



UNIVERSITY OF  
SOUTH DAKOTA

## USD Financial Aid Code of Conduct

Staff members in the USD Financial Aid Office have always been bound to act in compliance with the vision outlined in the National Association of Student Financial Aid Administrator's Statement of Ethical Principles and Code of Conduct for Institutional Financial Aid Professionals.

The Higher Education Opportunity Act (HEOA) requires educational institutions to develop and comply with a code of conduct that prohibits conflicts of interest for financial aid personnel. Any University of South Dakota Financial Aid Office officer, employee, or agent who has responsibilities with respect to student educational loans must comply with this code of conduct. The following provisions bring USD into compliance with the federal law.

1. Neither USD as an institution nor any individual officer, employee or agent shall enter into any revenue-sharing arrangements with any lender.
2. No officer or employee of USD who is employed in the financial aid office or who otherwise has responsibilities with respect to educational loans, or agent who has responsibilities with respect to education loans, or any of their family members, shall solicit or accept any gift from a lender, guarantor, or servicer of educational loans. For purposes of this prohibition, the term "gift" means any gratuity, favor, discount, entertainment, hospitality, loan or other item having a monetary value. However, a gift does not include:
  - 1) a brochure, workshop, or training using standard materials relating to a loan, default aversion, or financial literacy, such as a brochure, workshop, or training;
  - 2) food, training, or informational material provided as part of a training session designed to improve the service of a lender, guarantor, or servicer if the training contributes to the professional development of USD's office, employee, or agent;
  - 3) favorable terms and benefits on an education loan provided to a student employed by USD if those terms and benefits are comparable to those provided to all students at USD;
  - 4) entrance and exit counseling as long as USD's staff are in control of the counseling and the counseling does not promote the services of a specific lender;
  - 5) philanthropic contributions from a lender, guarantor, or servicer that are unrelated to education loans or any contribution that is not made in exchange for advantage related to educational loans, and
  - 6) State education grants, scholarships, or financial aid funds administered by or on behalf of the State of South Dakota.
3. An officer or employee of USD who is employed in the financial aid office or who otherwise has responsibilities with respect to education loans, or an agent who has responsibilities with respect to

education loans, shall not accept from any lender or affiliate of any lender or affiliate of any lender any fee, payment, or other financial benefit (including the opportunity to purchase stock) as compensation for any type of consulting arrangement or other contract to provide services to a lender or on behalf of a lender relating to education loans.

4. USD shall not: a. for any first-time borrower, assign, through award packaging or other methods, the borrower's loan to a particular private loan lender; or b. refuse to certify, or delay certification of, Title IV loans based on the borrower's selection of a particular lender or guaranty agency.
5. USD shall not request or accept from any lender any offer of funds to be used for private education loans, including funds for an opportunity pool loan, to students in exchange for the institution providing concessions or promises regarding providing the lender with:
  - a. a specified number of loans made, insured, or guaranteed under Title IV;
  - b. a specified loan volume of such loans; or
  - c. a preferred lender arrangement for such loans.
6. USD shall not request or accept from any lender any assistance with call center staffing or financial aid office staffing. However, a lender may provide professional development training and educational counseling materials (as long as the materials identify the lender that assisted in preparing the materials).
7. Any employee who is employed in the financial aid office, or who otherwise has responsibilities with respect to educational loans or other student financial aid, and who serves on an advisory board, commission, or group established by a lender, guarantor, or group of lenders or guarantors, shall be prohibited from receiving anything of value from the lender, guarantor, or group of lenders or guarantors, except that the employee may be reimbursed for reasonable expenses incurred in serving on such advisory board, commission, or group.