

DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
AFFORDABILITY AND STUDENT LOANS COMMITTEE
NEGOTIATED RULEMAKING SESSION 3, DAY 3, MORNING
December 8, 2021

On the 8th day of December, 2021, the following meeting was held virtually, from 10:00 a.m. to 12:00 p.m., before Jamie Young, Shorthand Reporter in the state of New Jersey.

P R O C E E D I N G S

MS. JEFFRIES: Good morning and welcome back to session three, day three, of the affordability and student loans negotiated rulemaking. I hope that everyone had a good and restful evening and we will pick right back up where we left off yesterday. I am Cindy Jeffries from FMCS, and I will be your facilitator for this morning's session. With that, let's go ahead and get the roll call going here. I will call out the constituency and then the primary and the alternate as we move through these. So first up, we have dependent students, Ms. Dixie Samaniego. It doesn't look like Dixie has joined us yet. And Mr. Greg Norwood will not be here today, so we will circle back to see if Dixie joins us. Independent students, Ms. Michaela Martin.

MS. MARTIN: Good morning.

MS. JEFFRIES: Good morning.

MS. MARTIN: I will be on camera shortly.

MS. JEFFRIES: Okay. Thank you, Michaela. Dr. Stanley Andrisse.

DR. ANDRISSE: Morning, everyone.

MS. JEFFRIES: Good morning. Student loan borrowers, Ms. Jeri O'Bryan-Losee.

MS. O'BRYAN-LOSEE: I'm not usually this early in the roll call, morning.

MS. JEFFRIES: See, I wanted to switch it up, Jeri, just for you.

MS. O'BRYAN-LOSEE: Good morning, everybody.

MS. JEFFRIES: And as alternate, we have Ms. Jennifer Cardenas.

MS. CARDENAS: Good morning, everyone.

MS. JEFFRIES: Good morning. Legal assistant organizations that represent student and/or borrowers, we have Ms. Persis Yu.

MS. YU: Good morning.

MS. JEFFRIES: And as the alternate, we have Mr. Joshua Rovenger.

MR. ROVENGER: Morning, everyone.

MS. JEFFRIES: Good morning to both of you. U.S. military service members, veterans and groups representing them, as primary we have Mr. Justin Hauschild.

MR. HAUSCHILD: Good morning, folks.

MS. JEFFRIES: And as alternate, Ms. Emily DeVito. Emily may not have joined us yet, but welcome Justin. State attorneys general, we have Mr. Joseph Sanders as primary.

MR. SANDERS: Good morning, everyone.

MS. JEFFRIES: And Mr. Eric Apar as alternate.

DR. APAR: Good morning, everyone.

MS. JEFFRIES: Good morning. State higher education executive officers, state authorizing agencies and/or state regulators of institutions of higher education and/or loan servicers, primary is Dr. David Tandberg.

DR. TANDBERG: Good morning.

MS. JEFFRIES: Prime alternate is Ms. Suzanne Martindale.

MS. MARTINDALE: Hi, good morning.

MS. JEFFRIES: Good morning. And I just have to say that I always try to get through your constituency name in one breath and it's not working yet. So. Individuals with disabilities or groups representing them. Primary is Ms. Bethany Lilly.

MS. LILLY: Good morning, everybody.

MS. JEFFRIES: And alternate, is Mr. John Whitelaw.

MR. WHITELOW : Good morning, all.

MS. JEFFRIES: Good morning. Financial aid administrators at postsecondary institutions, primary Mr. Daniel Barkowitz.

MR. BARKOWITZ: Good morning and happy holidays.

MS. JEFFRIES: Good morning and same to you. And as alternate, Ms. Alyssa Dobson.

MS. DOBSON: Good morning, everyone.

MS. JEFFRIES: Good morning. Two-year public institutions of higher education, we have Dr. Robert Ayala.

DR. AYALA: Good morning, ladies and gentlemen.

MS. JEFFRIES: And as, I'm sorry, alternate, we have Dr. Christina Tangalakis.

DR. TANGALAKIS: Good morning.

MS. JEFFRIES: Good morning to you two. Four-year public institutions of higher education, Dr. Marjorie Dorime-Williams.

MS. MACK: They'll be joining a little later as well as the alternate Ms. Rachel Feldman.

MS. JEFFRIES: Okay. Alright. Thank you. Private nonprofit institutions of higher education, Ms. Misty Sabouneh.

MS. SABOUNEH: Good morning, everyone.

MS. JEFFRIES: And as alternate, Dr. Terrence McTier Jr.

DR. MCTIER: Good morning.

MS. JEFFRIES: Good morning, both of you. Proprietary institutions, Ms. Jessica Barry.

MS. BARRY: Morning, everyone.

MS. JEFFRIES: And as alternate, Dr. Carol Colvin.

DR. COLVIN: Good morning.

MS. JEFFRIES: Good morning. Minority serving institutions, we have Ms. Noelia Gonzalez.

MS. GONZALEZ: Good morning.

MS. JEFFRIES: She is actually the alternate but has been serving as primary for these negotiations. Federal family education loan lenders and/or guaranty agencies, Ms. Jaye O'Connell.

MS. O'CONNELL: Good morning. And I believe Will is going to be late.

MS. JEFFRIES: Okay. So Mr. Will Shaffner, as the alternate, will be joining us later. Accrediting agencies, Dr. Heather Perfetti.

DR. PERFETTI: Good morning, everyone.

MS. JEFFRIES: And as alternate, Dr. Michale McComis.

DR. MCCOMIS: Good morning.

MS. JEFFRIES: Good morning, both of you. U.S. Department of Education is Jennifer Hong.

MS. HONG: Good morning, everyone.

MS. JEFFRIES: Okay. Did I miss any of our primary or alternates?

MS. MACK: Dixie has joined us.

MS. JEFFRIES: Pardon me?

MS. MACK: Dixie Samaniego has now joined us.

MS. JEFFRIES: Okay. So circling back to Dixie from dependent students, Ms. Dixie Samaniego has joined us. Welcome Dixie. In addition to the primary and alternates, we have two esteemed non-voting advisers that are present, Ms. Heather Jarvis on the topic of PSLF.

MS. JARVIS: Good morning.

MS. JEFFRIES: Good morning. And Dr. Rajeev Darolia on economic and higher education policy and data.

DR. DAROLIA: Hello.

MS. JEFFRIES: Good morning. There are also three non-voting department office of general counsel officials present throughout the negotiations. Today, I know we have Brian Siegel.

MR. SIEGEL: Good morning, everyone.

MS. JEFFRIES: Good morning. And Todd Davis. Not sure Todd is with us this morning or not. And Soren Lagaard. So from our office general counsel, it

looks like at this point we have Brian Siegel, welcome Brian. We will, our esteemed Vanessa will be running screen share and documents behind the scenes for us this morning. So welcome, Vanessa.

MS. GOMEZ: Good morning, everyone.

MS. JEFFRIES: Good morning. So in terms of our agenda today, it is what we have planned is that we will now be returning to the PSLF discussion that we were in the midst of yesterday when we ended. Our notes show that Jaye would be our next speaker, so we will continue with that. But at 11:00 a.m., we will pivot to the Prison Education Subcommittee presentation. It is anticipated that the subcommittee's presentation will take that full hour, taking us up to lunch. So with that in mind, we are asking that all questions are held during the presentation so that the presenters can get that presentation completed, you can contemplate it over your lunch period and we will open back up right after lunch with questions and answers to the presenters in the subcommittee. I also want to make note that we will at some point today be returning to IDR. Okay? So with that, let's I see that Carol Colvin will be in as the negotiator in place of Jessica Barry this morning from proprietary institutions. Welcome Carol and Dr. McTier will be the primary for the prison education discussion

today, so we'll make note of that again when we get into that. With that, let's return back to the PSLF. We believe that Jennifer from the Department had walked through the entire document, although there are two issues that you will take consensus on issue one or I'm sorry, issue four and issue five. Those have been identified as issues five would be the definitions up to qualifying repayment plans on page four, issue four would be everything above that qualifying repayment plan segment. But at this point, we were in the midst of having discussion and questions on the entire document. So Jaye, are you ready to kick us off? You were next in line yesterday.

MS. O'CONNELL: Yes, thank you. I am ready. So I just wanted to thank the Department for the clarification about the distinction of the waiver versus the proposed regs in terms of counting underlying FFEL payments and the question that we had pertains to the report the reports of information. I think the annotation on the session to proposed language made reference to NSLDS. I was talking about the Department making the notices to borrowers, FFEL borrowers, on PSLF as opposed to another disclosure that we agreed maybe isn't helpful. So I think the question that occurred to us as we looked at the language sort of without that

bubble comment bubble on it was how is that loan data helpful in or necessary in the notifications about PSLF eligibility on the FFEL loan, if we're not counting, you know, underlying payments? So. I can put that question in the chat, if that's helpful.

MS. JEFFRIES: Why don't you go ahead and do that, Jaye. I'm not sure the Department has an immediate answer to that question and may need to get back to you on it. Thank you, Jaye. Michaela.

MS. MARTIN: I was just wondering if maybe you could elaborate a little bit on what that concern is? Because I think maybe I'm not, I'm not understanding that piece.

MS. JEFFRIES: Is that a question to Jaye?

MS. MARTIN: If she doesn't mind?

MS. O'CONNELL: No, I mean, we all report our FFEL loans to NSLDS. So there is data. You know, the availability of the loan that there's data in NSLDS that would that the Department already has access to. This particular expansion of reporting to include additional repayment information, doesn't seem germane to a notice about PSLF eligibility. So because it's not about counting payments, we just wondered. We were just curious about the need for the additional detail

relative to notification about PSLF eligibility.

MS. MARTIN: So you're saying to the student or to the Department? I'm not I'm not making that connection I guess. You're saying you don't want to have to send in a notice to the student or to.

MS. O'CONNELL: No, I'm sorry. In session two, well, maybe it was session one, the draft language was that FFEL holders would make a disclosure. And then there was a lot of conversation about how disclosures are not really useful. So the change between session one and two was that holders would provide more data to NSLDS so that the Department could make notices to the students. At least that's my understanding. And then as we were looking at the data that they're requiring, we didn't quite understand the connection between that and what's already in an NSLDS that would allow them to make notices. So.

MS. MARTIN: And that additional data is?

MS. O'CONNELL: It's like the loan history detail. So, they said related to deferment, forbearance, repayment plans, delinquency and contact information. Maybe Brian can help me.

MS. MARTIN: Okay. So FFEL doesn't want to give over the loan history to, that's what it

is?

MS. O'CONNELL: I was asking about the connection of it related to the notifications on PSLF.

MR. SIEGEL: Right. Just, Jaye, if I understand you correctly, you're talking about the change to 682.414 B 4 I think it is on page 10 of the draft? Okay. The reason we're looking for this additional information, as I understand it, is that even though these loans are being held by guaranty agencies and lenders, we get a lot of inquiries about them, particularly on PSLF. So while we will certainly tell the borrowers that under current law, they don't qualify for PSLF because they are not, they have a FFEL loan rather than a direct loan. We would also want to be able to tell them about that there are certain repayment plans which we can tell them whether they're in the repayment plan or not, that would qualify if they moved into direct loan. And we could we also find that this information is necessary generally as part of our ability to talk to students. So that's the goal here.

MS. JEFFRIES: Thank you, Brian.

Persis.

MS. YU: Thanks, and I appreciate I appreciate this this discussion, because I think I think this is actually a pretty important point about what

information gets. I don't, as I'm thinking about as this relates back to the Income Driven Repayment conversation, this certainly seems very relevant when we're talking about what payment plans pre consolidation would count. Obviously, that's a little bit different, as we've discussed between PSLF and Income Driven Repayment, but that seems like important information. Because as you know, when I worked with borrowers and NSLDS and I realized that that is a little bit different than what you guys have in your systems, right? Like all we know is in repayment or in deferment or in forbearance, we don't have the specifics about what kind of deferment, what kind of repayment plan. And I think that that would be particularly useful information to be able to have on NSLDS. You know, I don't, I'm not sure if like, PSLF is like where, in my opinion, it's the most critical, but I think it is critical information to get to the Department, and I think that it would be I think that this would be helpful information, certainly for advocates who help borrowers going through the NSLDS. And, you know, sometimes knowing that there are a lot of different departments, especially in the in the FFEL program, it could help pinpoint folks who should be in different plans. So I would be supportive of increasing the amount of information provided.

MS. HONG: If I could just jump in. I think that's I think that's right, so initially, you know, we wanted to have a meaningful requirement. Initially we had said for the lenders just to notify borrowers regarding their eligibility for PSLF. And rather, we wanted to get more detailed information on borrower status, borrower loan status, how they had been, what types of deferment and forbearances that they're on to give us more information going forward.

MS. JEFFRIES: Thank you, Jennifer. Daniel your next but before you begin, I do need to announce that Anne Precythe from State Department of Corrections is with the committee this morning. Anne, are you available to acknowledge? Okay. She's showing that she is here, but she is off camera and muted, so I just wanted to make note for the record that she is here today. So Daniel.

MR. BARKOWITZ: Thank you. Joe, unless you want to is your point to what was already discussed, at which point I'm happy to let you go first. Yeah, why don't I why don't I let Joe go before I do and then I'm happy to introduce a new topic when Joe's done.

MS. JEFFRIES: Okay, thank you.

MR. BARKOWITZ: Joe, you're on mute, though.

MS. JEFFRIES: Joe?

MR. BARKOWITZ: So, I'm sure it's brilliant whatever you are going to say.

MR. SANDERS: It's a question. So my personal framing for how I'm thinking about PSLF is what are we doing to increase the abysmal approval rate on PSLF applications, it's like 90% or denied, right? So what are we doing to change that going forward? And so I think that the, you know, as Jaye discussed the history of this section. I think the Department's intent had been rather than having the FFEL servicer do the disclosure that they were going to do the disclosure themselves. And so I think that letting borrowers know they have the wrong loan type is an important step in improving the approval rate on PSLF applications. And so, you know, I'd like I'd be interested to hear from the Department, if not now at some point during our discussion, what their plans are to let borrowers know, hey, you're in the wrong loan type.

MS. JEFFRIES: Okay. It may be that the Department needs some time to look at that and respond. So Joe, if you don't want to lose track or if you think it would be beneficial, could you put that in the chat so that it can be circled back to? Alright, Daniel, you are up now.

MR. BARKOWITZ: Thank you. I'm going to do a compliment sandwich. So I want to start with some really positive things that are in this and raise my concern and then end again with some compliments. I really appreciate the Department's use of the 3.35 hours per credit taught. I think that's the right move, and I appreciate the Department's movement on that. I also want to say the 9 month, 30 hours per week for public school educators, I think is really important as well that that defines full time so that educators who don't work during the summer aren't penalized for that period. So kudos to the Department on both. I think that's a really important step forward. I will say, and I'm prompted in this in a bit by a resource that I plan on distributing or actually Kayla, I've asked you to distribute to the committee and that is a report that was produced and some of us, as negotiators, have seen this report by the Joyce, Dr. Joyce Pain Center for Social Justice at the Thurgood Marshall College Fund. And it really calls into question the idea of the care economy and the idea that many of the positions that, thank you Kayla, many of the positions that provide public service to date are actually housed not in 501c3 or public companies, but really in the for-profit space. So I understand the Department's hesitancy and concern

about moving into that space. But on behalf of some of the constituents I serve, I'll just call out everyone who works in private, not for-profit colleges who would qualify under 501c3, but private for-profit colleges, proprietary colleges would not. And it just seems a failure of vision to not be broad based here. You know, I'm thinking about the issues that were raised yesterday about the doctors in California and Texas or any of these pieces. There's so much of the care economy that's happening, either in self-employed individuals who are working in institutions that provide public care or for-profit institutions. And I really think we're missing an opportunity here to be bold and to be brave and to say that these roles serve a valid public good. And so I will say one of the pieces that I'm really struggling with as an example is under the definition of public service.

MR. HAWKINS: Thirty seconds Daniel.

MR. BARKOWITZ: Thank you, Kevin, my first time hitting the limit. We mentioned public education as a very small piece that should just be shifted to education, the type of employers handled elsewhere. So I'll get off the soapbox and end with a compliment. Thank you again for the work that's been done here. I think there is some positive here. I've

done Kevin.

MS. JEFFRIES: Okay. Thank you, Daniel. Heather, the PSLF advisor, you're next.

MS. JARVIS: Thank you, Cindy, and thank you, Daniel. I've given some more thought to this in light of the Department's sharing of their serious reservations about including employers and for-profit settings. And I what I heard and have heard from the Department is that it's there are problems with where to draw lines and how to implement and administer borrower initiated consideration of their roles within these organizations. And I understand the Department to be saying that administering a program with looking solely and exclusively at the organizations is what is preferred by the Department, rather than looking at individual borrower circumstances. So when looking at business organizations, I think we all understand there's there are certain organizations that are exempt from taxation by the Internal Revenue Service, including C3s and other types of exempt organizations or nonprofit organizations. When you look at for-profit organizations, there are several different business organizations as well. They are not tax exempt, but they include things like corporations, but also things like people who are self-employed include partnerships

include public benefit corporations that are in fact organized for the benefit of the public, but are not exempt from taxation. So to the to the extent that we're interested in looking at business organization as part of how to get at who's doing public service in a way that the Department can administer comfortably, I think it's worth recognizing that there are many different business entities across both nonprofit and for-profit, and that distinction in itself is not particularly useful at getting at the public service of a of an organization. And I will specifically point out in that regard with the language we're presently considering in the proposal I had one suggestion for the department to consider and for this committee to consider. Presently, the definition of employed is a person who is hired and paid by a public service organization who receives a W-2. Perhaps we could expand that language to include people who receive W-2s from nonprofit public service organizations that are already approved as eligible or who receive a 1099 form from such an organization. And that might allow us to include the technically or actually, in some cases, for-profit organization of someone who is self-employed but is staffing, for example, a real, bona fide C3 or government organization. And that would serve to exclude people who

work for big corporations that are in the business of making profits that allow people to do public service on a full time basis and still potentially qualify even if they are in a for-profit self-employed circumstance. So I would encourage some consideration or be interested in feedback about the idea of including 1099 employees who are receiving an IRS form from the sort of organization the Department is already included and understands is necessarily included in public service. So this does not mean that they're working for a for-profit entity, necessarily. They're doing their work hired and paid by a public service organization receiving a 1099. So that's one thought in that regard.

MS. JEFFRIES: Thank you, Heather.
Bethany.

MS. LILLY: So. I want to return to a point that we made in both the first and the second sessions on this, which is that we would be, I suspect, slightly more open to the Department's very firm belief that they shouldn't be including private organizations if other improvements were made to the IDR plan. Because we are effectively segmenting out populations, you know, after the pandemic, where we saw grocery store workers and other frontline providers who, to my definition, should be essential, workers should be people eligible

for public service loan forgiveness. They certainly worked a heck of a lot harder than I did sitting in my house working remotely for the past two years. Like those folks aren't getting captured, they're eligible for IDR, and that's not fair. I don't, this may sound simple the Department, but I think this is where at least a lot of my concerns about this distinction lie in that you have a lot of low wage workers who are going to get stuck in IDR rather than Public Service Loan Forgiveness, despite the fact that they are doing really hard work and we should be valuing that work. And I cannot think of better examples than the essential workers during the pandemic. And so if the Department wants to move on IDR on making IDR a more inclusive program for people, I am less concerned about, including private sector businesses in Public Service Loan Forgiveness. But if the Department is not going to move on the IDR changes that we are proposing that the many negotiators support, I don't think, I mean, this is where some of the tension is coming up. I just want to make that very clear for the Department. That it's because we are worried about these low wage workers who have no option other than IDR right now. And so just to clarify that, and I see a lot of questions in the chat that at least is where my concerns are coming from that

these folks are getting, sorry, I'm trying to think of a word that I can say in a public setting like this that isn't what I'm thinking of, but like, seriously, like, these are folks that are being mistreated by the current IDR system to an extended degree. So these are the exact folks the Department wants to target with the improvements to IDR. And those are the folks that I am worried are not getting included in Public Service Loan Forgiveness because it's such a better program. It is such an easier program for people to comply with, especially with the automation improvements from the Future Act that I'm really excited to see rolled out. So just so that that is excruciatingly clear.

MS. JEFFRIES: Thank you, Bethany.
Michaela.

MS. MARTIN: Yeah, you know, I will, say it forever, I don't really like having to determine someone's value or worth based on the type of labor that they engaged in. But if we are going to do that and not off of I think that it becomes even more problematic when we're only looking at the organization structure. 501c3 in education in particular have been moving towards using contract work so 1099s becomes incredibly important. But also, you know, our educational systems K-12 and higher ED and 501c3 all have been historically

exclusionary of people of color. And so I think that by not ensuring that we're opening this up to all public service workers, we're really just perpetuating systems of oppression, right? Like I, I have a lot of strong feelings like that, and that includes government work too, right? These are the three major folks that have benefits and health care, which also. And then when you consider that folks who are not being hired on as an employee and are doing contract work, who are those people that are not getting hired right, typically marginalized communities or work that they don't they don't value enough to keep on full time. And so I just I have very, very strong feelings about limiting this to a 501c3, which is like basically a corporation and its own funded by corporations, education, government, health care workers, like if those were the distinctions of the type of work, I think would be a different conversation. But we're not. We're limiting it to the type of corporate structure an organization has to base, whether or not you're worthy of debt relief. And that just is such a weird construct to me that I, I just am not going to be able to support the current limitations on business structure.

MS. JEFFRIES: Thank you, Michaela.

Persis.

MS. YU: So I echo vehemently everything that Bethany and Michaela just said. I think that's incredibly on point that we are, you know, limiting this in a way that is so inequitable, but also importantly, we're limiting it in a way that is contrary to the statute. The statute allows these folks to get Public Service Loan Forgiveness. And so by excluding them, you're actually contrary to the statute. So we are purposefully excluding groups that are more likely marginalized in a way that is not supported by the language or the intent of the statute. And so I think that that's something that the Department needs to take back and reconsider.

MS. JEFFRIES: Thank you, Persis. Any other comments on this? Persis.

MS. YU: So I will defer to others if they want to continue on the for-profit distinction, but I had a comment that about a different portion of the regulation. So Heather or Joe, okay. I also wanted to return back to the way to the counting of payments, we had very lengthy discussion about counting of payments and forbearance and deferment and so without going into a lengthy discussion, I just want to make sure that to the extent allowed by the law, we are mirroring the comments that we made about how to count payments in

this discussion. So, for example, in the Hold Harmless period, I would like to not just be forbearances, but any other repayment plans. Also, I think that we need to be counting forbearances from the time before these regulations are finalized.

MS. JEFFRIES: Thank you, Persis. Heather, PSLF adviser.

MS. JARVIS: Thank you, Cindy. I wanted to raise with regard to payment counting, and we can revisit this in the income driven discussion. The Department has issued some subregulatory guidance with regard to married borrowers in community property states. And I want to suggest that that be included in the regulatory language to the extent that married borrowers have to file separate tax returns in order to make payments based on their separate incomes. Borrowers and community property states are situated differently in that their married filing separately tax forms reflect 50% of their combined income with their spouse rather than their sole income. So I suggest that we consider that to be an issue related both to Public Service Loan Forgiveness, but particularly counting of payments under both this program and other income driven programs. I would also like to raise for the Department's consideration, there was previously

language in the in the regulations concerning religious entities. The general rule in federal programs is that religious entities are eligible to participate and that is the case here as well. But the Department has in the past limited borrowers in those activities to exclude the time they spend doing things like conducting worship, for example. And so I want to raise for the Department's consideration reinstating the safeguard that ensures the taxpayers are not funding religious activities and the reason this is important to me and others who are advocates of Public Service Loan Forgiveness to be as inclusive as possible, including people who work in religious settings, the bedrock constitutional principle that taxpayer funds cannot support religious activities. So it's important to narrow the program to ensure its constitutionality so that it is not at risk of a challenge in in that regard.

MS. JEFFRIES: Thank you, Heather, Joe.

MS. HONG: So if I could just go ahead. So Heather. Just to your earlier point regarding the 1099 issue, I know that we've made explicit the issuance of a W-2 that we've always we've always interpreted the employ language to mean those to whom the organization issues a W-2. So I just wanted to

clarify that this is not a narrowing from the current regulations, just a clarification. Also regarding your reference to the guidance that we provided, because we've issued the guidance, the guidance is an interpretation of the regulation, we feel like it's appropriately subregulatory. So, we, unless there's, I mean, I don't understand the argument for having to include that in the regulation, it's current and it's effective and it's an interpretation of the regulation, so we didn't feel the need to include it in regulatory language. Finally, your point about. what was that, what was that last point Heather, trying to keep track.

MS. JARVIS: About excluding certain kinds of certain kinds of religious activities.

MS. HONG: Yes, as we've, we've rescinded that previous inclusion.

MS. JARVIS: And that just to be clear, that that's conscious on the part that's intentional. It was it was in place, as you are probably aware, from 2008 to 2020, 2022, it was in place for a very long time. So you, I just wanted to make sure that that was intentional because I know the language we started with in session one was very, very old regulatory language that had been negotiated back in 2008. But with the exception of that provision was

notably absent so I just wanted to make sure that it was deliberate on the part of the Department.

MS. HONG: Yes.

MS. JARVIS: The only other thing Jennifer, if I may, with regard to the married filing separately thing, as I recall, the subregulatory guidance referred specifically to direct loans and the Department had taken the position that it wasn't going to mandate that same treatment for FFEL borrowers. That's why I thought it could still be an issue for regulatory language in the IDR provisions.

MS. HONG: Thank you. We'll go back and look at that closer.

MS. JARVIS: Thank you.

MS. JEFFRIES: Okay, Joe.

MR. SANDERS: Thank you. I want to go back to something that Heather put in the chat earlier that had that it was like the top three reasons why people are denied PSLF and the first the first one there is counting payments. And so, in looking at the Department's proposal here, I don't think enough has been done to fix the problem of counting payments as PSLF. And I think that we need to do more to up the acceptance rate of PSLF applications because it's really. I appreciate the Department putting the Hold

Harmless provision here in PSLF as well, I think that it's a step in the right direction. But I don't think that, particularly in the context of PSLF that it really fits this the spirit of the program, right? I think of PSLF as being about time and not so much about money. The idea here is that people give 10 years to public service, and in exchange for that 10 years, their loans are forgiven. And the Hold Harmless provision here to me feels like people like buying time back for an error that in the case of forbearance during wouldn't have been their own, right. So I think we need to keep the focus on time and less on money, which is what the Hold Harmless provision does. I'm concerned that people that that won't be able to necessarily make the payments to the extent that they even jump through the administrative hoops to figure out what they would have owed. And so the Department is well aware, I sent a proposal that would get around some of the concerns about authority on counting forbearances. And I'll be very brief here, but it has to do with pages five and six. And what I suggested was a meshing of IDR and PSLF where you count the forbearances as in the IDR plans. And then you say, if you've made a qualifying payment on IDR plan it counts, and I think that works with the authority, which specifically looks at ICR talks about

ICR. So I'm at time, I'll stop there. But I think that we need to do something to fix the counting payment problem. And I and I don't think that what's in here does it.

MS. JEFFRIES: Okay. Thank you, Joe. Daniel.

MR. BARKOWITZ: So, thanks Joe. You stole a little bit of what I was going to say, but I think I'd make the same point that I made yesterday when we had the IDR conversation. The way the regulation reads, we are now going to count these deferments or these deferments and forbearance types, it doesn't say prospectively. So the regulation reads, these types of deferments and forbearances count. So I would make the argument, as I did yesterday with IDR, that that actually is a broad based language that would include retrospective viewing of those periods. So again, I understand this is my question yesterday about date of enactment versus the actual deferment period or forbearance period. I don't see anything in the regulation that says only from this point forward with these deferments or forbearance periods count, and I'm looking specifically at subsection or romanette V on page six, it just simply says receiving any one of the following deferments. So I think that would address

Joe's concern if that's the interpretation, because again, that is not a prospective view that includes a retrospective view. I'm sorry my dogs are going to comment, but I also actually have one other piece I wanted to say, and that is, I found the missing H. So I compared the list of deferments here to the list of deferments on IDR, and it appears there is one missing on the IDR section that's not that is here, and that is AmeriCorps forbearance. AmeriCorps forbearance, AmeriCorps forbearance appears in this PSLF proposal, but does not appear on the IDR proposal. I understand unemployment. It's another one. I get the unemployment one because of the whole nature of Public Service Loan Forgiveness. But the AmeriCorps one seems to me to be an omission not a not an act of particular focus. So Jennifer, I'm trying to earn my reputation as an eagle-eye participant, so hopefully you can add that one back on the IDR as well.

MS. HONG: I appreciate that, Daniel. We'll take a look at it. My sense is that was actually intentional given the inclusion of AmeriCorps forbearance exclusively in PSLF but will go back and take a look at that just to double check. As far as the Hold Harmless procedures, I mean, I think that this, I mean, that's what you described, Daniel, that is why

actually we feel like this language is more comprehensive and that it does its prospective. If the procedures are there, we're making it explicit, we're acknowledging that borrowers may have been steered into forbearance incorrectly and therefore whatever time that they spent in forbearance would count as monthly payments. So it does look both retroactively and prospectively. I just want to go over again. I appreciate how Joe's cast the public service loan program. And you're right. Ten years of service. But I don't think we can skirt around the fact that we have to make the statute requires monthly payments. And so that is a big piece of it. And we've done some. I just don't want to. I don't want to be dismissive of expansion here, and we've expanded full time definition, we've made that much more inclusive for people in terms of the three issues that Heather enumerated in terms of limiting eligibility for PSLF. We've taken that we've expanded it in terms of including definition for non-tenure track employment, including an option for the employer attestation and significantly expanded what constitutes a monthly payment. And that includes flexibilities for multiple installments for payments, conformance with their repayment plans, inclusion of the deferments and forbearance those monthly payments,

flexibility we built in the flexibility of the date of payment versus when the employment occurred to make sure that borrowers aren't stuck while, you know, I was transitioning from one employer to the next, but I made my payment on this date. None of that matters now, so long as it's proximate to the employment. The payments made on direct loans prior to consolidation, and this is not insignificant, the inclusion of these Hold Harmless procedures. So in terms of there being the number one reason for common reason for ineligibility in terms of insufficient qualifying payments, we've greatly expanded what constitutes a qualifying payment. We've greatly expanded what constitutes full time employment and in terms of ineligible loans, that's statutory, that's not something we can do anything about. But boy, we did something about it under the PSLF waiver. And if you have underlying FFEL loans, please, you know, avail yourself of this waiver before next year so that you can before next October so you can reap the benefits of PSLF. And going forward, we've, on page 10, as Jaye discussed earlier, that is our remedy going forward for those FFEL borrowers that are unable to, for whatever reason, consolidate prior to next October.

MS. JEFFRIES: Thank you, Jennifer.

Joe.

MR. SANDERS: Thank you, and I do want to compliment the Department on the PSLF labor. I think that this is a great opportunity for people. I think it's a bold step by the Department and it gets at one of the main reasons why people have been ineligible. They have FFEL loans. This, as I understand what we're doing here with this regulation that this is prospective, this is like post waiver. What are we doing to help? And I'd be interested to see if the Department has this data, of the ineligible payments that people have. Right? You don't have sufficient payments. What types of deferments or forbearance is are really feeding into that right? Is it the types that we have listed here? Anecdotally, and I could be wrong here because I don't have the data, but anecdotally, I think that there's probably a large volume of voluntary forbearances because those are the easiest to put people in. And this proposal, while I appreciate the expansions that are there, it doesn't touch that, it doesn't touch that piece. It doesn't touch those voluntary forbearances, it doesn't touch where, you know, in our investigations we were seeing servicers steer people into those voluntary forbearance. And, you know, this is a very, I represent a group of state agencies, and so our employees are the people that, you know, a big group of people that would qualify

for this. And so we have we have a vested interest in having our employees qualify for this, having our employees believe that if they come to work for us that they'll qualify for this. And right now, that's not the case. You know, I've done trainings for like for NAG, for state AGs nationwide. And normally when I do NAG webinars, there's like some people on, but not a lot. But when I did the PSLF webinars, there was like hundreds of people in my email box was like deluged. And, you know, people had tons of questions. How do I do this? I got denied. What do I do? And so I think from the state AG perspective, we've got to do something to fix this counting payment problem. I've given the Department a proposal, you know, we need to see more people qualifying, and we want to fix that with the waiver is great. We want to see prospectively that boldness continue, so I'll stop there.

MS. JEFFRIES: Okay, thank you.

Bethany.

MS. LILLY: I just want to echo everything that Joe just said. As somebody who is currently going through Public Service Loan Forgiveness, it is incredibly complex and incredibly difficult to qualify for this program. And anything that the department can do to simplify that is going to result in

more folks counting. So counting forbearances, I mean, yes, you've expanded that somewhat, but if there's any additional steps the Department can take there, I think that matters a lot. So just from my personal experience, I have to echo everything that Joe said. It is incredibly difficult to negotiate this program. And I think the Department should be thinking as big as they can to make sure it is easy for people as possible.

MS. JEFFRIES: Thank you, Bethany. Seeing no further hands and the fact that we have a few minutes left before the prison education program, I'd like to give everyone just a real quick break to stretch and take care of whatever they need to prior to commencing that presentation. Justin, you've raise your hand?

MR. HAUSCHILD: Yeah, I did, and I kind of wanted to wait until everyone else was wrapped, but if people could just indulge me for a few moments, I'll try to make this very quick. Would that be okay, Cindy?

MS. JEFFRIES: Sure, sure.

MR. HAUSCHILD: Thanks so much. Okay, so I don't want to diminish from the points that my fellow negotiators have made here. I think there are a number of really important things that have been raised

that probably warrant some additional consideration. But I did want to take a second to speak on behalf of my constituency specifically and to thank the Department for much of what they've done here. There are a number of substantial barriers to service member and veteran forgiveness in PSLF and we think the Department has taken several steps in this language to address those. One of the issues that isn't address is FFEL loans underlying pre consolidation payments, but we understand there are issues there and the Department's working within the authority it has. Employment certification is a major issue for service members and veterans. We think the automatic match and automation is going to really help folks with that. We just heard from the service member or actually a veteran post-transition this week who had difficulties doing just that. We think folks have difficulties with being steered toward forbearances and deferment, particularly military deferment in forbearance, which is which is covered here. So there's a whole host to think, and I have to say two incorrect payments is another major issue for service members and veterans. And we do think the steps the Department's taken here, while in fairness, perhaps more can be done. And I think Joe has made a fair point about that, that there are substantial steps that have been taken with

this language to really help those folks. I just want to thank the Department for the steps they've taken here with this language and recognize even if there are areas for improvement that we think much has been done here to help service in veterans with PSLF forgiveness. So thank you.

MS. JEFFRIES: Thank you, Justin.

Josh.

MR. ROVENGER: Thanks, I'll be super quick. So I just.

MS. JEFFRIES: You subbed in for Persis, is that correct?

MR. ROVENGER: Yeah, just for a quick comment. Thank you. So with respect to the PSLF waiver, I think we all agree that it was a great use of the Heroes Authority and I don't think this has come up but just wanted to flag at the Department can utilize that authority and should utilize that authority in a variety of other contexts, including most notably to fulfill the President's commitment to broad scale debt cancelation. So I would urge the Department to consider how it can utilize that very broad Hero's Authority in other circumstances.

MS. JEFFRIES: Okay, thank you. One last comment and then we will be pivoting to the

presentation as parties are here for that.

MR. BARKOWITZ: Yes, that's me. So the one thing I will just say is we specifically my alternate, has proposed several times on alternative use and a way to get to what the Department wants and that is the SOC the occupation categories. There they go again, something outside. So I would again urge the Department to look at that as a future, if not in (inaudible) association, potentially moving forward. That gets us beyond the concern about type of employer or role 1099 versus W-2 employee.

MS. JEFFRIES: Thank you, Daniel.
Jennifer.

MS. HONG: Also, thank you, Daniel. You are correct and you are the commodities editor at this point because AmericaCorp forbearance, it needs to be included in IDR, so we'll make that change and thank you for spotting it.

MS. JEFFRIES: Okay. Daniel, you had your hand up, is it still up or did you have something? Okay. We are at 11:01. It had been our plan to take consensus check on these two issues prior to moving to the prison education subcommittee presentation. The two issues that we would take consensus on are issue for in issue papers five. Can we go ahead and do those

consensus checks before we start the prison education presentation? Persis.

MS. YU: Thank you. I would like to request that we take the consensus check after. I'd like to go back to my constituency to consider and since we have we have the prison education lined up anyways, that would be my request.

MS. JEFFRIES: Okay. And that is, you know, my inclination to do because they do not want the committee to feel that we are trying to rush this in the consensus in because of that committee. So why don't we go ahead and have the committee present, we will, it is anticipated now at this point that committee's presentation will be shorter than anticipated, so we may have time for those questions and answers prior to the lunch break. And in either event, I would like to come back and take the consensus check on these two issues after lunch. Okay? Alright. So with that, let's go ahead and queue up for the Prison Education Program subcommittee presentation. I believe we have Belinda from the subcommittee. And who is the second presenter, is that going to be you Stan? Okay. So we will turn it over to Belinda and Stan.

DR. ANDRISSE: So, thank you. I believe we have a presentation that we would be going

through, and I'm not sure who will be sharing that if it's Aaron or someone else.

MS. MACK: What's your preference, Belinda and Stan? Either one of you have screen sharing capabilities, but I'm sure we can do it on our end as well, if that's what you'd prefer.

DR. ANDRISSE: Belinda, if you want to share, that's fine, but I would, you know, maybe if one of someone on the facilitation team shared.

MS. WHEELER: Yeah, I would appreciate that too, if that's possible. The short document, if the Department could please share that if you cannot, please let us know. But if you can make it available, that would be great.

MS. MACK: Aaron, do you have the shorter presentation at your fingertips to share your screen?

MR. WASHINGTON: Yes, let me pull it up now.

MS. MACK: Thank you very much.

MS. WHEELER: Thank you, and good morning, everyone.

DR. ANDRISSE: I guess, as we pull that up, one of the things that we were going to just mention in the opening and so we kind of get started is

just to thank the incredible work of the subcommittee and also to thank the Department of ED and, you know, working to put together a diverse group of constituents that that really dove deep into, you know, looking into the language and each constituency group kind of bringing their expertise to the table and picking apart, you know, parts particular to that constituency. And so in that we really feel we went through several revisions of the language and we are, feel strongly about where we've come to in terms of the language. I believe we are on version five of the language and that's something that we wanted to open up with is that we really appreciate the Department of ED, as well as the subcommittee members for the work that they did over the past couple of months.

MS. JEFFRIES: Okay. Just as a reminder, before we start this, we have asked the committee Belinda and Stan to withhold their questions until you complete your presentation and then we'll open it up to question and answer, period. Thank you.

MS. WHEELER: Excellent. Alright, well, thank you all again. We really appreciate this time to share the report out for the subcommittee. This is the shorter version of our report out for everyone. I also just wanted to reiterate everything that Stan just

said. We are very appreciative to the Department and the eight experts in their respective fields that kind of worked with us in the trenches the last couple of months to kind of, you know, put in guardrails that we believe protects students pursuing educational programming with Pell funds while incarcerated or post incarceration. And I just wanted to remind, you know, the main committee, but then also people that are, you know, watching, watching in today that students were certainly at the forefront of our minds at every step in the process.

DR. ANDRISSE: And I would also just, you know, just add to what Belinda mentioned is that, as you all know, through negotiations on the other topics, we move to a place of comfortability, and I think, you know, as we'll kind of present to you, I think we move to that place within the subcommittee. But naturally, you know, there's, you know, some sideways thumbs as we took temperature checks where, you know, folks, you know, it could have been more optimal for their particular constituency, but they were comfortable with where it was. So that's kind of how we'll move through and talk through the topics, as you know, offering those perspectives of how we got to what we know, the language that we moved to.

MS. WHEELER: Mm hmm. Excellent. Thank

you very much. Aaron, if you wouldn't mind going to the next slide, please.

DR. ANDRISSE: I'm not seeing it moved just yet. I don't know if I'm frozen.

MS. WHEELER: Yeah, no, I was just thinking the same thing too. Slide two please, Aaron.

DR. ANDRISSE: And if maybe if you could put it in presentation mode.

MR. WASHINGTON: Are you all seeing presentation mode?

DR. ANDRISSE: No, we are not.

MR. WASHINGTON: Let me try something.

MR. ROBERTS: So now we're seeing presenter mode, Aaron, I think you need to share if you've got two monitors, your other monitor.

DR. ANDRISSE: I mean, this is.

MS. WHEELER: This will work.

DR. ANDRISSE: This is okay. I mean, so we just, you know, oh okay.

MS. WHEELER: Oops, we lost it.

MS. GOMEZ: Aaron, do you just want me to share it? I have it up as well.

MR. WASHINGTON: Sorry. I just took the took the other screen out. Let me see if this will work. Oh, Vanessa is going to do it. Thank you, Vanessa.

DR. ANDRISSE: Thank you. So just a quick overview, as Vanessa pulls this up, we hope to go through these five slides with you essentially where we just collectively show you the areas of consensus. So there was, I believe, 17 different parts to the language. And when we say consensus is, of course, a little bit different than what we're meaning temperature checks. But we went through the process similar to how the main committee is doing and temperature checking different parts. And so we temperature checked all 17 different parts. And so we'll show you the parts that we reach consensus on those temperature checks, which was, I believe, 13. And then the areas where we didn't reach consensus, which I believe was 4. And that was at the end of our meeting on November 10th. But we in that meeting, as I mentioned, we're pushing for several revisions. And actually, by the time we got to the last day, we were already on revision four. But we made additional suggestions that were then sent back to us on another version was sent on 11/30 that had updated language that really addressed the four different areas that we had concern with. So then finally, we'll, you know, offer our recommendation to the committee and open it up to questions.

MS. WHEELER: Thank you. Yes, so just

briefly, I wanted to kind of highlight and make sure that it was documented both for the main committee and also for people listening in. You know that of those 17 sections of the amendatory language that we were tasked with reviewing, there were indeed 13 areas where, you know, the subcommittee felt that, you know, the equivalent of, you know, the side thumb or the or the main thumb. But again, we weren't voting. These were indeed temperature checks. So while I do want to note that while we did indeed have consensus, it does not mean that, you know, there weren't some areas that you know, we would have wished for a little bit more, you know, clarity or information or things of that nature. But again, we do feel strongly that the Department really listened to, you know, our concerns and thoughts. So, you know, we're very happy to kind of share with you today that we do that we did indeed have those 13 areas that we felt were moving forward with those best interests of students in mind. Next slide, please, Vanessa.

DR. ANDRISSE: So, you know, just as mentioned and there were 4 sections that we did not reach consensus or temperature checks from the subcommittee. And so these are these are those sections that we were not in full consensus by the end of our

meetings on November 10th. And we would be happy to talk a little bit more about that in the Q&A portion.

MS. WHEELER: Next slide, please, Vanessa. Yep, so this part here, we really just wanted to kind of clarify how things kind of moved from those 4 temperature checks that we did on 11, well the 10th of November to the language that we saw on the 30th of November. And again, just as we've documented here for the main committee and the general public listening in that, you know, the Department did indeed provide language to the subcommittee on the 30th of November. If anyone in the general public or main committee members, I believe you have this document to, anyone can see that version five of the document, which includes that new language that the Department had provided to us. And as we've pointed out here, most of that new language that the Department offered to us addresses many of the subcommittee language concerns that we had, particularly in the definitions, the eligible prison education programs and best interest determination. We did want to note for the main committee that although the Department did not provide any new language specifically for the .238 application requirements, much of the additional language that they provided for those earlier three sections definitions, eligibility and best interest

actually addressed that concern that we had identified with section .238. So, so we just wanted to make sure that that was clear to everyone. Thank you. Next slide please, Vanessa.

DR. ANDRISSE: And so regarding our recommendation to the committee, as I mentioned in the opening, this subcommittee strongly encourages the main committee to follow the lead of the subcommittee in terms of voting in favor of the proposed amendatory language. We feel that, you know, from November 10th to November 30th, we actually, you know, we actually asked the subcommittee if we can do kind of an email temperature check. And, you know, we our service in terms of being able to temperature check was over on the 10th. So we were told that we couldn't do kind of an email temperature check. But we feel that it had we had the opportunity to do that. All of the issues were addressed that we had concern with, and we feel confident that we would have reached full consensus on this 11/30 version five of the amendatory language. And so that's why we strongly encouraged the committee here to vote in favor of what you see in front of you.

MS. WHEELER: And that's it. We were certainly open to questions. There's other, you know, yes, I'll just leave it there for questions from the

from the main committee and thank you all.

MS. JEFFRIES: And thank you, Belinda and Stan for the presentation. So let's see Daniel you have your hand up.

MR. BARKOWITZ: I do thank you both of you again for your work and to each of the members of the subcommittee. This this is very, very positive news. I'm thrilled to hear it, and I also recognize and want to acknowledge the Department's willingness to partner on this. So. And thank you for your leadership. Dr. Andrisse and Belinda. My constituency still has a concern about the additional location piece and namely counting as an additional location, as a site of incarceration where there is not a physical delivery of classes, but rather it's solely distance, which seems to be a lack of equality for a student who might be home educated where you know again, the college takes on certain responsibilities by listing that site as an additional location. And I don't see any distinction made in any of the language proposed so far that would alleviate the college or institution from all of the responsibilities associated with an additional location. So for that reason, I wonder, A, if there is there has been conversation about that in the subcommittee and if the Department is willing to add some language to

clarify that while this may be an additional location, by Department's definition, there are pieces that do not pertain because that present, I don't see any distinction of that. I'll name Clery as an example, Clery Reporting, but there are lots of other ramifications that come with an additional location. Sorry Stan.

DR. ANDRISSE: No worries.

MR. BARKOWITZ: Go ahead.

MR. BARKOWITZ: If I may. One, I think, you know, if the Department can step in on providing some clarification, but I do, I do recall that they mentioned that that certain requirements that, you know, financial aid reporting that the main campus or the entire campus is involved in, there are certain aspects that wouldn't be required within this additional location. And Belinda, maybe you can also clarify that, but I think we had we did talk about that within the subcommittee.

MS. JEFFRIES: Belinda, did you have an additional response on that?

MS. WHEELER: If I can, yeah, that would be great, and I also acknowledge that I believe it the Department is going to chime in and I do see my colleague Heather Perfetti, also with her hand up to me.

I want to make sure that as I speak now that I'm not speaking for accreditation.

MS. JEFFRIES: You have frozen up Belinda.

MS. WHEELER: The Department and the accreditation. Sorry?

MS. JEFFRIES: I said you had frozen up for a minute, so I want to repeat just a little bit of the last thing you said.

MS. WHEELER: Yes, ma'am. Sorry. So I just wanted to. Yes. So I'm very happy to speak. I do acknowledge that the Department and the accreditation agency representative is here on this call, so I definitely want to make sure that I'm not speaking for them in this space. With regards to the subcommittee, one of the things that we really talked about with the additional location is making sure and Daniel to kind of get to your questions, we have seen both with Second Chance Pell sites Vera as providing technical assistance in this space and also for non Second Chance Pell sites. So they would be privately funded institutions that are doing this programing for students that currently there appears to be potentially at least nationally, so not really mentioning any specific kind of accreditation agency or things of that nature, but from the national

perspective, right now, there is this up to 50% of programming kind of situation there. And we also acknowledge in the subcommittee that you know what is considered an online degree program for a traditional online student might indeed be quite different from an online program that someone is taking while they are incarcerated. For example, a student you know who a traditional online student is has the benefit of being able to pick up the phone and talk to someone at any time. They're able to kind of go on to a main campus, you know, talk with, so, so things are quite different in that space, even if we're not talking about the face to face, but the online. So the subcommittee kind of noted that we really feel that, you know, an additional location devoted to different modalities is important when we're trying to consider the best interests of students. Also, you'll see that on the under the section under best interests of students as well. There's a lot of additional things these guardrails that Stan and I kind of connoted to as we were speaking earlier about different additional kind of expectations that we're having for these educational sites that are moving into this space, this kind of wraparound services and other things. And I know that when we were looking at Second Chance Pell sites where, you know, previously when I

wasn't at Vera, I was a director of a postsecondary education and prison program myself. There wasn't a lot of expectation during the experiment for a lot of these kind of wraparound services and things of that nature in this document that we've now created, you know, we realize, you know, we've got the experts in the room kind of explaining that we need more done there. So based on what the committee had said and what we had looked at and spoken about, we did really feel that the additional location is important for everyone regardless, speaking of a student, regardless of their location. So I'll stop there and turn it over to the to the main people. Thank you.

MS. JEFFRIES: Okay, thank you, Belinda. Before we move on to the next speaker, I do want to note that Ms. Jennifer Cardenas has come to the table for student borrowers. Okay. So hand wise, I see Heather is up next.

DR. PERFETTI: Thank you, Cindy, and thank you, Belinda and Stan and the entire subcommittee for your work. I certainly have appreciated the opportunities to engage specifically with Belinda as she supported the work of that subcommittee and to think through some of the issues from an accrediting agency perspective, and our engagement started long before

negotiated rulemaking when she had outreach to our agency. So much appreciation for that, certainly. So while following up on the topic that Daniel presented about additional location, I also had a question about the site visit and the number of site visits. And if you could talk about if the committee explored the purpose of those visits so that I have a better understanding of how those align with the visits we currently do for additional locations or branch campuses.

MS. WHEELER: Certainly thank you so much for that, Heather. Yes, I do think now again, we didn't get too much into the weeds on the accreditation side of things because no one in the subcommittee specifically was an accreditation expert. However, I will note that the Department did have their accreditation team on the call as well. So when we really started to get somewhat into accreditation, we did have the Department's accreditation people on there. And you're right, there is with the language right now, there is this expectation that site visits will happen within a certain period. Now again, not speaking for the Department, but just for the subcommittee. I think that there will certainly and I welcome the Department kind of chiming in here, Aaron or others, I do believe that for an existing prison education program, say, for

example, they just did their site visit or say in 2020, do they do their traditional site visit with middle states or another accreditation agency for their prison education program, I think the Department will still be, you know, needing to look at do they then need that very next year to then turn around and do you know another site visit per say. I think the Department has been really good with this language that we have so far to not be overly prescriptive, you know, with what the subcommittee is saying, I would hope that, you know, after neg reg is ended and whatever language that the Department determines will be used as we move forward to July of 2023, that they will be having additional conversations with accreditation agencies and things of that nature, but just from the conversations that we had, well, and at least speaking for myself as we were in this process, I really felt like that what that site visit would look like is very similar to, you know, not only what has been taking place traditionally with a site visit that happens to be in a carceral space. But then, of course, making sure that if those site visits occur after the July of 2023, that the accreditation agency and others are taking into account those points that were listed under the best interests of students and things like that. So let me stop there and, you

know, check in with the Department if they, you know, had anything else that they wanted to say with that. Thank you.

MS. JEFFRIES: Okay. But Aaron, before you begin, I just want to make one note that Dr. Christina Tangalakis has now come to the table for the two-year public institutions of higher education. So in terms of sequence here, Daniel had his hand up next. Aaron, I'm not sure, is your response to.

MR. BARKOWITZ: I can defer to Aaron.

MS. JEFFRIES: Okay, thank you, Daniel. Okay, Aaron.

MR. WASHINGTON: Yeah, it looks like we're going to be getting a lot of questions. So I just wanted to respond to Daniels and Heather's now. So in regards to the additional location and addition to what Belinda said, Daniel, we want to ensure that we are getting the proper reporting from institutions. And if you see under 600, if you look under 600.21, I think, well, once we get to that part, Vanessa will share her screen. She doesn't have to do it yet, but we do say that the institution will be required to report its establishment of eligible prison education program in a different location. And so for that purpose, for the purposes of reporting, for the purposes of data

collection, we do need those additional locations at any prison education program offered at a correctional facility reported to Department as an additional location. I did speak at the second subcommittee, I believe, about the Clery specifically about Clery, and I did mention that the Department has determined that institutions would not be subject to Clery Reporting. Well, will not be subject to Clery Reporting for the additional location at the correctional facility. I can take that back to discuss whether we would want to incorporate that into the regulatory text or just describe that in some form other form of subregulatory guidance. I, I, you know, I stated that on the record I, you know, but if you if you want to see something in the actual regulation regarding an exemption from Clery Reporting for those additional locations at correctional facilities, that is a recommendation that you of course can make and we can take that back and discuss it more. Also, another thing another issue with reporting it as an additional location is if we talked about Pell restoration for if an institution completely closes or ceases operation at a at a correctional facility, students may be eligible for the restoration of their or their Pell grants. And so for those reasons, we are comfortable with the

position of maintaining the language of reporting about correctional facilities that are just locations. To Heather's point about the site visit, it's really about educational quality and ensuring quality there. These are a prison education programs as they as we start to as they start to ramp up, we really just want to be sure that there's a quality there and we think that through a site visit we can more and more better ensure quality. We, I don't have specifics and I don't want to get ahead of the accreditation group and what they will provide to postsecondary institutions for these site visits, but I am sure that there will be guidance that followed up with the regulation. Most of our regulations in general are always followed with some form of subregulatory guidance to explain things. Regulations are super high level overview of the framework for which the Department intends to enforce statute and we would be providing guidance to accreditors. And of course, you know, we have an accreditation team in which an agency can reach out to if there was ever a need for more guidance on anything in the regulation.

MS. JEFFRIES: Thank you, Aaron.

Daniel.

MR. BARKOWITZ: Thank you, Aaron, for putting words in my mouth. So yes, I would actually

request some clarity of that be added to the regulation. I think that's really important. I guess I would also ask, are there other aspects of location definition that the Department is thinking of waiving or not holding responsible for institutions who choose to offer these programs. I do think that the requirement to list this as an additional location, especially if the program is being offered in a distance mode, will be a disincentive for institutions to step forward to offer this program. I just, you know, I want to state that for the record, it makes sure the Department understands that. You know, the additional location piece, and I completely support and acknowledge the Pell forgiveness issue if the program closes. I also think we're back to close school conversations. You know, I would want that student to have, well, there'll be no loans, but you know, presumably if there were loans in the future, that possibility. So I guess my question is, are there are there any other aspects of location reporting other than Clery that the Department is determining don't apply? And if not, then can we just state the Clery carve out? That will go a long way to resolving my concerns with this area.

MS. JEFFRIES: Okay.

MR. WASHINGTON: Can I respond to

that, Cindy?

MS. JEFFRIES: Sure.

MR. WASHINGTON: Belinda or Stan, either you want to respond or are you comfortable with me responding? We did not discuss any other carve outs in regard to what institutions will be held to in reporting their additional locations to the Department. The one that I've heard is-- Daniel is quite frankly from you, the Clery reporting, and I think I've stated now again that you wouldn't be subject to Clery reporting. So I can take that back. If you have, if you can think of while we are while we are in the question and answer period, if you can think of any other suggestions, I can of course, take those back. But so far I have a list. I've written it down and your proposal to add Clery Reporting an exemption from Clery Reporting for additional locations at correctional facilities to the regulation.

MS. JEFFRIES: Thank you, Aaron.
Heather.

DR. PERFETTI: Thank you. So I believe then what I'm hearing from the subcommittee is it was an intentional decision to treat prisons that are additional locations differently than other kinds of additional locations. Since there will be additional

requirements around the additional locations. That our prisons. I think that's what I heard, and someone can correct me if I am wrong. I do want to just shift to the concept of completion rates and the waivers that have been included in the proposed regulatory language. And I was looking for a definition around completion rates and whether alternatives to completion rate was considered by the subcommittee in particular with regard to the to some of the waiver provisions.

MS. JEFFRIES: Belinda, did you want to respond to that?

MS. WHEELER: Yes, thank you very much. I am going to default to the Department, first of all, for the completion rate discussion, but I did want to answer Heather's good question about the additional location additional location. So just for clarity, and I hope I'm not muddying the waters here, I'm hoping I am being very clear, right now, there's a lot of programs that are working within this up to 50% of a program, and we have noticed that there are several programs where there's actually currently no chance of students actually getting their credential because several institutions are currently offering the same classes every year, with no other chance of students kind of finishing. So, for example, some programs offer quite a

few gen ed courses, and then that's it. They kind of close the door on students completing going any further to actually getting their credential in the following semester, they're offering the exact same classes again. So of course, those existing students that were in year one can't do classes in year two because again, it's the exactly the same exactly the same classes being offered. So right now, you know, with the with the experiment or just general prison education programing, right now, we're seeing quite a bit of potential harm to students in the sense that not everyone is kind of making sure that they're acting in those best interests of students. So, so we're making sure that that requirement of additional location be noted. As Aaron pointed out, for things you know for like if a program closes or things of that nature. Also, the teach out plans, you know, which are mandatory. There's a number of programs that whether they're Second Chance Pell or not Second Chance Pell right now that are currently thinking of actually closing their program for whatever reason and because they weren't mandated, like because they didn't hit that 50% of programing being offered to students, they opted not to do the additional location. So those educational institutions that are considering leaving right now, there's potential damage, harm being done to those

students because there wasn't that mandated teach out plan. So I hope I'm kind of clarifying there a little bit Heather. I just wanted to make sure so we're not necessarily expecting anything more in the sense of an additional location. We just want to make sure that prison education programs that do indeed want to practice in a carceral space, whether it's face to face, whether it's hybrid, whether it's online, that they are being noted as additional locations early in the process so that students best interests are served. Because right now, you know, we've seen, you know, there are some programs, even with Second Chance Pell that might have been in that first round of Second Chance Pell and they've been active for, you know, five or six years, approximately, and they still haven't yet hit that 50%. You know, we're hoping that, you know, those institutions are doing great things and the students are 100% happy and everything is going well, but because they haven't hit that mandate to do that additional location, there's just some concerns. So I think the subcommittee kind of talked about this and was like, I think for everyone, you know, by having that additional location kind of being, you know, enforced early on in the process, we're just making sure that that level of quality, that accreditation and others, you know, are

really made available to everyone so that those students interests are met. So let me stop there and see if you had a follow up Heather and then the Department, I wanted to make sure that, you know, Aaron from the Department, had a chance to talk about those completion rates. Thank you.

DR. PERFETTI: Thanks, Belinda. I'll defer to Aaron so he can speak to the completion rates, and I know David has his hand up to.

MS. JEFFRIES: So, Aaron, you want to go ahead and respond to that? And then David you will be next in the queue.

MR. WASHINGTON: Can you repeat your question on completion rates? I'm sorry.

DR. PERFETTI: Sure. So my question is, where is completion rates defined and did the subcommittee talk about any alternatives other than completion rates, particularly as it pertains to the waiver provisions?

MR. WASHINGTON: Oh, so the waiver in 600.7 for exceeding 25% enrolling incarcerated students or are you talking about completion rates for the best interest, well, the Bureau of Prisons Department of Corrections determining whether a program is the best interest of a student or not?

DR. PERFETTI: So I guess my question is, are those different completion rate definitions in each of those provisions or is there a definition somewhere of completion rates?

MR. WASHINGTON: Well, we say in the regulation, well, okay, so in 600.7, we do, there is a provision in there for completion rates. If in order for you to exceed 25% enrollment on incarcerated students, if you are a school that offers something other than a two or four year program, you have to have a 50% completion rate in those programs. And that is defined, the calculation is already been defined in regulation, and we're not going to amend that. So that that is there. In the in the best interest piece, we have added a completion rate indicator. The completion rate indicator is not in statute and we haven't defined what that completion rate is, but we do say the oversight entity will establish that. So whether the rates of completion reported by the Department of Education, so the Department is going to report that data meets thresholds set by the oversight entity and oversight entity would be the Bureau of Prisons or State Department of Corrections or, you know, whoever has oversight over that agency. And then they would have to get that input on how to determine the bench the

threshold from the relevant stakeholders, which would be like formerly incarcerated students or groups that represent them. So the threshold is set by the Bureau of Prisons, the Department of Corrections and the accrediting agency is actually responsible for reviewing is not responsible for reviewing the methodology behind the completion rate, it's responsible for reviewing the methodology behind that input indicators like teacher, teacher turnover, academic services and transfer the transfer credit policy. So is there a concern from the accrediting constituency about the completion rate? Or?

DR. PERFETTI: I guess I would reserve my response on a concern until I have an opportunity to follow up with a constituency group. I do know that institutional presidents have voiced concern about the completion rate. I do wonder, Aaron, if you could provide me with the statutory citation for completion rate so that that can be a part of what the constituency group can reference.

MR. WASHINGTON: So, so completion doesn't appear, so completion rate in regards to the best interest does not appear in the statute. That is an indicator that the Department of Education has proposed to include in the best interest determination. And the reason that we have proposed to include that is because

we want to assess whether a prison education program is supporting a student through graduation. So there is no statutory reference, at least in the prison education program authorizing statute that speaks to completion rate. That is something that the Department is proposing to add that the Bureau of Prisons Department of Corrections assess.

DR. PERFETTI: So I just want to clarify, because I thought Aaron, you said, that under 600.7, that the definition of completion rate was defined somewhere else. So that's.

MR. WASHINGTON: Yeah, so that so that there are two separate completion rates. So there's a completion rate for so there's so that there's I'm talking about, in 600.7, in 34 CFR 600.7, we're talking about the 25% the statute the statute says that no more than 25% of your enrolled students can be incarcerated. And it says unless approved by unless there's a process approved by the Secretary through regulation. Some years ago, I don't know the exact year, the Department chose to regulate on the process for through which a postsecondary institution could exceed 25% enrollment of incarcerated students. And in that, they said, and in those regulations, we said that if you want to exceed 25%, if you are a two or four year program, the waiver

was essentially pre these regulations automatic if you have only two or four year programs. If you have something other than two or four year programs, those programs would have to have a completion rate of at least 50%. So that is totally that is that is separate, that that completion rate is separate from the completion rate we're talking about for the best interest indicator. The completion rate we're talking about the best interest for the best interest indicator, the threshold is set by the oversight entity, the Bureau of Prisons, the State Department of Corrections. What I can do is I can send you what I will do is I will try and I will send you the 600.7 language on how the completion rate is calculated there. But again, that is separate from the best interest completion rate. Which will be different it will be different. And it'll be determined by the Bureau of Prisons, State Department Corrections in collaboration with the relevant stakeholders.

MS. JEFFRIES: Okay. Thank you for that. Go ahead.

DR. ANDRISSE: So the, you know, I was just going to add the, you know, the exact location and just clarify that 600.7 and then if you are, go to the number three, roman numeral two is where that's defined,

and if you were looking for the exact location of the 25% waiver completion. So, if that helps just for the location of where it is. And then the other one, was in the best interest section, which is defining what a program defining a completion rate that would determine a best interest is the program working in the best interests of the student. So one is, one completion rate is, if a program wishes to expand beyond 25% and the other one is, you know, to determine if it is working in the best interest of the student. And then the one has a definite number 50% and then the other one in the best interest can be determined by a group of stakeholder experts and the Department of Corrections or BOP. Bureau of Prisons.

MS. JEFFRIES: Thank you, Stan. Thank you, David, for patiently waiting. You are up in the queue.

DR. TANDBERG: I'm just wondering if Heather you had a quick follow up on that that you want to get a handle on. I'm going to be in the same topic area, but at different vantage points. I don't know if you want to finish this conversation Heather first.

DR. PERFETTI: I think it will be helpful once Aaron sends the additional pieces, and I appreciate that explanation Stan. I did see under the

best interest of the student area, seemingly the exclusion of students who are transferred and students who may be part time from the calculation of completion rate. And I was not sure if that carried in the earlier provision as well and whether completion was talked about more holistically than the traditional concept of a completion rate for this student population.

MR. WASHINGTON: Cindy, can I happen there really quick? I'm sorry.

MS. JEFFRIES: Sure.

MR. WASHINGTON: So, I think Stan actually gave the regulatory site for the completion rate calculation for under 600.7, but just to just to restate it because I don't necessarily I don't have access to my email right now. It is 600.7 E little E number two and that's the that's how the completion rate has been defined under the 25% waiver. But as Stan said, that is different from the best interest completion rate.

MS. JEFFRIES: Okay. Thank you. Okay, David. I'm sorry, David, I know you've been very patient. I do need to announce that Jeri is back at the table for student borrowers. Okay. Go ahead, David.

DR. TANDBERG: So speaking with my constituency, that the sense is that there's a high

degree of satisfaction with the quality assurance provisions within the proposed regulatory changes and the guardrails that have been put up. An equal concern with my constituency is broadening access and participation. And they've struggled with that within their states. And there's some confusion, I think, around that 25% provision and that confusion has existed for a long time. A lack of understanding of why 25%, it seems rather arbitrary. The waiver process being nearly automatic but why does if it's nearly automatic, why does this provision exist at all? They're particularly concerned when it comes to smaller institutions that are providing critical access to prison education in different areas, particularly remote areas where the institutions regular enrollments fluctuate quite a bit and their prison enrollments fluctuate quite a bit. They can easily bounce around that 25% and often want to go well above it. And I think if they're meeting the quality standards and are operating within the guardrails, we really want that, we want more access, we want more participation in high quality programs. One proposal would be to bump it up to 50% and adjust the waiver process accordingly. And so that that's a real concern as we've seen state after states struggle with providing widespread access to high-quality prison

education, particularly from our public and nonprofit institutions, many of which would love to broaden their prison education programs.

MS. JEFFRIES: Thank you, David. Anne.

MS. PRECYTHE: Thank you.

DR. TANDBERG: Real quick. I would have liked a response on mine.

MS. JEFFRIES: Aaron, are you prepared to respond to that? And now Stan has his up too.

MR. WASHINGTON: David, just to response, section 102 of the Higher Education Act states that a student has a student enrollment in which more than 25% of the students are incarcerated. So essentially, section 102 is defining what an institution of higher education is and it says an institution shall not be considered to meet the definition of an institution of higher education if it has an enrollment student enrollment in which more than 25% of the students are incarcerated, except that the Secretary may waive the limitation contained in this subpart for nonprofit institutions that provide two or four year program of instruction or for its institutions or as a bachelor's degree or associate's degree or postsecondary diploma. And so it's a statutory requirement. The 25% threshold is statutory requirement.

MS. JEFFRIES: Thank you, Aaron. Stan, did you have something to add to that for David's question or something different?

DR. ANDRISSE: I'm a little bit just to add, I mean, I think partly an idea behind putting a number is, and Belinda, maybe you were going to jump in and kind of say the same thing is, you know to think about institutions that may be coming in and not serving the best interests of students and, you know, solely, you know, you know, as Belinda kind of mentioned, certain institutions not even having any intentions of moving people towards degrees and just getting as many people to offer take courses that are not leading towards any type of credential. And you know, the fear of having an institution that is 75, 100%, you know, just doing that and moves into this space just to do that. But to your point, you know, it also, you know, so there's always that balance. There, it does, you know, impinge upon the good actors that are, you know, truly trying to move into that space. But I think there's in that waiver process, there's room for those good actors to still do what they were intending to do and have a guardrail against, you know, quote unquote bad actors.

MS. JEFFRIES: Thank you, Stan. Belinda, did you have something additional?

MS. WHEELER: Yes, ma'am, thank you very much. Yes. I just wanted to thank Stan for his comments and also Aaron for a noting that statutory language. David, I just wanted to mention to my friend that in the in the language that we have here, there is opportunities for institutions such as the ones that you have referred to. You know, if they want to apply to go above that 25%, there's areas where they can, you know, ask the Department if they can move up to the 50% and there's that probationary period where they, if the Department approves, gives them the opportunity to move up to that 50%. And the Department also has in this language that the subcommittee, you know, was grateful for, even going up to that 75% is possible. So I think that there's good opportunities for excellent actors in this space to move forward and scaffold their programing. So again, that that quality is really enhanced and I think the Department is very, is definitely, and again, I'm not speaking for the Department, but you know, the subcommittee feels that, you know, the Department is really putting some good kind of guardrails in there so that at every step of an educational institution expanding that programing for their students, that you know, that they're they've got a friend as they move, you know that they move forward.

So I hope that kind of helps with those, you know, again, they can move from 25, they can potentially go up to 50 and they can potentially go up to 75. Thank you.

MS. JEFFRIES: Okay. Thank you.

Heather. I'm sorry, Belinda. Anne is now next.

MS. PRECYTHE: Thank you. So the first thing I want to say is just over the last couple of days, I've developed an immense amount of respect for this group. You all are incredible subject matter experts, and it's very tedious work that you're doing. So thank you so much. It's also exciting to hear you be so interested in the correctional environment and a part of what we as correctional leaders are trying to do, which is improve outcomes for our individuals that are incarcerated. So the Correctional Leaders Association was on the hill and we were part of helping to lift the ban on the Pell grants a couple of years ago. So my colleagues and I are very committed to expanding higher education opportunities for the incarcerated. I really appreciated Heather and David's points because the completion rate I just I just want this group to be mindful of how complicated it is to define a completion rate. And Heather you asked the question, you know, it would almost be worth looking at course completion rather than overall completion or even the time frame

that people are required because being in prison is very difficult and it's beyond the institution's control as well as the incarcerated individuals control. A prime example, if someone is also required to complete treatment and they were able to enroll in education first, then the treatment spot became available, that now becomes the priority. And when we transfer those individuals, the same educational opportunity might not be available. So it delays the process and it doesn't mean they can't come back to it. It's just they need to focus on the treatment because oftentimes the regimen of treatment and education are too much for an individual in an incarcerated setting to comply with both at the same time. So there are numerous other things that impede the educational process on the schedule that the individual may have sought to start. But I just wanted to bring that up to let this group know that A, it's not always the institution's fault, nor is it the incarcerated individual's fault that they weren't able to stick to or maybe meet that completion rate. And then David with respect to what you said, we are definitely interested in expanding, but the Department's appreciate the flexibility to be able to the Department of Corrections appreciate the flexibility to be able to help determine who are really the best actors to come in

and is the methodology the best for us? Is it online? Is it in class or is it a combination? What is it that they need to do to serve as many as we can? Staffing plays a part in that as well, so this is just an excellent opportunity for me to come back to my colleagues to really express the interest that this group has shown for helping us to expand. So thank you for that and I appreciate the additional conversation.

MS. JEFFRIES: Thank you, Anne, appreciate your comments. Heather, your hand is up, do have some more to add?

DR. PERFETTI: I do, thank you. Thank you, Anne. Your addition to this committee, I think, has proven to be quite valuable as part of the process, and I know on behalf of the whole committee, we appreciate you spending time with us. I did just want to note in response that completion rate will be an important consideration and whether student academic progress may be a better barometer of success for this particular student population. And so there may be alternatives worth exploring. I know some of that may already be reflected elsewhere or is required by statute, and so I'd like to spend some time looking at those. I did want to ask about the institutions that have been providing prison education programs for decades. Are there

provisions for grandfathering them into this regulation, in particular when it goes into effect and if they've had waivers in place, will those waivers continue or are they going to be starting from scratch under this regulation?

MS. JEFFRIES: Okay. Stan, did you have a response or Aaron?

DR. ANDRISSE: If Aaron wants to go, I'll defer to Aaron.

MR. WASHINGTON: Stan, you could go if you.

DR. ANDRISSE: Mine was rather quick, and that just the distinction between those that have been around for decades, as you mentioned, many of them have been relying on philanthropic dollars, so they actually have not been necessarily accessing Pell. So in that regard, they would just be they would be new to entering into this space in regards to the few programs that have been going on for decades. You know, that have been supported even before Second Chance Pell, it was it was philanthropic or the university scholars or institution scholars.

MS. JEFFRIES: Thank you, Stan. Aaron, we just as a reminder, we are about one minute away from the lunch break. So go ahead and give your response, if

you will.

MR. WASHINGTON: Oh, okay.

Institutions that already have the waiver, we posted the document on our website, listing all the institutions that already have the waiver to go beyond the 25% of incarcerated population. Those institutions are grandfathered in. They will be allowed to keep their waiver. However, on July 1st, 2023, all institutions will be required to comply with the whatever final whatever the final regulations will end up being, including, like our previous discussion reporting, you know, additional locations to the Department. And also Heather, under 668.242, we do have some information of some regulation, not information but regulation, about the transition from a prison education program, a transition to a prison education program for institutions that are at facilities other than federal or state correctional facilities that are currently offering eligible programs.

MS. JEFFRIES: Okay, thank you. So with that, we are at the lunch break period. I would like to outline our intent for this afternoon's agenda. It would be our intention to come back from lunch and address finish addressing this prison education program Pell grant issue, including consensus check, then moving

on to PSLF with a consensus check and then into IDR. So it would be an expectation, we just want to let you know that because we do plan it is our intent to be able to conduct these consensus checks that the committee members be prepared to for. Just wanted to give you a heads up. Stan.

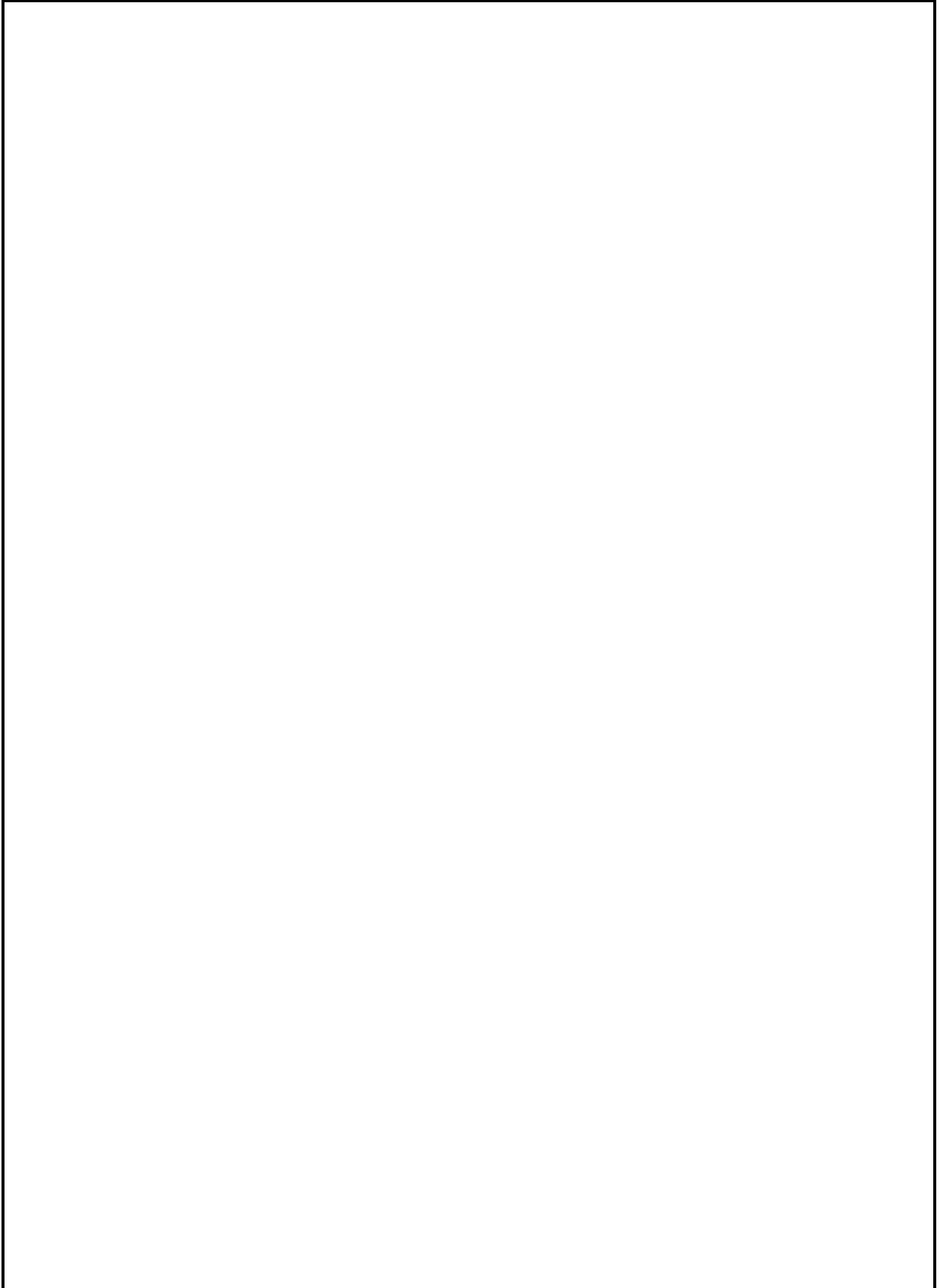
DR. ANDRISSE: Real quick. Did Daniel want to possibly send language to Aaron in terms of that piece, if that was going to be something that you feel should be included? It sounds like, if that could be done over lunch, that might be.

MR. BARKOWITZ: I'm happy to do that, if that would be helpful? Jennifer, Aaron, I'm not sure if what the Department's willingness is, but.

MS. JEFFRIES: I think, Aaron you invited that, so if Daniel sends that to you, can you address that over the lunch period?

MR. WASHINGTON: Sure. And I got further clarification as well, so.

MS. JEFFRIES: Okay, great. So with the piece of it, we would be asking the Department to pull up the document that and share that that we will be the committee will be taking consensus on and make any comments to that. So with that, please have a great lunch and we will see you at 1:00 p.m.. Thank you.



Appendix

**Department of Education
Office of Postsecondary Education
Zoom Chat Transcript
Affordability and Student Loans Committee
Session 3, Day 3, Morning, December 8, 2021**

DISCLAIMER:

Note: The following is the output of transcribing from a recording. Although the transcription is largely accurate; in some cases, it is incomplete or inaccurate due to inaudible passages or transcription errors. It is posted as an aid to understanding the proceedings at the meeting, but should not be treated as an authoritative record.

From Michaela Martin to Everyone:

10/10 not in support of that

From Jaye (P) FFEL Agencies to Everyone:

Will from FFEL Agencies may be late.

From Daniel (P) - Fin Aid Admin (he/him) to Everyone:

In my family, we celebrate "Thankschismukah"

From Kevin-FMCS Support to Everyone:

That's awesome Daniel

From Jessica Barry, Proprietary (P) to Everyone:

Carol will sub in for me this morning.

From Misty (P) Priv. Non-Profit to Everyone:

Dr. McTier will be primary for the prison education discussion today.

From Heather-PSLF Advisor to Everyone:

For Direct Loans too

From Heather-PSLF Advisor to Everyone:

According to data published by ED, the most common reasons for ineligibility were:

1. insufficient qualifying payments,
2. missing information, and
3. ineligible loans.

From Justin (P) Servicemembers and Veterans to Everyone:

+1 Joe on ED plans for noticing borrowers on wrong loan for PSLF

From Joe (P) State AGs to Everyone:

What steps does the Dept. plan to take to let borrowers know that they are in the wrong loan type?

From Joe (P) State AGs to Everyone:

for FFEL borrowers

From Joe (P) State AGs to Everyone:

borrowers

From Michaela [P] Ind. Students to Everyone:

It got sent :)

From Kayla, FMCS Facilitator to Everyone:

The documents have been emailed to everyone.

From Bethany (P) - Disability (she/hers) to Everyone:

+1 to the report + Daniel's comments

From Bethany (P) - Disability (she/hers) to Everyone:

re: the care economy

From Jeri (P) Student Borrowers (she her, they) to
Everyone:

+1 Daniel inclusive

From Persis (P) - Legal Aid (she/her) to Everyone:

+1

From Suzanne Martindale (A) state regulators to
Everyone:

+1 Daniel - tax status of employer is a poor proxy for
scoping who's in public service or not

From Bethany (P) - Disability (she/hers) to Everyone:

+1 on the 1099 form

From Jeri (P) Student Borrowers (she her, they) to
Everyone:

+1 on 1099

From Misty (P) Priv. Non-Profit to Everyone:

+1 on 1099 (Heather)

From Alyssa (A) Fin Aid Administrators to Everyone:

+1 billion to Bethany

From Persis (P) - Legal Aid (she/her) to Everyone:

+10000000% bethany

From Suzanne Martindale (A) state regulators to
Everyone:

+1!!

From Misty (P) Priv. Non-Profit to Everyone:

+1 Bethany!!

From Jeri (P) Student Borrowers (she her, they) to Everyone:

100%!!!! Bethany!!!!

From Dixie (P) Dependent Students to Everyone:

+1 Bethany!!!!

From Daniel (P) - Fin Aid Admin (he/him) to Everyone:

Agree, Bethany

From Bethany (P) - Disability (she/hers) to Everyone:

Josh suggests that the word I was looking for was bamboozled.

From Jeri (P) Student Borrowers (she her, they) to Everyone:

+1 bamboozled

From Bethany (P) - Disability (she/hers) to Everyone:

+1 to Persis on counting of payments

From Bobby (P) - 2 Year Public Colleges to Everyone:

+1 Joe!

From Jeri (P) Student Borrowers (she her, they) to Everyone:

+1 Joe!!!

From Persis (P) - Legal Aid (she/her) to Everyone:

+1 Joe

From Daniel (P) - Fin Aid Admin (he/him) to Everyone:

+1 Joe

From Bethany (P) - Disability (she/hers) to Everyone:

+1 on Joe

From Michaela [P] Ind. Students to Everyone:

Good work mate

From Bethany (P) - Disability (she/hers) to Everyone:

+1 on Daniel

From Persis (P) - Legal Aid (she/her) to Everyone:

Good catch Daniel

From Bethany (P) - Disability (she/hers) to Everyone:

re: AmeriCorps

From Jeri (P) Student Borrowers (she her, they) to Everyone:

+1 Daniel

From Heather-PSLF Advisor to Everyone:

+++

From Persis (P) - Legal Aid (she/her) to Everyone:

+1 Joe

From Dixie (P) Dependent Students to Everyone:

+1 Joe

From Persis (P) - Legal Aid (she/her) to Everyone:

josh is joining for legal aid

From David (P) - State hi ed agencies to Everyone:

+1

From Jeri (P) Student Borrowers (she her, they) to Everyone:

+1 Justin

From Persis (P) - Legal Aid (she/her) to Everyone:

I am returning to the table

From Jeri (P) Student Borrowers (she her, they) to Everyone:

Jen will be coming in for Jeri

From Daniel (P) - Fin Aid Admin (he/him) to Everyone:

Could a separate category be created on the ECAR for location vs facility?

From Daniel (P) - Fin Aid Admin (he/him) to Everyone:

Perhaps the ECAR could list facilities for PEPs rather than locations?

From Bobby (P) - 2 Year Public Colleges to Everyone:

Christina is going to step in for 2 year

From Christina, she/her (A) 2 year public to Everyone:

I'm at the table now

From Jeri (P) Student Borrowers (she her, they) to Everyone:

Jeri is back - thanks Jen!

From John S. Whitelaw, A-Disabilty (he/his) to Everyone:

John Whitelaw will be absent for most of the afternoon

From David (P) - State hi ed agencies to Everyone:

Didn't realize it was statutory. I appreciate the clarification.

From David (P) - State hi ed agencies to Everyone:

+1

From Jeri (P) Student Borrowers (she her, they) to Everyone:

Thank you for joining us Anne