UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF THE SECRETARY

FOIA Service Center

January 29, 2021

Mr. Austin R. Evers
Executive Director
American Oversight
1030 15th Street
Suite B255
Washington, DC 20002

RE: FOIA Request No. 20-00436-F

Dear Austin R. Evers:

This letter is an interim response to your request for information pursuant to the Freedom of Information Act (FOIA), 5 U.S.C. § 552, dated November 25, 2019 and received in this office on November 26, 2019. Your request was forwarded to the following offices to search for documents that may be responsive to your request: Office of the General Counsel (OGC), Office of the Under Secretary (OUS), Office of the Secretary (OS) and Office for Civil Rights (OCR).

You requested:

1. All records reflecting communications (including emails, email attachments, text messages, messages on messaging platforms (such as Slack, GChat or Google Hangouts, Lync, Skype, or WhatsApp), telephone call logs, calendar invitations, calendar entries, meeting notices, meeting agendas, informational material, draft legislation, talking points, any handwritten or electronic notes taken during any oral communications, summaries of any oral communications, or other materials) between (a) the Education officials listed below and (b) Jerry Falwell Jr., anyone communicating on his behalf, or any other officer, employee, or representative of Liberty University (including but not limited to anyone with an email address ending in liberty.edu).
    a. Secretary Betsy DeVos
    b. Chief of Staff Nate Bailey
    c. Former Acting Under Secretary and Senior Advisor James Manning
    d. Deputy Secretary Mitchell Zais
    e. Principal Deputy Under Secretary Diane Auer Jones
    f. Assistant Secretary, Office for Civil Rights, Kenneth Marcus
    g. Deputy Assistant Secretary for Strategic Operations and Outreach, Office for Civil Rights, Candice Jackson
    h. Former Deputy Assistant Secretary for Higher Education Adam Kissel
    i. Executive Director, Center for Faith and Opportunity Initiatives, Andrea Ramirez
    j. White House Liaison, or any individual serving in this capacity
    k. Anyone communicating on behalf of any of the above officials, such as an administrative assistant or scheduler

For calendar entries created in Outlook or similar programs, the documents should be produced in "memo" form to include all invitees, any notes, and all attachments. Please do not limit your search to Outlook calendars—we request the production of any calendar—paper or electronic, whether on government-issued or personal devices—used to track or coordinate how these individuals allocate their time on agency business.

2. All position papers, policy or regulatory analyses, or other recommendations received by Education prepared, sent, or distributed by Jerry Falwell Jr., his representatives, or other officers, employees, or representatives of Liberty University.

   American Oversight assesses the Department of Education is best positioned to determine where responsive records may reside. At a minimum, American Oversight requests that Education search the Office of the Secretary, the Office for Civil Rights, the Center for Faith-Based and Community Initiatives, and the Office of Post-Secondary Education.

Please provide all responsive records from April 30, 2018, through the date the search is conducted.

This response concerns OGC, OUS and OCR. Staff from OGC and OCR informed this office (FSC) that after a search of their files, they were unable to locate any documents that were responsive to your request. OUS located documents responsive to your request. Attached via PAL Download are 17 pages of documents responsive to your request. The documents provided are:

➢ Email Correspondence

However, certain information has been withheld according to FOIA exemptions (b)(6), specified below:

- Records or portions of records relating to personal information is exempt pursuant to 5 U.S.C. §552 (b)(6) of the FOIA. Disclosure of this information would constitute a clearly unwarranted invasion of personal privacy.

At this time, the Department is continuing to process your request and your FOIA request case file remains open. It will not close until the Department provides you with a response regarding outstanding responsive documents. Our final release letter will contain information related to your appeal rights of agency decisions.

If you have any questions, please contact the FOIA Service Center at (202) 401-8365, or you may send an e-mail to EDFOIAManager@ed.gov.

Sincerely,

Sandra Lewandowski

Sandra Lewandowski
Government Information Specialist
Office of the Executive Secretariat

Enclosures

From: Hokanson, Jesse
Sent: 4 Feb 2020 15:43:50 +0000
To: Wehausen, Robert;Harrod, Lawanna (Contractor)
Subject: FW: [External] RE: Liberty University Breakfast - Wed October 23 - Library of Congress

Jesse Hokanson
Office of the Under Secretary
Department of Education
202-260-8787

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Friday, January 17, 2020 12:38 PM
To: Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: FW: [External] RE: Liberty University Breakfast - Wed October 23 - Library of Congress

FOIA 18-01770-F

From: Hurt, Robert (Helms School of Government) <rhurt1@liberty.edu>
Sent: Thursday, October 3, 2019 1:34 PM
To: Jones, Diane <Diane.Jones@ed.gov>
Cc: McNabb, Theresa P <tpmcnabb@liberty.edu>; Hokanson, Jesse <Jesse.Hokanson@ed.gov>; Reich, Ashley Ann (Student Financial Services) <ahageman@liberty.edu>
Subject: RE: [External] RE: Liberty University Breakfast - Wed October 23 - Library of Congress

Diane – Many thanks for considering our request. It sounds like you will be traveling on this date, so we will miss you. In the event that there are any staffers that might like to join us, it would be an honor to have them. Thanks for your service to our country, and we hope to see you soon. Robt.

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Wednesday, October 2, 2019 10:53 AM
To: Hurt, Robert (Helms School of Government) <rhurt1@liberty.edu>
Cc: McNabb, Theresa P <tpmcnabb@liberty.edu>; Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: [External] RE: Liberty University Breakfast - Wed October 23 - Library of Congress

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[EXTERNAL EMAIL: Do not click any links or open attachments unless you know the sender and trust the content.]

Hi Dr. Hurt,
Thanks for the invitation to your annual higher education policy meeting. I have added Jesse Hokanson to this email so that he can work on scheduling. One of us will be back in touch with you soon.
Best,

Diane

From: Hurt, Robert (Helms School of Government) <rhurt1@liberty.edu>
Sent: Wednesday, October 2, 2019 10:41 AM
To: Jones, Diane <Diane.Jones@ed.gov>
Cc: McNabb, Theresa P <tpmcnabb@liberty.edu>
Subject: Liberty University Breakfast - Wed October 23 - Library of Congress

Dear Ms. Jones:

Let me begin by saying how much we at Liberty University appreciate your strong leadership, as well as the fact that you and other leaders from the Department of Education have joined us in the past for our annual breakfast to discuss higher education policy at the Library of Congress.

Once again, we are delighted to be able to invite you and your staff to join us for a breakfast reception to honor the Department of Education leadership along with other Senate and House leaders on **Wednesday, October 23, 2019 between 8:30 am and 10:00 am in the Member's Room at the Library of Congress**.

As in the past, we do not plan on any sort of formal program, but instead would like to offer the opportunity to meet key Liberty University officials and to learn more about what we are doing to prepare the next generation of leaders. In addition to our senior leadership, we will also have the deans of our School of Law; School of Medicine; School of Business; School of Engineering; and School of Government on hand for the reception. We hope that this breakfast will continue to open doors to finding more ways that we can support your efforts and work together on issues facing higher education in America.

As the date approaches, please let us know whether you might be able to stop by for a few minutes for a visit. We know how valuable your time is and appreciate your consideration of our invitation.

Thank you again for your service to our nation, and please contact me if you have any questions. We hope you will be able to join us.

Robert Hurt
Center for Law & Government
Liberty University
(b)(6) [redacted]

From: Hokanson, Jesse
Sent: 4 Feb 2020 15:43:08 +0000
To: Wehausen, Robert;Harrod, Lawanna (Contractor)
Subject: FW: Liberty University Breakfast - Tuesday, April 2 - Library of Congress

Jesse Hokanson
Office of the Under Secretary
Department of Education
202-260-8787

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Friday, January 17, 2020 12:41 PM
To: Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: FW: Liberty University Breakfast - Tuesday, April 2 - Library of Congress

FOIA 18-01770-F

From: Hurt, Robert (Center for Law & Government) <rhurt1@liberty.edu>
Sent: Tuesday, March 19, 2019 12:23 PM
To: Jones, Diane <Diane.Jones@ed.gov>
Subject: RE: Liberty University Breakfast - Tuesday, April 2 - Library of Congress

Ms. Jones - We just wanted to circle back to see if there was any chance that you might be able to join us for breakfast when our team from Liberty University will be visiting Washington on April 2. Many thanks for your consideration. Robert Hurt.(b)(6) [redacted].

From: Hurt, Robert (Center for Law & Government)
Sent: Friday, March 15, 2019 11:27 AM
To: 'diane.jones@ed.gov' <diane.jones@ed.gov>
Subject: Liberty University Breakfast - Tuesday, April 2 - Library of Congress

Dear Ms. Jones:

First let me say how much we appreciate the fact that Secretary DeVos and other leaders from the Department of Education joined us for breakfast last year to visit about higher education policy. We are grateful for the time that you all gave us and for your leadership at this critical juncture in the future of American education policy.

With that in mind, we are excited to be headed to Washington again this spring and would like to invite you to join us for a breakfast reception that we are hosting to honor the Department of Education leadership along with the leadership on the Senate and House Education committees on **Tuesday, April 2, 2019 between 8:30 am and 10:00 at the Library of Congress in the Member's Room**.

The purpose of the breakfast is for Liberty University to show our appreciation for the service of the Department and Congressional education committee leadership. We do not plan on any formal program, but instead would like to offer the opportunity to meet key Liberty University leaders and to learn more about what Liberty University is doing in training the next generation of leaders through our various programs that include medicine, law, business, engineering, athletics, and humanitarian mission work. We also hope it will open the door to looking for more ways to work together on issues facing higher education in America.

As the date approaches, please let us know whether it appears that you all might be able to stop by for a few minutes and whether we might be able to welcome others from your office to join us. We know how valuable your time is and appreciate your consideration of our invitation.

Thank so much, and please feel free to reach me at (b)(6) with any questions.

Thank you for your service, and we hope you will be able to join us.

Robert Hurt
Center for Law & Government
Liberty University
(b)(6)

From: Hokanson, Jesse
Sent: 4 Feb 2020 15:42:36 +0000
To: Wehausen, Robert;Harrod, Lawanna (Contractor)
Subject: FW: Liberty University Breakfast - Wed October 23 - Library of Congress

Jesse Hokanson
Office of the Under Secretary
Department of Education
202-260-8787

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Friday, January 17, 2020 12:46 PM
To: Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: FW: Liberty University Breakfast - Wed October 23 - Library of Congress

FOIA 18-01770-F

From: Jones, Diane
Sent: Wednesday, October 2, 2019 10:53 AM
To: Hurt, Robert (Helms School of Government) <rhurt1@liberty.edu>
Cc: McNabb, Theresa P <tpmcnabb@liberty.edu>; Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: RE: Liberty University Breakfast - Wed October 23 - Library of Congress

Hi Dr. Hurt,
Thanks for the invitation to your annual higher education policy meeting. I have added Jesse Hokanson to this email so that he can work on scheduling. One of us will be back in touch with you soon.
Best,
Diane

From: Hurt, Robert (Helms School of Government) <rhurt1@liberty.edu>
Sent: Wednesday, October 2, 2019 10:41 AM
To: Jones, Diane <Diane.Jones@ed.gov>
Cc: McNabb, Theresa P <tpmcnabb@liberty.edu>
Subject: Liberty University Breakfast - Wed October 23 - Library of Congress

Dear Ms. Jones:

Let me begin by saying how much we at Liberty University appreciate your strong leadership, as well as the fact that you and other leaders from the Department of Education have joined us in the past for our annual breakfast to discuss higher education policy at the Library of Congress.

Once again, we are delighted to be able to invite you and your staff to join us for a breakfast reception to honor the Department of Education leadership along with other Senate and House leaders on **Wednesday, October 23, 2019 between 8:30 am and 10:00 am in the Member's Room at the Library of Congress**.

As in the past, we do not plan on any sort of formal program, but instead would like to offer the opportunity to meet key Liberty University officials and to learn more about what we are doing to prepare the next generation of leaders. In addition to our senior leadership, we will also have the deans of our School of Law; School of Medicine; School of Business; School of Engineering; and School of Government on hand for the reception. We hope that this breakfast will continue to open doors to finding more ways that we can support your efforts and work together on issues facing higher education in America.

As the date approaches, please let us know whether you might be able to stop by for a few minutes for a visit. We know how valuable your time is and appreciate your consideration of our invitation.

Thank you again for your service to our nation, and please contact me if you have any questions. We hope you will be able to join us.

Robert Hurt
Center for Law & Government
Liberty University
(b)(6) [redacted]

From: Hokanson, Jesse
Sent: 4 Feb 2020 15:43:16 +0000
To: Wehausen, Robert;Harrod, Lawanna (Contractor)
Subject: FW: Liberty University Policy Positions
Attachments: Liberty University Detailed Issues Paper_April 2019.pdf

Jesse Hokanson
Office of the Under Secretary
Department of Education
202-260-8787

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Friday, January 17, 2020 12:40 PM
To: Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: FW: Liberty University Policy Positions

FOIA 18-01770-F

From: Reich, Ashley Ann (Student Financial Services) <ahageman@liberty.edu>
Sent: Monday, April 8, 2019 11:24 AM
To: Jones, Diane <Diane.Jones@ed.gov>
Subject: Liberty University Policy Positions

Diane:

First, I wanted to thank you again for your involvement in the most recent NegReg sessions. Your knowledge and expertise allowed for us to make decisions quickly and ultimately, the goal of consensus was reached. This was a monumental step and truly spoke to your leadership in this area.

As promised, based on our discussion last week, I have attached the specific policy positions that we support as an institution. In addition, we would like to be involved in the implementation process as you begin to work through the Executive Order.

Please feel free to reach out to me directly with any questions you or your team may have on these items.

Have a wonderful week.

Thank you,

Ashley Ann Reich, M.A., Ed.S.
Vice President of Student Financial Services
VASFAA Secretary 2018-19
Student Financial Services

(434) 592-6709

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UNIVERSITY

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Liberty University Detailed Issues Paper
April 2019

Contact Information:

Mrs. Ashley Ann Reich
Vice President of Student Financial Services
Liberty University
Email | aareich@liberty.edu
Phone | 434-592-6709

Mr. Kenneth Craig
Director of Government Relations
Liberty University
Email | kbcraig@liberty.edu
Phone | 434-582-7850

FAFSA Skip Logic Process

The proposal to reduce the number of questions on the FAFSA is supported; however, we remain cautious as to ensure we remain good stewards of taxpayer resources. As you are most likely aware, the FAFSA utilizes a process called 'skip logic' to ensure efficiency and a more customized experience to the student or parent during the filing process. In the majority of cases, this significantly reduces the number of questions that a student/parent needs to answer and therefore, they would not have to answer all 100 + questions. For example, if the gender question is answered as 'female', skip logic will remove the question related to Selective Service. Additionally, if a student answers 'yes' to being a dependent, five questions are automatically skipped as marital status, children, and other similar questions do not apply in this case. This process has been enhanced over the years to speed up the time to complete and reduce unnecessary barriers for the student.

FAFSA Completion Time

The amount of time to complete the FAFSA has been reduced significantly and is reviewed annually to determine how to cut down on time to complete. Most students are able to complete the FAFSA in under 30 minutes, per the U.S. Department of Education. One of the greatest enhancements and contributors to the reduction of time in the FAFSA completion process was the addition of the IRS Data Retrieval Tool (DRT). Unfortunately, the tool has historically been unreliable, especially during critical processing periods, and does not allow for all situations or tax return types to be transferred automatically to the FAFSA. From March 2017 through October 2017, the IRS DRT was disabled due to a security breach. As a result, the IRS tightened up the process and required that data be masked when transferred over to the FAFSA. This has created confusion for students as they were not able to see the data being transferred. The IRS DRT is a tool that, on the surface, is beneficial and we would strongly encourage additional support from the IRS to ensure it remains fully operational throughout the entire FAFSA filing cycle. When the IRS DRT is not available, the burden is further increased on families because they must provide tax return transcripts or signed copies of their filed tax return when selected for the Verification process. For our student population, we saw a noticeable decrease in the usage of the IRS DRT due to the multiple and prolonged downtimes that overlapped between the 2016-17 and 2017-18 award years. For 2016-17, 64% of our students utilized the DRT; however, in 2017-18, only 28% of our students utilized the DRT. For 2017-18, the IRS DRT was only available for five months and, once enabled, it was only available for students filing the 2018-19 FAFSA. With the FAFSA mobile app now being an option for students in most cases, it has been noted that the IRS and Federal Student Aid are confident there will be fewer security concerns; however, this still calls into question the longevity of the IRS and U.S. Department of Education partnership if there are additional security issues. The removal of this tool long-term would be detrimental to the FAFSA filing and Verification process.

IRS Data Retrieval Tool Filing Statuses

Currently, the IRS DRT does not allow for the filing statuses of Head of Household, Married Filing Separately, Single (Unmarried and Both Legal Parents Living Together), and Foreign Tax Returns. Liberty University would support an initiative between the IRS and Federal Student Aid that would allow for a process to combine two tax returns for those situations where a student or spouse/parent are filing separately or other filing combination for a variety of reasons. These filing statuses have proved to be problematic for students and parents in these situations because they have to provide additional documentation due to their ineligibility for the DRT. As a result, this prolongs the FAFSA filing process as well as the Verification process. If the DRT is able to be expanded to include the remaining tax filing types, this should result in fewer students being selected for Verification due to the accuracy of the data being directly transferred from the IRS and, in turn, reducing the administrative burden for institutions and frustration by students. With the many technological enhancements in the world today, it seems fitting for this type of project to be at the forefront of the Department to ensure unnecessary entry barriers into college are removed, institutions are able to devote additional resources to forward-facing student functions, and that Title IV funds are being used equitably.

Confirmation of Non-filing

Liberty University also believes further consideration should be given to alleviate the need for students undergoing verification to validate that they did not file a tax return for the year in question. This requirement was introduced in the 2017-18 award year and the Department of Education has yet to demonstrate that this requirement is saving tax payer funds by altering aid eligibility for applicants who incorrectly reported their filing status as "did or will not file." The IRS already maintains a comprehensive database of the tax return filing status for most Americans and we would like to see this leveraged to reduce the burden on FAFSA applicants. A solution to allow filers to use the IRS DRT to verify non-filing was discussed during the 2016 FSA Conference and was later abandoned, but this seems like another area where technological advancements are possible. At Liberty University, we have seen firsthand the student impact and frustration that these types of requests create. The combination of the IRS DRT outage and news of the confirmation of non-filing requirement resulted in a full 10 day increase in the average time to completion between the 2016-17 and 2017-18 aid years for students selected for verification.

Income Based Repayment Plans

Liberty University supports the recommendations to reduce the number of repayment plans from nine to two. Currently, there are multiple options for repayment plans that can and do provide confusion on the part of the student borrower, thus making it difficult to choose and maintain the selected plan on an annual basis. Liberty University is supportive of the proposal to allow for the monthly loan payment to be taken directly out of the student's paycheck. In our opinion, this would increase the repayment rates since it would be a deduction similar to healthcare costs that the student may pay at their place of employment. It provides for an "out of sight, out of mind" approach to repaying their student loans and, again, could provide for positive results by keeping a student out of delinquency and/or default status and would assist institutions with keeping a lower default rate over time. Additionally, we would recommend revisiting the required annual certification process to maintain the income-based loan repayment option. Currently, a student must provide documentation to assist their servicer(s) in determining their continued eligibility for income-based loan repayment. Liberty would recommend that this particular process be connected to the IRS database where income filing information could be transferred to the annual certification application as this data is already being used in other Title IV processes (e.g. the FAFSA). This simple change would increase efficiency on the part of the student verifying income and it would provide additional confidence on the part of the servicer(s) regarding the information transferred since it would be coming directly from the IRS. Increasing the connections between federal student aid processes and IRS database information make sense, but also means the reliability of those connections will be even more critical in the future to be maintained.

Gainful Employment

Liberty University does not support the expansion of Gainful Employment (GE) regulations to all programs. Liberty has maintained the position to remove the gainful employment disclosure and reporting requirements altogether because the excessive and duplicative reporting is unnecessary. Both of these processes require an inordinate amount of administrative burden on behalf of the institution to report and maintain disclosures throughout the year. The current GE disclosures have yet to prove in making any quantifiable difference in the student program decision making process, which means it is yet another layer of unnecessary reporting. At the onset, the concept of the GE regulations provided students with the access to quality higher education. However, these regulations have been an administrative nightmare for schools and, even when implemented, provide only partial information that varies in scope by sector. On a personal note, I have been heavily involved in the task of ensuring our institution's GE disclosures are accurate and completed on time. The current disclosure template requires a program-by-program manual update and is overly burdensome for institutions. There are many technological enhancements being made at the Department level that could be explored to possibly provide a mass-upload option for these templates if GE requirements remain. This would at least create a timely and uniform process for institutions while still providing the students with the required disclosures. When the Department said it would provide a bulk upload tool to assist institutions (which was seen as a very positive and helpful step), the tool was provided almost two months later than published, had many technical issues and was, in short, not helpful. We do greatly appreciate the Department's delay on provisions which would have expanded the work on the GE disclosure process to require affirmative receipt from students, which would provide more administrative burden and more barriers to entry on students. We would like to see the Department use the tools currently at its disposal to keep "bad actor" schools in check instead of punishing good schools with good programs through more layers of reporting. Regardless, we strongly recommend a complete removal of these regulations going forward.

Risk Sharing

In President Trump's recent FY2020 budget proposal, he proposed cutting vital aid programs that go to the neediest of students that get at the ultimate goals of risk sharing that include completion, success, and loan repayment. President Trump proposed cutting the Federal Supplemental Educational Opportunity Grant (FSEOG) program as well as reduce drastically the funding for the Federal Work Study (FWS) program. As an institution that takes part in both programs, we strongly advise against these programs being removed or drastically reduced and would not support the proposals for these programs in President Trump's budget. For the 2017-18 award year, Liberty University paid out over $4.2 million to students eligible for the FWS program which equates to approximately 1,700 students. Liberty University paid out over $4 million to over 5,800 students in FSEOG funding in the same award year. Liberty University saw a significant difference in student outcomes for those who took advantage of the FWS program. In data reviewed for the 2010 and 2011 cohorts[1], our institution saw that these students, on average, had .33 points higher on their overall GPA and graduation rates were 24% higher than non-FWS peers. If programs like FWS are significantly reduced, it is likely that we will see a decline in overall performance and completion rates of this population based on historical data. In addition, money that students are receiving from both FSEOG and FWS are able to be used in various ways to reduce their overall debt burden when they graduate. Lastly, FWS earnings are actually an additional advantage for students since FWS earnings do not increase the federal expected family contribution (EFC) on a subsequent FAFSA application. This better ensures that they remain need-based aid eligible, as opposed to other outside work options.

As noted in a recent NAICU report[2], 74% of all aid for students comes from a college's own resources at private, nonprofit colleges. Liberty University paid out over $250 million in institutional aid for the 2017-18 award year. For the upcoming award year of 2019-20, Liberty University made a significant investment of $17.8 million of their own funds to create a new need-based aid scholarship program, the Middle America Scholarship[3], aimed at assisting middle class families that were primarily earning too much to receive significant federal government grant funding. Liberty University will be matching the difference between any Federal Pell Grant the student is eligible to receive and the Federal Pell Grant maximum, but is also expanding beyond the EFC maximum for Federal Pell Grant up to 18,000. This investment equates to approximately $5,000 in additional need-based aid for eligible students. In addition, Liberty University has chosen to freeze tuition this year to assist in keeping costs low for students. This is the very definition of institutional skin-in-the-game.

Cohort Default Rate Measures

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[1] Based on a 6-year cohort period

[2] NAICU. Federal Higher Education Issues *Where Independent, Private, Nonprofit Colleges and Universities Stand-February 2019.*

[3] https://www.liberty.edu/financeadmin/studentfinances/index.cfm?PID=40752

The federal government needs to utilize already established metrics such as, cohort default rates (CDR), as leverage in holding institutions accountable for students not paying back their federal student loans. Liberty University has remained lower than the national average each year since the first time the official 3-year cohort default rate calculation was utilized in 2009. This particular measure provides a two-pronged accountability approach of the institution taking responsibility to review and challenge inaccurate data as well as understand the population of students that are entering repayment versus entering into a default status. The federal government also has a stake in this particular calculation as they are able to hold schools accountable for a sub-par default rate based on the established sanctions process that could ultimately strip an institution from Title IV eligibility.

In addition, there are other student outcome measures in place to assist with risk sharing such as, accreditation standards, gainful employment regulations, and simply the reputation of an institution, as affirmed by Mr. Robert Kelchen in his report, "Proposing a Federal-Risk Sharing Policy" (2015)[4]. Kelchen also noted a variety of State-based outcomes programs that had unintended consequences when risk-sharing policies were implemented, such as increasing shorter program enrollment for students through certificates to increase their completion metrics. While completing a program is certainly preferable, funneling students to shorter, less market and labor driven programs will not serve students or the various communities that they represent in the long run.

Additional Loan Counseling Flexibility

One solution that is able to be implemented quickly is the concept of allowing schools additional flexibility to require additional loan and/or financial literacy counseling, as needed. Since the federal student loan programs are considered entitlement programs, schools have been bound to requiring simply the minimum requirement of federal Entrance Counseling and the Master Promissory Note. Both of which many schools report that students do not read or simply comprehend and only complete as a checklist item to ensure they are able to receive federal loans. More specifically, "most counseling participants perceive the information as 'theoretically important' but 'dispensable' and 'superfluous'" and worst yet, students have noted the information is "difficult to understand" and "only half found it easy to complete"[5].

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[4] Kelchen, Robert. Lumina Foundation; "Proposing a Federal Risk-Sharing Policy", 2015. https://www.luminafoundation.org/files/resources/proposing-a-federal-risk-sharing-policy.pdf.
[5] Schickel, Kyle. *Chalk Talks* – Financial Literacy Education: Simple Solutions to Mitigate a Major Crisis. *Journal of Law and Education*, Spring 2016l 45, 2.

Currently, schools who wish to require additional, better tailored loan counseling must apply the requirement to all students equally or risk losing access to Title IV aid. Liberty University implemented a free, self-paced, financial literacy course for students in 2013 and it has evolved utilizing various financial literacy materials since that time. We have seen success not only in our cohort default rate diminishing over time, but we have also seen our students become more educated about finances, budgeting, and how to become a proper citizen upon graduation. Since we serve a large adult population taking online courses, these students have been able to utilize the tools and resources from this course in their everyday lives since most are working, going to school, raising a family, purchasing houses, cars, and more. Allowing schools to require additional counseling prior to providing access to federal student loans would ensure that students are receiving the necessary education surrounding loan borrowing and loan repayment. We, as an institution, have an obligation to serve our students well and would appreciate the flexibility to do so.

Conclusion

In conclusion, Liberty University appreciates the continued opportunities to engage with key stakeholders on various crucial issues for our institution. We are hopeful for progress to be made on the Higher Education Act and look forward to any involvement that we are able to have in this process. The more requirements and additional layers of bureaucracy that are added to financial aid administrators, the more time this takes away from the educational component. Simplification is key in many areas of the financial aid process and the goal should be mutual in getting students to completion while saving time on the institutional end and being a good steward of taxpayer resources. We appreciate the ability to share our concerns and solutions and would welcome questions and feedback on any portion of this document.

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http://ezproxy.liberty.edu/login?url=https://search-proquest-com.ezproxy.liberty.edu/docview/1802195611?accountid=12085.

From: Hokanson, Jesse
Sent: 4 Feb 2020 15:43:22 +0000
To: Wehausen, Robert;Harrod, Lawanna (Contractor)
Subject: FW: Thank You | Liberty Visit

Jesse Hokanson
Office of the Under Secretary
Department of Education
202-260-8787

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Friday, January 17, 2020 12:40 PM
To: Hokanson, Jesse <Jesse.Hokanson@ed.gov>
Subject: FW: Thank You | Liberty Visit

FOIA 18-01770-F

From: Reich, Ashley Ann (Student Financial Services) <ahageman@liberty.edu>
Sent: Wednesday, May 29, 2019 5:16 PM
To: Jones, Diane <Diane.Jones@ed.gov>; Brickman, Michael <Michael.Brickman@ed.gov>
Subject: Thank You | Liberty Visit

Diane and Michael:

I want to again thank both of you for your time today. I greatly appreciate you allowing us to talk through the issues that are most important to our students and our institution and look forward to having additional discussions in the future.

We are grateful for the progress that the Department has made already on these issues and for continually pushing for reform. I also appreciate the continual opportunities to be involved by providing public testimony, submitting comments, and sitting at the table for Negotiated Rulemaking. These experiences have been life-changing for me, personally, and I thoroughly enjoy being a part of this process.

Michael, I will reach out to you separately about ISA's as this is something that we would be interested in learning more about in terms of the experimental site option.

Have a wonderful rest of your week.

Sincerely,

Ashley Ann Reich, M.A., Ed.S.
Vice President of Student Financial Services
Student Financial Services
VASFAA Secretary 2018-19
Virginia Association of Student Financial Aid Administrators

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