

**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 WESTCHESTER COLLEGE OF NURSING AND ALLIED HEALTH 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:** WCNAH participates in the Federal Student Aid program, under which all federal loans are processed through the Direct Lending program run by the US Department of Education. Students will be given a genuine, fair and equal **opportunity to choose** among and between all private loans lenders, and student choice will not be limited to those lenders or loans made available or recommended by WCNAH.
2. **STUDENT INTERESTS:** WCNAH 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 WCNAH will have any relationship - as director or associate or representative - with any lender or guaranty agency nor accept anything of value, other than token marketing items and nominal conference refreshments, from any lender. WCNAH 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 WCNAH, and reimbursement of reasonable costs for domestic travel to training conferences hosted by lenders and/ or guaranty agencies.
4. **INSTITUTIONAL DISCLOSURE:** If WCNAH 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 WCNAH 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 an other aid - will be kept confidential and, without written student authorization, not share with outside parties, other than the United States Department of Education (DOE), state aid agencies, lenders, services 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 WCNAH are required to comply with each of the following rules in this Code of Conduct Lender Relationships & Loans ("**Code**") and to also promptly inform either the WCNAH's legal counsel or president if they become aware of facts indicating that there may have been a violation of the Code:

### 1. **PROHIBITED RELATINSHIPS:**

- A) No WCNAH Representative shall act as a officer, associate, consultant or sales representative for any guaranty agency or lender, no financial aid officer or associate of WCNAH (including any officer of WCNAH with responsibility for overseeing the financial aid office and/ or WCNAH's relationship with lenders) shall serve on the board of directors of lender, and no other associate, officer and director of WCNAH 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 WCNAH's published conflict of interest policy and has obtained written permission from legal counsel or president of WCNAH.
- B) No financial aid officer or associate of WCNAH shall serve on any **advisory board** for any guaranty agency or lender, nor shall any other WCNAH Representative serve on such a board, unless such service has been **approved in writing** by the legal counsel or president of WCNAH.

2. **PROHIBITED INVESTMENTS:** No WCNAH Representative shall purchase or accept any stock, bond or other equitable or legal interest in any guaranty agency or lender, nor an 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 WCNAH 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 WCNAH Repetitive any Prohibited Benefit, he or she shall promptly report this to WCNAH's legal counsel or president and to any other entity to which a report f this type of activity is required.

### 4. **PROHIBITED BENEFITS OR INDUCEMENTS TO WCNAH:**

- A) WCNAH 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) WCNAH shall not accept from nay lender any 'opportunity pool,' revenue sharing arrangements or similar funding arrangements offered for us in making private loans to higher risk students in exchange for promises or concessions by WCNAH.

- C) WCNAH 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:** WCNAH shall not allow its name, logo, emblem or mascot, or any other words, symbols or photographs readily associated with WCNAH to be used by any guaranty agency or lender in any advertisement, publication or other communication suggesting that WCNAH has endorsed loans or services offered or guaranteed by the guaranty agency or lender. WCNAH 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) WCNAH 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 WCNAH.
  - B) No WCNAH Representative shall represent himself or herself to the public, or otherwise act, as an agent or representative of any lender or guaranty agency.
  - C) WCNAH 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 WCNAH; and financial literacy materials not promoting any lender or guaranty agency.
7. **PROHIBITED INDUCEMENTS BY INSTITUTION:** WCNAH 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. **PROHIBITED LENDER LISTS:** WCNAH shall comply with the following requirements for any list of preferred private student loan lenders ("**Lender List**") given to students and parents:
- A) The Lender List will include a prominent **reminder** that **students** may **choose** to use a lender not on the list and that WCNAH is required to process loan documents for any eligible lender selected by students;
  - B) WCNAH will include on the financial aid webpage of its website a prominent reminder that students are not required to use any private lender recommended by WCNAH and may select any other lender;
  - C) The Lender List will clearly **disclose** the Institution's selection **process and selection** criteria for selecting **preferred lenders**, and that criteria will emphasize student interests and benefits - competitive rates and high quality service, along with business reputation, financial strength and processing capabilities of the lender;
  - D) **Terms** offered by preferred lenders must **be equally available** to **all** of the WCNAH's eligible **students**;
  - E) WCNAH's financial aid staff will conduct a **performance review** of its preferred lenders at least once every 12 months and make changes when appropriate;
  - F) The Lender List will include **comparative information** for listed lenders, including interest rates, origination fees & repayment terms, including all information required by

- the DOE's Model Disclosure Form for presentation of information required by the federal Truth in Lending Act (TILA);
- G) The Lender List will include information on the maximum amount of federal grant and loan aid available to students;
  - H) The Lender List will disclose all types of financial aid that may be available from the institution;
  - I) At least **two unaffiliated lenders of private loans** will be listed; if one or more lenders withdraw and *fewer than two unaffiliated lenders* remain, then **the Institution shall cease to use a preferred lender list and instead shall only offer contact information for all lenders willing to make loans**;
  - J) If any lender listed is affiliate to another lender on the list, such affiliation will be disclosed on the list;
  - K) **No** lender will be included which has **offered** any **payments** or other benefits to WCNAH to seek preferred status;
  - L) **No** lender will be included which is known to **sell** its **loans** to another lender but has not disclosed such relationship;
  - M) **No** lender will be included which offers **prizes** or other benefits to students for applying for loans; and
  - N) **No** lender shall be included which makes **unsolicited mailings** of loan applications to students.

9. **LOAN PROCESSING ARRANGEMENTS:**

- A) WCNAH 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 WCNAH as "preferred lenders."
- B) WCNAH 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 WCNAH 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.

12. **PREFERRED LENDER LIST DISCLOSURES:** If a Preferred Lender List is used, WCNAH will annually give written disclosure to the U.S. Secretary of Education and to students about all lenders 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 WCNAH. 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.