

State Council of Higher Education for Virginia



**Annual Report  
Office of the  
Qualified Education Loan  
Ombudsman**

January 1, 2022



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## SUMMARY

The Code of Virginia directs the State Council of Higher Education for Virginia (SCHEV) to submit an annual report to the House Committees on Commerce and Labor and Education, and the Senate Committees on Commerce and Labor and Education and Health on the implementation and overall effectiveness of the Office of the Qualified Education Loan Ombudsman (§ 23.1-234). Terms associated with the operation of the office are defined in § 23.1-231.

The following are the key findings from the 2022 annual report.

1. In its first three years of operation, the Student Loan Advocate worked directly with 406 education loan borrowers.
2. Outreach efforts focused on promoting the webpage([schev.edu/studentloan](https://schev.edu/studentloan)), participating in panels and conference presentations at state and national events and preparing for the launch of the education loan course.
3. Data collected on borrower cases identified three main issues for Virginia education loan borrowers: understanding the complexity of the loans, troubleshooting eligibility issues with the Public Service Loan Forgiveness Program, and filing Borrower Defense to Repayment claims against Federal Student Aid for borrowers who claimed they were defrauded or misled by their college or university.
4. The office generated a list of federal policy recommendations to address many of the issues that Virginia borrowers experience.
5. With secured funding from the General Assembly, the Qualified Education Loan Borrower Education Course ([virginiastudentloanhelp.org](https://virginiastudentloanhelp.org)) was launched in December 2021.
6. Virginia's Student Loan Advocate worked with other federal and state advocates to prepare Virginia borrowers for the restart of loan payments in May 2022.



## PURPOSE OF THIS REPORT

This report fulfills the legislative requirement for the Office of the Qualified Education Loan Ombudsman (the Office), staffed by the Student Loan Advocate.

The General Assembly and Governor established the Office during the 2018 General Assembly session. An excerpt of the enabling legislation and purpose is included below along with expected annual reporting requirements. (The full legislation is in Appendix A.)

### § 23.1-232. Office of the Qualified Education Loan Ombudsman established; duties.

A. The Council shall create within the agency the Office of the Qualified Education Loan Ombudsman. The Office of the Qualified Education Loan Ombudsman shall provide timely assistance to any qualified education loan borrower of any qualified education loan in the Commonwealth. All state agencies shall assist and cooperate with the Office of the Qualified Education Loan Ombudsman in the performance of its duties under this article.

### § 23.1-234. Reports.

On or before January 1, 2019, and annually thereafter, the Council shall submit a report to the House Committees on Commerce and Labor and Education, and the Senate Committees on Commerce and Labor and Education and Health. The report shall address (i) the implementation of this article and (ii) the overall effectiveness of the Office of the Qualified Education Loan Ombudsman.

The report contains information on the requirements and duties of the office, including efforts to inform the public of the availability of the office, outcomes of the complaints and concerns registered with the office, progress toward meeting the needs of Virginia borrowers and the status of the Qualified Education Loan Borrower Education Course.



## OVERALL EFFECTIVENESS

The following is a brief summary of 2021 activities.

Just over one million Virginians have some type of student loan debt, and the average debt they carry is more than \$37,000. As of September 2021, the three-year loan default rate in Virginia was approximately 6.6%, just below the national average of 7.3%, which has trended downward in the last few years. It should be noted that all federally held loans have been in administrative forbearance since March 2020, possibly contributing to the decreased number of loans entering into default after 270 days of non-payment.

The primary functions of the Student Loan Advocate are to provide assistance to qualified education loan borrowers who reside in the Commonwealth, develop education materials and make policy recommendations based on data collected from Virginia borrowers. Borrowers who are referred to the office are asked to complete the Student Complaint Form, which is located on the office's website ([schev.edu/studentloan](https://schev.edu/studentloan)) or in the footer on all SCHEV pages. Once the form is submitted, the Student Loan Advocate contacts the borrower and begins working on the case.

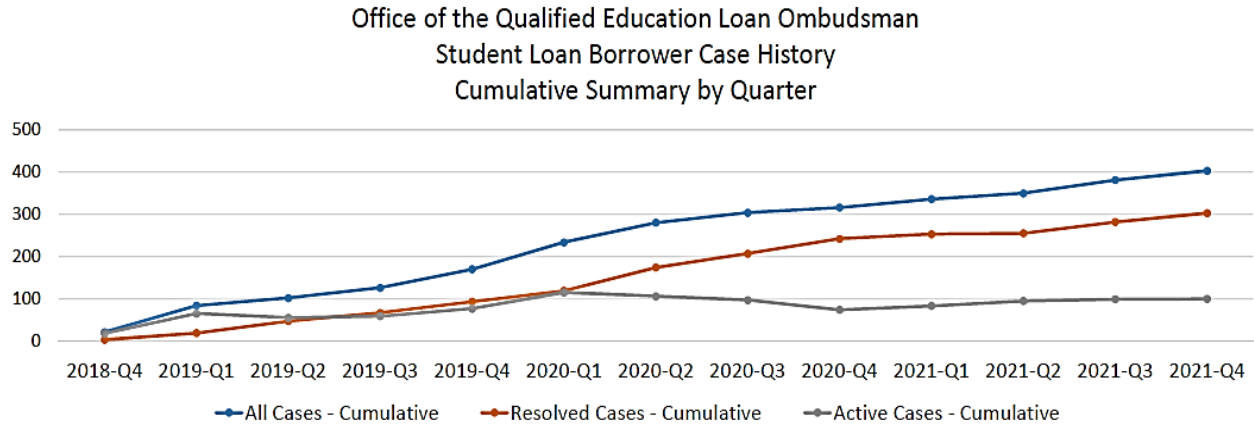
In 2021, new leadership at the U.S. Department of Education (ED) led to positive movement for borrowers seeking resolution of their claims for loan forgiveness. ED resumed review of Borrower Defense to Repayment claims against specific institutions, leading to borrowers having their loans discharged. In October 2021, ED announced a Public Service Loan Forgiveness (PSLF) Waiver program (<https://studentaid.gov/announcements-events/pslf-limited-waiver>), which will allow thousands of borrowers employed by an eligible employer to have their payments count, overcoming barriers with the other eligibility requirements. Of particular interest are those borrowers with ineligible loans that will now have their loans discharged. Finally, ED is preparing borrowers for the resumption of payments in May 2022 for 40 million borrowers, along with the movement of millions of borrowers to new loan servicers.

### Analysis of Borrower Cases

Since October 2018, the office has handled more than 400 unique cases involving student loans. The chart below illustrates the steady increase in cases during the first three years, along with cases that were resolved.



**Table 1: Quarterly Cumulative Summary of 406 Borrowers Served by the Office of the Qualified Education Loan Ombudsman**



During the first year the office was operational, 126 borrowers received assistance. That number increased to 178 during the second year. Halfway through the third year, Federal Student Aid enacted the pause in payments for federally held loans. As a result, the number of new cases decreased to 77 in the third year. That number is expected to increase once payments restart in May 2022. Virginia has over one million borrowers, most of whom have not made a payment since March 2020, so outreach is needed to make sure they are ready to resume payments or are aware of options available if their financial situation makes payments difficult. In addition, the PSLF Limited Waiver program opens the door to loan forgiveness for many previously ineligible government and non-profit employees. While the federal government has instituted an awareness campaign, additional resources may be required to contact all potentially eligible borrowers to take action before the program ends in October 2022. With additional staffing or contracting with advocacy services, more Virginians can be helped.

Cases handled by the Student Loan Advocate show the following self-reported general characteristics:



**Table 2: Self-Reported Characteristics of Borrower Concerns Related to their Education Loans**

	<b>Most Common</b>	<b>Second Most Common</b>	<b>Other</b>	<b>Not Reported</b>
<b>College Type</b>	Proprietary (29%)	Public (22%)	Private (18%)	30%
<b>Completion Status</b>	Graduated (42%)	Withdrawn (19%)	Current (16%)	23%
<b>Loan Type</b>	Federal (52%)	Private (11%)	Fed & Private (11%)	25%
<b>Degree Program</b>	BA (27%)	Post-BA (20%)	Associates and Certificate. (21%)	32%
<b>Primary Concern (Duplicated Count)</b>	Loan Forgiveness (51%)	College Situation (29%)	School Closure (20%)	Other (19%)

**Table 3: Demographics by Age and Amount of Debt**

	<b>Average</b>	<b>Range (Minimum)</b>	<b>Range (Maximum)</b>	<b># Reported</b>
<b>Age of Borrower</b>	46.4 Years	21.8 Years	75.0 Years	78
<b>Borrower Debt</b>	\$71,269	\$1,885	\$525,000	173

Borrowers contacted the office in various ways. Emails sent directly to the Student Loan Advocate were the primary method, followed by direct phone calls to the office and submission of the Student Complaint Form (available through the SCHEV website). State legislators, the Governor's office, the Attorney General's office and the Secretary of Education's office also referred borrowers to the office.

Prior to June 30, 2021, Virginia did not have regulatory authority and relied on advocating for the borrower with loan servicers and the Federal Student Aid office. To date, more than 50% of cases required contact with another entity to better understand the details of a borrower's loan account and to collaborate on the next best steps for the borrower. This includes reaching out to loan servicers in 20% of the cases and to Federal Student Aid (FSA) and the Consumer Financial Protection Bureau (CFPB).

Of the 406 cases as of Nov. 30, 2021, 305 were resolved. Most were closed after sharing requested information or clarifying the nature of the loan repayment schedules. Some involved borrowers from outside Virginia who were referred to the appropriate state or federal agency. Cases involving current students were referred to other SCHEV departments or Virginia agencies.

The most common service provided to borrowers was helping them better understand their payment plan options – 13 repayment plans are currently active. At the top of the list of concerns was



the Public Service Loan Forgiveness (PSLF) Program. PSLF allows borrowers who serve in government or a qualifying non-profit to earn debt forgiveness after making 120 qualifying payments. Borrowers contacted the office because they recently learned that they were ineligible for PSLF because they hold the wrong type of repayment plan or the wrong type of loan.

In October 2021, Federal Student Aid created the PSLF Waiver program. Any borrower with an active PSLF application or Employment Certification Form (ECF) will have their payment counts reviewed. Any payments made while the borrower was working for a qualifying employer will have those payments counted. All other requirements, such as having the right kind of loans, repayment plan or full payment will be waived. Any borrower that does not have Direct loans at the time of the recount will need to consolidate them into a Direct loan before the loan discharge can be granted. Borrowers have until October 31, 2022, to take advantage of this opportunity. Borrowers not currently at the 120 payment count needed for loan discharge will be able to keep the adjusted payment count beyond October 31 and can continue to work toward loan discharge. Of the borrowers the office has served since October 2018, this will potentially help 36 of them.

Cases that remain open the longest are those of borrowers who submitted a Borrower Defense to Repayment (BDR) claim with the FSA office. The BDR claim process allows a borrower to request loan forgiveness if the school did something or failed to do something related to the loan or to the educational services that the loan was intended to provide. Nationally, more than 180,000 cases are pending. Under new leadership, FSA began issuing loan discharges for BDR claimants that attended specific closed institutions during specified time frames. This demonstrates movement toward resolving the pending cases.

## **Outreach Efforts**

One of the roles of the office is to conduct outreach efforts to potential loan borrowers, either by direct contact or indirectly through institutions of higher education or practitioners who work with borrowers. Presentations were made virtually to student groups, state conferences and national conferences. These presentations provide information about student loans and serve as a resource for those seeking assistance. Collective attendance at these events was over 500 people. Highlights include:

- College Access Foundation Presentation: Comprised of recent college graduates preparing to start loan repayment and public service employment.





- Virginia Association of State Financial Aid Administrators (VASFAA) Conference Presentation: Comprised of institution financial aid staff.
- SCHEV All Agency Staff Meeting Discussion: Provided an overview of the work of the office to colleagues.
- Jump\$tart Virginia Panel Presentation: Comprised of parents and students interested in learning strategies for financial wellness in a post-COVID world.
- Virginia College Access Network (VCAN) Fall Training Workshop Presentation: Comprised of school counselors and college access professionals who work with future college students.
- Education Finance and Loan Symposium Panel Presentations: Comprised of members of the education public and private student loan industry. Panel topics included State of the Education Finance and Student Lending Industry and Legal/Regulatory Outlook for Student Loans at the State and Federal Level in 2021 and Beyond.
- Virginia College Access Network (VCAN) Conference Presentation: Comprised of college access professionals from multiple organizations that work in Virginia high schools

## **Impact of COVID-19 on Student Loan Advocacy**

When the COVID-19 pandemic occurred and businesses closed, many borrowers were unable to continue repayment of their education loans. The Coronavirus Aid, Relief and Economic Security (CARES) Act provided temporary relief for all federally held education loans. SCHEV [created guidance](#) to help borrowers navigate this relief.

Currently, 13 states already have implemented the position of student loan advocate, and many other states are working on similar legislation. Virginia collaborated with other states to provide comments on the negotiated rule-making process as it related to recommended changes to the Public Service Loan Forgiveness program. The negotiation process is ongoing at the time of this report, but the PSLF Waiver program addresses all of the concerns of the state advocates.

On August 6, 2021, FSA issued the final (as of the publication of this report) extension of the student loan payment pause until April 30, 2022. The pause continues the suspension of federal loan payments for over 40 million borrowers, 0% interest rate and collections actions ceased for all



defaulted loans. As of November 30, repayment is scheduled to resume in May. The office is monitoring the situation closely to ensure that Virginia borrowers have the most accurate information available. FSA has a dedicated page with the more current information (<https://studentaid.gov/announcements-events/covid-19>).

## **Implementation of Legislation**

During the 2020 General Assembly session, two key pieces of legislation were enacted that affect education loan borrowers in Virginia. The first allows for the licensing of loan servicers (HB10/SB77). The legislation gives the State Corporation Commission (SCC) regulatory authority, prohibits certain activities and provides the ability to levy fines for violations. The regulatory authority was enacted on July 1, 2021. The SCC will provide a separate report on the activities of their office. Prior to the commencement of the SCC's regulatory authority, the Student Loan Advocate met with representatives from the SCC to discuss operational procedures. Since July 1, SCHEV has collaborated with the SCC on two cases, both of which are pending action to close the cases.

The second legislative action requires all students attending Virginia institutions that receive private education loans be given specific private student loan disclosures (§ 23.1-233.1). The disclosures include sharing the contact information for Virginia's Student Loan Advocate and providing a link to the private education loan information on the SCHEV website. SCHEV created a dedicated webpage ([www.schev.edu/privateloan](http://www.schev.edu/privateloan)) and developed a module ([www.virginiastudentloanhelp.org/privateloan](http://www.virginiastudentloanhelp.org/privateloan)) in the online education course that is be accessible through a direct link on the SCHEV website.



## PLANS FOR THE FUTURE

### Policy Recommendations

The Student Loan Advocate analyzes data and identifies trends in borrower complaints in order to provide policy recommendations for legislation that would provide relief to borrowers. There are no new policy recommendations for 2022, but some policy recommendations from last year require an update. Currently, the state is limited on policy changes to address borrower concerns proactively, but local and state legislators can advocate to the federal government and lobby Virginia's members of the U.S. House of Representatives and U.S. Senate to implement the following policy changes:

#### 1. Federal Servicing Contracts

**Initial Recommendation:** Advocate for the FSA office to revisit and improve the servicing contract requirements between the federal government and student loan servicers.

**Update:** Currently, FSA has contracts with four loan servicers as the result of three previous servicers choosing not to renew their contracts. This will streamline the process of assigning loan servicers but it will require the movement of over 10 million borrowers to a new servicer. The process is ongoing and should be completed by spring 2022. FSA continues to centralize its borrower communication and record-keeping processes to better account for the work of loan servicers. In addition, FSA has created an enforcement office to better monitor the actions of loan servicers and to follow through on inappropriate actions by the servicers

**Revised Recommendation:** Continue to advocate for improvements in servicing contracts as deemed necessary and monitor the administration's work on all issues affecting Qualified Education Loans.

#### 2. Public Service Loan Forgiveness (PSLF)

**Initial Recommendation:** Revise the PSLF application and approval process to ensure high rates of loan forgiveness for eligible borrowers.

**Update:** FSA revised the application process so that applying for PSLF and Temporary Expanded Public Service Loan Forgiveness (TEPSLF) involves one application, not two. In addition, FSA launched the PSLF Waiver program, outlined in previous sections of this report.

**Revised Recommendation:** The ombudsman's office is monitoring cases eligible for the PSLF



Waiver to ensure that ED follows through on the goals of the program. In the long term, components of the waiver program like the type of loan and repayment plan needed to be codified into legislation so that the primary concern of borrower should be on whether or not they are working for an eligible employer.

### **3. Borrower Defense to Repayment Claim Process**

**Initial Recommendation:** Resolve the more than 180,000 Borrower Defense to Repayment (BDR) claims that mostly are related to school closures. Some claimants have been waiting formore than three years for a decision from FSA.

**Update:** FSA has reopened existing claims and is resolving some complaints for certain BDR claimants who attended specific closed institutions during specified time frames.

**Revised Recommendation:** The BDR review process needs to resume with due diligence being given to all applicants.

### **4. Annual Loan Counseling and Truth-In-Lending**

**Initial Recommendation:** Require annual loan counseling for students taking out loans,including providing a truth-in-lending statement. Currently, annual loan counseling is available in select areas. The COVID-19 pandemic has delayed its widespread use.

**Update:** None.

**Existing Recommendation:** FSA should continue to implement this annual program. It willhelp ensure that borrowers understand the long-term impact of how much they owe, what their monthly loan payments will be and how long it will take to pay off their loans.

### **5. Loan Repayment Plan Options**

**Initial Recommendation:** Simplify repayment plan options to reduce confusion about thepayment plan process. Options for payment plan simplification are included in both proposals for the reauthorization of the federal Higher Education Act.

**Update:** None.



**Existing Recommendation:** Continue to advocate for fewer repayment plan options. Reducing the number of options will make it easier for students to choose the best plan for their current situation. In addition, the income-driven repayment plan option should be automated using the IRS Data Retrieval tool to determine payment amounts. Currently, borrowers must submit annual employment forms for review by their loan servicer.

## **6. Spousal Consolidation Loan**

**Initial Recommendation:** Allow borrowers to separate loans that initially were consolidated through the Spousal Consolidation Loan program. Married couples could combine federal loans into one payment for ease of administration. However, there were no provisions for separating the loan in situations such as divorce or domestic abuse. If one spouse stops paying their share, the other spouse is liable for the entire amount. In addition, these loans are not eligible for any of the loan forgiveness programs, such as PSLF.

**Update:** None.

**Existing Recommendation:** Support a legislative change to allow separation of these loans. This would remove the liability of one spouse when the co-owner of the loan stops paying and can lead to loan forgiveness options.

## **7. Loan Default and Collections**

**Initial Recommendation:** Stop the practice of putting all defaulted loans into collections because it increases the debt load for borrowers and causes other financial restrictions. All federal loans can be rehabilitated out of default once during the life cycle of the loan.

However, the loan now has a collection fee added, making the principle amount even larger. Borrowers in financial distress have the option of moving to an income-driven repayment (IDR) plan. In some cases, the payment amount is zero, and the government pays the interest on that loan for the first two years if a borrower's income is low enough. As stated earlier, use of the IRS Data Retrieval Tool would ease this process and facilitate moving delinquent loans (missing payments for more than 30 days but less than 270 days) directly into an IDR plan.

**Update:** Loan default was suspended in March 2020 with the implementation of the CARES Act. At the time of this report, it is unclear whether loans will return to default status when payments



are resumed in May 2022.

### **8. Early Loan Repayment Incentives**

**Initial Recommendation:** Create incentives for borrowers to pay off their loans early. Borrowers looking to fast track the repayment of their loans sooner than the 10-year standard plan should receive incentives in the form of tax breaks or reduced interest if they pay it off early.

**Update:** None.

### **9. Incentives for Companies Assisting Borrowers with Loan Repayment**

**Initial Recommendation:** Companies that offer to make student loan payments as part of the compensation package offered to a prospective employee should receive tax incentives for those efforts. Currently, there are tax incentives for existing employees who pursue additional training, so this recommendation would make that retroactive to training that the borrower has already received.

**Update:** None.

While this list of policy recommendations requires action at the federal level, the state can assist the work of the Student Loan Advocate in two ways:

- Support collaboration between the licensure and regulatory processes that the State Corporation Commission (SCC) is implementing so that borrowers get assistance with their individual problems, and loan servicers are held accountable for any improper actions.
- Support the collaboration between the Virginia Department of Education and SCHEV to incorporate the education loan course content into the curriculum for the Economics and Personal Finance Course required of all Virginia high school graduates. This will help ensure that future college students clearly understand the options in funding higher education and the consequences of their decisions.

## **Legislative Update**

No new legislation was introduced during the 2021 session related to student loan borrowers in Virginia.



## THE QUALIFIED EDUCATION LOAN BORROWER EDUCATION COURSE

The Code of Virginia charges the Office of the Qualified Education Loan Ombudsman to create and maintain an online course on education loans that is available to the public and covers key topics.

### § 23.1-233. Qualified education loan borrower education course.

On or before December 1, 2019, the Office of the Qualified Education Loan Ombudsman, in consultation with the Council, shall establish and maintain a qualified education loan borrower education course that shall include educational presentations and materials regarding qualified education loans. Topics covered by the course shall include, but shall not be limited to, key loan terms, documentation requirements, monthly payment obligations, income-driven repayment options, loan forgiveness programs and disclosure requirements. The course shall be web-based and available to the public at any time. The Office of the Qualified Education Loan Ombudsman may also establish in-person classes.

As the enabling legislation shows, the Qualified Education Loan Borrower education course is intended to provide self-help content and will serve three primary audiences: future loan borrowers wanting to know the benefits and consequences of borrowing for their education, current college students preparing to begin the repayment process, and former students needing assistance with their student loans.

SCHEV awarded a contract in April 2021 to a collaboration with Mapping Your Future, Decision Partners, Educational Credit Management Corporation (ECMC) and The Institute of Student Loan Advisors (TISLA). The course was soft launched in fall 2021 and is being readied for a public launch in late December 2021/early January 2022. The site is called Virginia Student Loan Help ([www.virginiastudentloanhelp.org](http://www.virginiastudentloanhelp.org)). While the content is open to all future and current loan borrowers, the launch page tailors content based on the three target audiences: high school students looking to make smart decisions about paying for college; college students exploring repayment plans and loan forgiveness options; and borrowers managing repayment and seeking assistance with loan questions. In addition, there is a dedicated module that aligns with the standards of learning in the Economics and Personal Finance Course required of all high school graduates. Below is a list of the 11 modules:

- Economics and Personal Finance Course Module
- Financial Aid 100 - Applying for Financial Aid



- Financial Aid 110 - Understanding Student Loans
- Financial Aid 120 - Private Student Loans
- Loan Repayment 200 - Basics
- Loan Repayment 210 - Payment Plans
- Loan Repayment 220 - Managing Repayment
- Loan Repayment 230 - Loans in Crisis
- Loan Forgiveness 300 - Forgiveness, Cancellation and Discharge
- Loan Forgiveness 310 - Public Service Loan Forgiveness (PSLF)
- Loan Forgiveness 320 - Teacher Loan Forgiveness

In addition to the modules, the vendors provided loan repayment and loan amount calculators, career exploration tools and other consumer tools. Borrowers have the option of accessing all content without an account, but they are encouraged to set up an account to save their progress and continue to use the available tools over the years. Finally, there is a library of topics related to financial aid, budgeting and spending, financial health and managing credit. While the mandate was to create course content related to education loans, the office wanted to create a comprehensive tool that borrowers can use over the years. It begins with educating new students about educational financing options. Continuous use through college and after graduation will prevent the need to access the services of the student loan advocate, but also create a trustworthy relationship should the borrower have questions in the future about their student loans.

SCHEV began word of mouth promotion of the education loan course in October 2021, and the site has seen significant usage in its early stages.

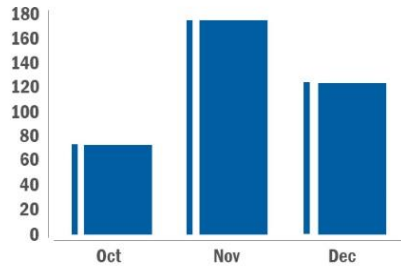




**Table 4: Course Usage Since October 1, 2021:**

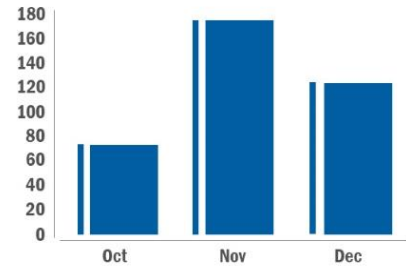
**Key Metrics**

Registration numbers and site usage stats across all programs.



**New Registrations**

374 members have registered since 10/1/2021



**Unique Members**

376 members logged in 393 times since 10/1/2021

In January 2022, SCHEV will initiate a formal campaign to promote the website to the general public, followed by targeted marketing to financial aid offices at Virginia institutions and high schools.

SCHEV would like to thank the General Assembly for their continued support of work that impacts the economic stability of Virginia’s education loan borrowers. Student loans are a necessary tool that create and expand opportunities for higher education to many students, but the complex nature of student loans makes the work of the Student Loan Advocate vital to borrowers.



## APPENDIX

### Code of Virginia Authorizing Language

#### § 23.1-231. Definitions.

As used in this article, unless the context requires a different meaning:

"Qualified education loan" means any qualified education loan obtained specifically to finance education or other school-related expenses. "Qualified education loan" does not include credit card debt, home equity loan, or revolving debt.

"Qualified education loan borrower" means (i) any current resident of the Commonwealth who has received or agreed to pay a qualified education loan or (ii) any person who shares responsibility with such resident for repaying the qualified education loan.

"Qualified education loan servicer" or "loan servicer" means any person, wherever located, responsible for the servicing of any qualified education loan to any qualified education loan borrower.

"Servicing" means (i) receiving any scheduled periodic payments from a qualified education loan borrower pursuant to the terms of a qualified education loan; (ii) applying the payments of principal and interest and such other payments, with respect to the amounts received from a qualified education loan borrower, as may be required pursuant to the terms of a qualified education loan; and (iii) performing other administrative services with respect to a qualified education loan.

#### § 23.1-232. Office of the Qualified Education Loan Ombudsman established; duties.

**A.** The Council shall create within the agency the Office of the Qualified Education Loan Ombudsman. The Office of the Qualified Education Loan Ombudsman shall provide timely assistance to any qualified education loan borrower of any qualified education loan in the Commonwealth. All state agencies shall assist and cooperate with the Office of the Qualified Education Loan Ombudsman in the performance of its duties under this article.

#### **B. The Office of the Qualified Education Loan Ombudsman shall:**

1. Receive, review, and attempt to resolve any complaints from qualified education loan borrowers, including attempts to resolve such complaints in collaboration with institutions of higher education, qualified education loan servicers, and any other participants in qualified education loan lending;



2. Compile and analyze data on qualified education loan borrower complaints as described in subdivision 1;
3. Assist qualified education loan borrowers to understand their rights and responsibilities under the terms of qualified education loans;
4. Provide information to the public, state agencies, legislators, and other persons regarding the problems and concerns of qualified education loan borrowers and make recommendations for resolving those problems and concerns;
5. Analyze and monitor the development and implementation of federal and state laws and policies relating to qualified education loan borrowers and recommend any changes the Office of the Qualified Education Loan Ombudsman deems necessary;
6. Review the complete qualified education loan history of any qualified education loan borrower who has provided written consent for such review;
7. Disseminate information concerning the availability of the Office of the Qualified Education Loan Ombudsman to assist qualified education loan borrowers and potential qualified education loan borrowers, as well as public institutions of higher education, qualified education loan servicers, and any other participant in qualified education loan lending, with any qualified education loan servicing concerns; and
8. Take any other actions necessary to fulfill the duties of the Office of the Qualified Education Loan Ombudsman as set forth in this article.

**§ 23.1-233. Qualified education loan borrower education course.**

On or before December 1, 2019, the Office of the Qualified Education Loan Ombudsman, in consultation with the Council, shall establish and maintain a qualified education loan borrower education course that shall include educational presentations and materials regarding qualified education loans. Topics covered by the course shall include, but shall not be limited to, key loan terms, documentation requirements, monthly payment obligations, income-driven repayment options, loan forgiveness programs, and disclosure requirements. The course shall be web-based and available to the public at any time. The Office of the Qualified Education Loan Ombudsman may also establish in-person classes.



**§ 23.1-233.1. (Effective July 1, 2021) Qualified education loans; certain providers; contact information and summary.**

Any provider of private education loans, as defined in 12 C.F.R. § 1026.46(b)(5), shall disclose to any student attending an institution of higher education in the Commonwealth, prior to issuing a qualified education loan to such student, the contact information for the Office of the Qualified Education Loan Ombudsman and a summary of the student loan information applicable to private education loans that may be found on the Council's website. Any such disclosure may be made in conjunction with or incorporated into another disclosure to such student prior to issuing the qualified education loan. The summary shall be developed by the Office of the Qualified Education Loan Ombudsman in consultation with relevant stakeholders.

**§ 23.1-234. Reports.**

On or before January 1, 2019, and annually thereafter, the Council shall submit a report to the House Committees on Commerce and Labor and Education and the Senate Committees on Commerce and Labor and Education and Health. The report shall address (i) the implementation of this article and (ii) the overall effectiveness of the Office of the Qualified Education Loan Ombudsman.

