



PRESS RELEASE

State Attorneys General Call on U.S. Department of Education to Uphold Student Protections

BALTIMORE, MD (July 13, 2017) – Maryland Attorney General Brian E. Frosh and 20 other state attorneys general have submitted public comments to U.S. Education Secretary Betsy DeVos, calling a move by the U.S. Department of Education to replace existing student protections a “waste of resources and a betrayal of students.”

The comments, submitted Wednesday night to Secretary DeVos, follow a [lawsuit filed last week](#) by 19 attorneys general alleging that the Department violated federal law by abruptly rescinding its Borrower Defense Rule – set to go into effect on July 1 – which was designed to hold abusive higher education institutions accountable for cheating students and taxpayers out of billions of dollars in federal loans. On June 14, the Department announced its intent to delay large portions of the Rule without soliciting, receiving, or responding to any comment from the public, and without engaging in the required process.

The Borrower Defense Rule was created in large part as a result of state and federal investigations into for-profit schools like the now-defunct Corinthian Colleges, and finalized after robust and thorough negotiated rulemaking with input from numerous stakeholders.

Under the Borrower Defense Rule, a successful enforcement action against a school by a state attorney general entitles borrowers to obtain loan forgiveness, and enables the Department of Education to seek repayment of any amounts forgiven from the school. It also prohibits schools from using arbitration agreements and class action waivers to stop students from bringing claims either individually or collectively against their schools in court.

“We are dismayed by the Department’s decision to cast aside all the hard work and progress achieved during its previous rulemakings, and disheartened that the Department has decided to turn its back on the critical protections it promised to borrowers. This is both a waste of resources and a betrayal of students who count on the Department to protect them from abuse at the hands of predatory schools,” the letter states.

In their comments, the attorneys general also oppose the Department’s efforts to replace the Gainful Employment Rule, which empowers students to make informed decisions about their education and protects students from programs that will leave them with burdensome debt and poor job prospects.

“These rules are the products of a significant amount of time and effort on the part of numerous stakeholders and the Department. Simply abandoning them is both a waste of Departmental resources and an injustice for the students these Rules were designed to protect,” the letter states.

The coalition involved in today's letter include the attorneys general of Massachusetts, California, Connecticut, Delaware, Hawaii, Iowa, Illinois, Kentucky, Maine, Maryland, Minnesota, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Rhode Island, Vermont, Virginia, Washington, and the District of Columbia.

A copy of the submitted comments can be found [here](#).