

For purposes of subparagraph (A), an institution-affiliated organization of a covered institution shall—

(i) comply with the code of conduct developed and published by such covered institution under subparagraphs (A) and (B) of section 1094(a)(25) of this title;

(ii) if such institution-affiliated organization has a website, publish such code of conduct prominently on the website; and

(iii) administer and enforce such code of conduct by, at a minimum, requiring that all of such organization's agents with responsibilities with respect to education loans be annually informed of the provisions of such code of conduct.

(Pub. L. 89-329, title I, §153, as added Pub. L. 110-315, title I, §120, Aug. 14, 2008, 122 Stat. 3122.)

## REFERENCES IN TEXT

Section 1638(e) of title 15, referred to in subsec. (a)(2)(B)(ii), was in the original "section 128(e)", and was translated as meaning section 128(e) of Pub. L. 90-321, which is classified to section 1638(e) of title 15, to reflect the probable intent of Congress.

**§ 1019c. Loan information to be disclosed and model disclosure form for institutions participating in the William D. Ford Federal Direct Loan Program****(a) Provision of disclosures to institutions by the Secretary**

Not later than 180 days after the development of the model disclosure form under section 1019b(a)(2)(B) of this title, the Secretary shall provide each institution of higher education participating in the William D. Ford Direct Loan Program under part C of subchapter IV with a completed model disclosure form including the same information for Federal Direct Stafford Loans, Federal Direct Unsubsidized Stafford Loans, and Federal Direct PLUS loans made to, or on behalf of, students attending each such institution as is required on such form for loans described in section 1019(3)(A) of this title.

**(b) Duties of institutions****(1) In general**

Each institution of higher education participating in the William D. Ford Direct Loan Program under part C of subchapter IV shall—

(A) make the information the Secretary provides to the institution under subsection (a) available to students attending or planning to attend the institution, or the families of such students, as applicable; and

(B) if the institution provides information regarding a private education loan to a prospective borrower, concurrently provide such borrower with the information the Secretary provides to the institution under subsection (a).

**(2) Choice of forms**

In providing the information required under paragraph (1), an institution of higher education may use a comparable form designed by the institution instead of the model disclosure form developed under section 1019b(a)(2)(B) of this title.

(Pub. L. 89-329, title I, §154, as added Pub. L. 110-315, title I, §120, Aug. 14, 2008, 122 Stat. 3125.)

**§ 1019d. Self-certification form for private education loans****(a) In general**

The Secretary, in consultation with the Board of Governors of the Federal Reserve System, shall develop the self-certification form for private education loans that shall be used to satisfy the requirements of section 1638(e)(3) of title 15. Such form shall—

(1) be developed in a standardized format;

(2) be made available to the applicant by the relevant institution of higher education, in written or electronic form, upon request of the applicant;

(3) contain only disclosures that—

(A) the applicant may qualify for Federal student financial assistance through a program under subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, or State or institutional student financial assistance, in place of, or in addition to, a private education loan;

(B) the applicant is encouraged to discuss the availability of Federal, State, and institutional student financial assistance with financial aid officials at the applicant's institution of higher education;

(C) a private education loan may affect the applicant's eligibility for free or low-cost Federal, State or institutional student financial assistance; and

(D) the information that the applicant is required to provide on the form is available from officials at the financial aid office of the institution of higher education;

(4) include a place to provide information on—

(A) the applicant's cost of attendance at the institution of higher education, as determined by the institution under Part<sup>1</sup> E of subchapter IV;

(B) the applicant's expected family contribution, as determined under Part<sup>1</sup> E of subchapter IV, as applicable, for students who have completed the free application for Federal student aid;

(C) the applicant's estimated financial assistance, as determined by the institution, in accordance with subchapter IV of this chapter and part C of subchapter I of chapter 34 of title 42, as applicable;

(D) the difference between the amounts under subparagraphs (A) and (C), as applicable; and

(E) the sum of the amounts under subparagraphs (B) and (D), as applicable; and

(5) include a place for the applicant's signature, in written or electronic form.

**(b) Limit on liability**

Nothing in this section shall be construed to create a private right of action against an institution of higher education with respect to the form developed under subsection (a).

(Pub. L. 89-329, title I, §155, as added Pub. L. 110-315, title X, §1021(b), Aug. 14, 2008, 122 Stat. 3487.)

**SUBCHAPTER II—TEACHER QUALITY ENHANCEMENT**

**CODIFICATION**

Pub. L. 107-110, title X, §1051(1), Jan. 8, 2002, 115 Stat. 2080, added heading and struck out former heading which read as follows: "TEACHER QUALITY ENHANCEMENT GRANTS FOR STATES AND PARTNERSHIPS".

**PRIOR PROVISIONS**

A prior title II of the Higher Education Act of 1965, comprising this subchapter, was originally enacted by Pub. L. 89-329, title II, Nov. 8, 1965, 79 Stat. 1224, and amended by Pub. L. 89-752, Nov. 3, 1966, 80 Stat. 1240; Pub. L. 90-575, Oct. 16, 1968, 82 Stat. 1014; Pub. L. 91-230, Apr. 13, 1970, 84 Stat. 121; Pub. L. 92-318, June 23, 1972, 86 Stat. 235; Pub. L. 94-482, Oct. 12, 1976, 90 Stat. 2081; Pub. L. 96-49, Aug. 13, 1979, 93 Stat. 351. Title II was extensively revised by Pub. L. 96-374, title II, §201, Oct. 3, 1980, 94 Stat. 1383, and was set out in this subchapter as having been added by Pub. L. 96-374, and amended, prior to repeal by Pub. L. 104-208, div. A, title I, §101(e) [title VII, §708(b)], Sept. 30, 1996, 110 Stat. 3009-233, 3009-312.

<sup>1</sup> So in original. Probably should be "part".

**§ 1021. Definitions**

In this subchapter:

**(1) Arts and sciences**

The term "arts and sciences" means—

(A) when referring to an organizational unit of an institution of higher education, any academic unit that offers one or more academic majors in disciplines or content areas corresponding to the academic subject matter areas in which teachers provide instruction; and

(B) when referring to a specific academic subject area, the disciplines or content areas in which academic majors are offered by the arts and sciences organizational unit.

**(2) Children from low-income families**

The term "children from low-income families" means children described in section 6333(c)(1)(A) of this title.

**(3) Core academic subjects**

The term "core academic subjects" has the meaning given the term in section 7801 of this title.

**(4) Early childhood educator**

The term "early childhood educator" means an individual with primary responsibility for the education of children in an early childhood education program.

**(5) Educational service agency**

The term "educational service agency" has the meaning given the term in section 7801 of this title.

**(6) Eligible partnership**

Except as otherwise provided in section 1034 of this title, the term "eligible partnership" means an entity that—

(A) shall include—

- (i) a high-need local educational agency;
- (ii)(I) a high-need school or a consortium of high-need schools served by the high-need local educational agency; or
- (II) as applicable, a high-need early childhood education program;
- (iii) a partner institution;
- (iv) a school, department, or program of education within such partner institution, which may include an existing teacher professional development program with proven outcomes within a four-year institution of higher education that provides intensive and sustained collaboration between faculty and local educational agencies consistent with the requirements of this subchapter; and

(v) a school or department of arts and sciences within such partner institution; and

(B) may include any of the following:

- (i) The Governor of the State.
- (ii) The State educational agency.
- (iii) The State board of education.
- (iv) The State agency for higher education.
- (v) A business.
- (vi) A public or private nonprofit educational organization.