Federal Update

Federal Update

NDASFAA Conference
Spring 2015

Joseph Massman
U.S. Department of Education

FAFSA Definition of Parent

• Current definition is: biological or adoptive
• New definition will be: biological, adoptive or person that the state has determined to be the parent
  – For example, a person listed on the birth certificate
• Clarifying who is not a parent
  – List of people who are not considered a parent unless they have legally adopted the student will now include widowed stepparent

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Legal Parent

Step Four (Parent): Complete this step if you (the student) answered “Yes” to all questions in Step Three.

Answer all the questions in Step Four even if you do not live with your legal parent biological, adoptive, or as determined by the state. For example, if the parent is listed as biological and the child is the child’s legal guardian, separate parents, foster parents, legal guardians, siblings, stepparents, or any other non-legal parent on this form, they have legal custody. Your legal parents are marched in order. The parent married to the child is the first to be listed. Answer the questions about both of them. If your parent was ever married or remarried, domestic, separated or widowed, see Notes page 4 for additional instructions.

Notes for Step Four, questions 59–94 (pages 6 and 7)

Review all instructions below to determine who is considered a parent on this form:
• If your parent was never married and does not live with your other legal parent, or if your parent is widowed or remarried, answer the questions about that parent.
• If your legal parent’s biological, adoptive, or as determined by the state (for example, if the parent is listed as the birth certificate) are not married to each other or live together, select “Unmarried and both parents living together” and provide information about both of them, regardless of gender. Do not include anyone who is not married to your parent and who is not a legal or biological parent.

Federal Student Aid

Who’s My Parent?

Foster Care Benefits

- Require all FOTW applicants to tell us if they are or were in foster care to ensure people entitled to benefits receive them
- Separate from current dependency question
  - New question will be earlier in application process
- “Yes” answer will result in SAR comment with hyperlink to information regarding benefits, and hyperlink will also appear on FOTW confirmation page

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**Foster Care Benefits**

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**List of Colleges**

- School selection page
  - Adding text to tell students that all schools they select will receive the list of selected schools
- School selection summary page
  - Adding text to tell students that for federal purposes it does not matter in what order schools are listed but it may be important for state purposes
  - Direct students to check with state
  - May need to list state school first in order to receive state benefits

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Federal Update

List of Colleges

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Data Retrieval Tool – Amended Returns

• In the filtering question, unusually large number of applicants report filing an amended return
• Rewording question to specifically ask if they have filed a 1040-X amended return
• Help text will also refer to the 1040-X and make clear what the 1040-X is

Amended Return

If you, the parent(s), filed a Form 1040X Amended U.S. Individual Income Tax Return for 2014, select Yes; otherwise, select No. The Form 1040X is used to correct your original filed tax return. You are not eligible to use the IRS Data Retrieval Tool if you amended your 2014 federal tax return.

For discussion purposes only
Introducing the FSA ID

The FSA ID will modernize access for students, parents, and borrowers to FSA systems.

- FSA is adopting the best practice of using a username and password instead of personal information.
- The FSA ID:
  - Requires users to enter less information (2 fields instead of 4).
  - Provides more secure access to user’s information.
  - Links to PIN information during registration.
  - Offers self-service capability (name change).
- The FSA ID (username and password) will replace PIN for students, parents, and borrowers accessing FSA systems starting May 10, 2015.

New FSA ID login

Old PIN login

For discussion purposes only
### Introducing the FSA ID

**What happens for new user?**
- Registration requests the same required information as PIN
- New users will be directed to the registration page to create an FSA ID (username and password) similar to today’s PIN creation page

**What happens if I have a PIN already?**
- During account creation, the user will be asked for their PIN.
- As long as the PIN information matches their other information, the account will be linked to the FSA ID account

**Will the changes affect a user’s ability to access previous FAFSA submissions?**
- If the user links their PIN, they will have access to previous FAFSA submissions

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**Can users still access FAFSA by providing their Last name, SSN and DOB?**
- FAFSA functionality will not change except that the FSA ID will replace the PIN information
- Users will not be able to sign or correct their application without their FSA ID.

**Will customer support change?**
- Customer support will not change. Similar to PIN, all users will be directed to call the FSAIC helpdesk for login related issues.

**Will my FSA access to other people’s information require a new username and password?**
- This is only for users who are accessing their own information such as students, parents, borrowers and applicants

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### FSA ID Communication to Students

**ED to post high-level information about the FSA ID on each impacted website in mid-April 2015**
- As of May 10, 2015, users who arrive at impacted websites will be directed to a link to register for their new FSA ID
- Registration process should take less than seven minutes
- Later this winter, ED will post a step-by-step guide about registering for an FSA ID on IFAP for schools to share with students, parents, and borrowers

*All information will stress there is nothing a user can or should do prior to implementation on or after May 10, 2015*
Gainful Employment - Regulations

• Notice of Proposed Rulemaking (NPRM)
  - Federal Register - March 25, 2014
  - OPE Website with discussions and materials associated with GE negotiated rulemaking:
• Final Federal Register - October 31, 2014
  - Effective date - July 1, 2015

The HEA provides that to be Title IV eligible an educational program must be offered by:

- A public or non-profit postsecondary educational institution and leads to a degree; or
- Any institution and “to prepare students for gainful employment in a recognized occupation”

- Generally, all non-degree programs must lead to gainful employment
- Generally, all programs at for-profit institutions must lead to gainful employment

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Gainful Employment Measure

- Debt-to-earnings (D/E) rates
- Annual Earnings D/E rate
- Discretionary Income D/E rate
  - Passing: Annual D/E ≤ 8% or Discretionary D/E ≤ 20%
  - Failing: Annual D/E > 12% or Discretionary > 30%
  - Zone: Annual D/E > 8% and ≤ 12% or Discretionary D/E > 20% and ≤ 30%

Gainful Employment Results

- Program’s loses Title IV eligibility if:
  - D/E measures – Fails in two out of three years
    
    OR

  - D/E measures - Fails or in the zone for four consecutive years

GE Reporting

- GE reporting now available in NSLDS (GE EA #52 - 2/11/15)
- Report all Title IV students by July 31, 2015
  - Report 2008-09 through 2013-14 award years
  - Programs with Medical and Dental Residencies report 2007-08 through 2013-14 award years
- Report future award years by October after end of the award year
  - Report 2014 – 2015 Award Year by October 1, 2015

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**GE Data to Report**

Institutional Data  
Program Data  
Student Enrollment Data  
Student Financial Data

- **ONLY** submit data on students enrolled in a GE program  
- **ONLY** submit data on Title IV aid recipients (exclude FWS or FSEOG only recipients)  
- **ONLY** submit data for programs that exist as of 7/1/15

*Data provided in 2011 will not be available to reuse*

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**GE Data - Students to Include**

- A student enrolled in more than one GE Program must be reported separately for each program.  
- A student who ‘stopped out’ and re-entered the same GE Program during the *same* award year must be reported separately for each enrollment.  
- A student who was enrolled in the same GE Program during *multiple* award years must be reported separately for each award year.

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**GE Data to Report**

- Institutional Data  
  - Institution Code (OPEID)  
  - Institution Name

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GE Data to Report

- GE Program Information
  - Program Name
  - Award Year
  - CIP Code
  - Credential Level
  - Medical or Dental Internship or Residency
  - Length of GE Program
  - Length of GE Program Measurement

GE Data to Report

- Student Data
  - Student Social Security Number
  - Student First Name
  - Student Middle Name or Initial
  - Student Last Name
  - Student Date of Birth

GE Data to Report

- Student Data continued
  - Student’s Enrollment Status as of the 1st Day of Enrollment in Program (Full-Time, Three-Quarter Time, Half-Time, and Less Than Half-Time)
  - Program Attendance Begin Date
  - Program Attendance Begin Date for this Award Year
  - Program Attendance Status During Award Year (Graduated, Withdrew, Enrolled)
  - Program Attendance Status Date

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GE Data to Report

- Financial Data for Students
- Private Loans Amount
- Institutional Debt
- Tuition and Fees Amount
- Allowance for Books, Supplies, and Equipment (COA)

Debt-to-Earnings Rate Calculation Process

Certifications

- December 31, 2015 – Transitional Certifications Due
- Signed by CEO/President
- Certify that each currently eligible GE Program(s) is:
  - Approved by accrediting agency and State
  - Graduates qualify to meet educational prerequisites of the licensing or certification exam required to work in the state, if any
- Certifications renewed when institution recertifies Program Participation Agreement (PPA)

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Gainful Employment – Current Disclosures

Court left regulations (34 C.F.R. 668.6(b)) in place that require schools to disclose certain GE Program data

- Schools **must use the Department’s GE Disclosure Template** to provide all GE disclosures
  - Schools must update their GE program disclosures with 13-14 information no later than **January 31, 2015**
  - GE Electronic Announcement #50 (9/11/14)
- Template updates include: improved printing capabilities, updated SOC codes, optional context boxes, graduate certificate option, school name on output screen, bulk upload tool used if certain criteria met with different length programs
- Technical questions: (855) 359-3697 or gedt@inovas.net

Disclosure Availability

- Post the Template on your institution’s Web page
- Prominently display direct links to the Template on:
  - The GE program home page
  - Other institutional Web pages about the GE program
- Include the Template in all promotional materials about the GE program
  - Promotional materials include invitations, ads, course catalogs, social media, etc. that mention or otherwise refer to a specific GE program
  - If not feasible to include the Template, include a live link or URL to it and clearly explain what is available at that Web page

Disclosures Under New Final Rules

- Through **December 31, 2016**, current disclosure requirements remain in effect
  - Occupations
  - Normal time to complete program
  - On-time graduation rate for completers
  - Tuition & fees, books & supplies, room & board
  - Placement rate for completers (as determined by State or Accreditor methodology)
  - Median loan debt

For discussion purposes only
Disclosures Under New Final Rules

- Institutions must comply with new disclosure requirements (October 31, 2014 Final Rules) beginning **January 1, 2017**
  - ED to conduct consumer testing and hold focus groups to determine new disclosure requirements and prepare new disclosure template

GE Resources

- GE Information Page on IFAP
  - Federal Register Notices; DCLs; Electronic Announcements; FAQs; Webinars; Presentations; Resources
- GE presentations at the FSA Training Conference
  - [http://fsaconferences.ed.gov](http://fsaconferences.ed.gov) – sessions #GS1, 30, 58
- EA 1/9/15 (GE #51) – Updated NSLDS Gainful Employment Submittal File Record Layouts
- DCL ANN 15-01 - Recorded Webinar – GE Reporting

Send questions to [GE-Questions@ed.gov](mailto:GE-Questions@ed.gov)

Regulatory Activity

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Federal Update

Pay As You Earn Expansion

- Federal Register Notice published Sept. 3, 2014
- Held two public hearings
- Propose to develop regulations that:
  - Allow more students the opportunity to cap their monthly student loan payments at 10%
  - Target new PAYE option to borrowers who would otherwise struggle to repay their student loans
- Planned Negotiated Rulemaking
  - Three negotiating sessions will begin Feb. 2015
  - Goal of making repayment option available to borrowers by December 31, 2015

Final Rules – Direct PLUS Loans

- NPRM published 08/08/14
- Final Rule published 10/23/14
- Federal Register Notice published 1/14/15
  - New PLUS loan regulations will be early implemented early as of March 29, 2015

“Charged Off” and “In Collection”

- Charged off – a debt that a creditor has written off as a loss, but that is still subject to collection action
- In collection – a debt that has been placed with a collection agency by a creditor or that is subject to more intensive efforts by a creditor to recover amounts owed from a borrower who has not responded satisfactorily to the demands routinely made as part of the creditor’s billing procedures

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Federal Update

**Adverse Credit History**
- One or more debts with total outstanding balance greater than $2,085 that are -
  - 90 or more days delinquent as of date of credit report; OR
  - have been placed in collection or charged off during two years preceding date of credit report
  OR
- Subject of default, bankruptcy discharge, foreclosure, repossession, tax lien, wage garnishment or write-off of a debt under title IV during the five years preceding date of credit report

**Required PLUS Loan Counseling**
- PLUS loan counseling required for borrowers who have adverse credit history and successfully:
  - document extenuating circumstances; OR
  - obtain an endorser (cannot have an adverse credit history)
- Counseling will include:
  - information on borrowers’ current loan indebtedness
  - provide estimated loan repayment amounts
  - describe ways to avoid delinquency and default
  - provide additional financial aid literacy information
  - be provided by ED

**Voluntary PLUS Loan Counseling**
- Enhance consumer information for PLUS applicants
- Some items that will be included:
  - Calculator to allow borrowers to estimate future requirement monthly payment amount under various repayment plans
  - Tools to assist borrowers in determining how factors such as taking out additional PLUS loans or deferring repayment affect required monthly repayment and total amount repaid
  - Available repayment plans for student/parent PLUS borrowers
  - Budgeting information for minimum amounts needed
  - Strategies for avoiding delinquency and default
- Available prior to start of the 2015-2016 academic year

For discussion purposes only
Validity of Credit Check

• Credit check indicating no adverse credit history will remain valid for 180 days instead of 90 days
• Any action that would normally trigger a credit check will not do so if prior credit check with no adverse credit obtained within past 180 days
• Will implement as soon as possible and inform community of effective date through IFAP

COD Updates

COD Updates: Effective March 29, 2015

• Direct PLUS Loan program
  • New Direct PLUS Loan applicants with an adverse credit decision on or after March 29, 2015 will be required to complete a new PLUS Counseling segment in StudentLoans.gov
  • The new mandatory PLUS counseling for certain applicants with adverse credit history is a separate module and does not fulfill the entrance counseling requirement for first-time graduate/professional student Direct PLUS Loan applicants
  • These borrowers would have to conduct two different counseling sessions

For discussion purposes only
## COD Updates: Effective March 29, 2015

### Federal Update

<table>
<thead>
<tr>
<th>COD Updates: Effective March 29, 2015</th>
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</thead>
<tbody>
<tr>
<td>• Direct PLUS Loan program</td>
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<tr>
<td>• Updated adverse credit history criteria for ALL credit checks performed on or after March 29, 2015</td>
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<tr>
<td>• COD system will update the number of days a credit check is valid from 90 days to 180 days</td>
</tr>
<tr>
<td>• New disbursement level edit - COD Reject Edit 217</td>
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<tr>
<td>• Actual disbursement submitted with no PLUS Counseling on file</td>
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<td>• Direct PLUS Loan program</td>
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<tr>
<td>• New &quot;Credit Requirements Met&quot; tag in common record, COD Web and PLUS application responses and line item on certain COD screens</td>
</tr>
<tr>
<td>• Confirms all credit related requirements have been met</td>
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<tr>
<td>• An approved endorser or approved appeal</td>
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<tr>
<td>• PLUS Counseling has been completed</td>
</tr>
<tr>
<td>• Can search for completed PLUS Counseling sessions on existing COD Counseling Search page</td>
</tr>
<tr>
<td>• New fields added to Credit Check Information page:</td>
</tr>
<tr>
<td>• Appeal Status; PLUS Counseling Completed; PLUS Counseling Completion Date</td>
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<td>• Direct PLUS Loan program</td>
</tr>
<tr>
<td>• New weekly credit status report in COD Web in CSV format</td>
</tr>
<tr>
<td>• Indicate if borrower’s credit requirements met and if PLUS Counseling has been completed</td>
</tr>
<tr>
<td>• Contain borrowers that have a valid credit check and a PLUS Request or Direct PLUS Loan on file who have not met the credit requirements, or have met the credit requirements within the past 30 days</td>
</tr>
</tbody>
</table>

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Federal Update

COD Updates: Effective March 29, 2015

- COD will allow COD Web users to create and submit a Subsidized Usage inquiry to FSA for Subsidized Usage cases that require FSA intervention and can't be resolved by a school
- Done via new Create Subsidized Usage Inquiry page

COD Updates: Effective March 29, 2015

- COD will introduce a Subsidized Usage Calculator on COD website
- Users will be able to enter loan data and estimate the students' subsidized usage based upon the information entered and the loans existing on the COD System
- Actions taken via the Subsidized Usage Calculator will NOT result in any changes to the student's loans on the COD System
- Will allow the user to model potential impacts to the student's subsidized usage and eligibility

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Ability to Benefit (ATB)

- The Consolidated and Further Continuing Appropriations Act, 2015 reinstated the ATB alternatives for Title IV student eligibility for students enrolled in “career pathway programs”
- Applies to students who are enrolled or who first enroll in an eligible program of study on or after July 1, 2014
- Pell limitations for students who first enroll in an eligible program on or after July 1, 2015

OPE and OGC are currently reviewing the law and will provide detailed guidance to schools in the near future

Stay tuned to IFAP!

Dear Colleague Letters

GEN-15-05 – 2015-16 Unusual Enrollment History Flag

2015-2016 UEH Flag has expanded to consider—
- An applicant's prior receipt of, in addition to a Federal Pell Grant, a Federal Direct Loan (not including Direct Consolidation Loans or parent PLUS Loans)
- The prior four, instead of three, award years

A school may self-select a student for UEH (not selected by ED) if suspect enrollment problems
- Self-selected students treated as if have UEH 3 flag

GEN-13-09 provides full institutional resolution guidance

GEN-13-09 – UEH Review for 15/16

- UEH Flag value is ‘N’: No action is necessary
- UEH Flag value is ‘2’: Must review student’s enrollment and financial aid records to determine if, during the 4 award year review period (11-12, 12-13, 13-14, 14-15), student received a Pell Grant and/or Direct Loans at institution performing the review
  - If so, no additional action is required unless reason to believe student is one who remains enrolled just long enough to collect student aid funds. In this case, must follow guidance provided for a UEH Flag of ‘3’.
  - If not, must follow guidance provided for UEH Flag of ‘3’

For discussion purposes only
Federal Update

**GEN-13-09 – UEH Review for 15/16**

- **UEH Flag value is '3':** Review student's academic records to determine if student *received academic credit* at institutions student attended during the 4 *award year period* (2011-12, 12-13, 13-14, 14-15)
  - Identify institutions where the student received *Pell Grant* and/or *DL funding* over past 4 award years through NSLDS
  - Must determine (through transcripts or grade reports), for each of the previously attended institutions, whether academic credit was earned during the award year in which the student received Pell and/or Direct Loan funds
    - Academic credit is considered earned if academic records show student completed any credit hours or clock hours.

**GEN-13-09 – UEH Review for 15/16**

- **UEH Flag value is '3':**
  - *Academic Credit Earned:* If determined student earned any academic credit at each of the previously attended institutions during the relevant award years, no further action is required unless institution has other reasons to believe student enrolls just to receive credit balances
    - If it is determined that academic credit was NOT earned at one or more of the previously attended institutions OR the school had reasons to believe student just enrolls for TIV funds, the institution must follow the “Academic Credit Not Earned” guidance

**GEN-13-09 – UEH Review for 15/16**

- **UEH Flag value is '3':**
  - *Academic Credit NOT Earned:* If student did not earn academic credit at a previously attended institution, including current school, must obtain documentation from student explaining why failed to earn academic credit
  - Must determine whether the documentation supports
    - (1) the reasons given by the student for the student's failure to earn academic credit; and
    - (2) student did not enroll only to receive credit balance funds
  - Institutional determinations are final and not appealable to the Department, and reasons for the decision must be documented and maintained for possible review

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GEN-13-09 – UEH Review for 15/16

• Approval of Continued Eligibility
  • If school approves student's continued eligibility, may:
    • Require student to establish Academic Plan (like SAP)
    • Counsel student about the impact of the student’s attendance pattern on future Pell and DL eligibility

• Denial of Continued Eligibility
  • If a student did not earn academic credit and does not provide acceptable explanation and documentation, school must deny student any additional title IV
    • Student must be provided an opportunity to question and appeal decision, similar to SAP appeals

GEN-13-09 – UEH Review for 15/16

• Regaining Aid Eligibility
  • Provide student information on how to regain title IV eligibility
    • expected that successful completion of academic credit would form the basis for the student’s subsequent request for renewal of title IV eligibility
    • could include meeting requirements of an academic plan

• Authority
  • 484(a)(4)(A) of the Higher Education Act of 1965
    • requires student to sign a Statement of Educational Purpose
    • by signing Statement of Educational Purpose (FAFSA), student certified would use title IV aid only to meet educational costs

Dear Colleague Letters

GEN-15-03 – Federal Perkins Program

• Barring any Congressional action, the authority to make Perkins loans to new borrowers will end September 30, 2015
  • If prior to October 1, 2015, school makes the first disbursement of a Federal Perkins Loan to a student for the 2015-2016 award year, school may make any remaining disbursements of that 2015-2016 loan after September 30, 2015

Additional aspects of winding-down the Federal Perkins Loan Program, including disposition of schools’ Perkins revolving funds and outstanding loan portfolios will be addressed in future communications

For discussion purposes only
Dear Colleague Letters

GEN-15-03 – Federal Perkins Program
• Narrow “grandfathering” provision allows schools to make Perkins Loans to certain students through 9/30/2020, if:
  • Student received at least one Perkins Loan disbursement on or before 6/30/15 (2014-2015 award year or earlier)
  • Student enrolled at same institution where the last Perkins Loan disbursement was received
  • Student enrolled in same academic program for which student received his or her last Perkins Loan disbursement
    – first four digits of the program’s CIP code are identical
  • Perkins Loan can be made only after student awarded all Direct Subsidized Loan aid for which student is eligible

Electronic Announcements

12/29/14 – Transition to Soft Tokens
• Alternative to the Two Factor Authentication (TFA) physical token is now a “soft token”
  • An app on user’s mobile device that automatically generates a One-Time Password (OTP) when app is opened
  • Use of a soft token is optional at this time
• Step-by-step instructions are provided to use soft tokens
• PDPA must collect and store unused physical token (do NOT send to ED)
• Cannot have both a soft token and physical token
  • Once soft token is activated, physical token is disabled

TFA Support Center – 800-330-5947, option 2 or TFASupport@ed.gov

Electronic Announcements

• 1/5/15 – 2015-2016 EDEexpress – 1.0 available
• 11/24/14 – verification suggested text along with IRS transcript request process and time frames
• 8/4/14 - revised Direct Subsidized/Unsubsidized Loan and Direct PLUS Loan MPNs with an expiration date of 2/29/2016

For discussion purposes only
Training

- 2015 FSA Training Conference
  - Tuesday, December 1 – Friday, December 4, 2015
  - Mandalay Bay, Las Vegas, Nevada
  - Conference and lodging registration will open this summer – stay tuned!

Training

- **ANN-14-15; ANN-14-18; ANN-14-19; ANN-14-26** - Online training modules – Institutional Eligibility; Completing FISAP; Consumer Information, and R2T4
  - Available on FSA E-Training Website - [fsatraining.info](http://fsatraining.info)
- 2014 FSA Training Conference presentations
- Past FSA presentations in audio and video format
  - Topics include – GE and NSLDS Enrollment Reporting

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Department of Education Contacts

Research and Customer Care Center
800.433.7327
fsa.customer.support@ed.gov

Reach FSA
855.FSA.4FAA -- 1 number to reach 10 contact centers!

Campus Based Call Center eZ-Audit
COD School Eligibility Service Group
CPS/SAIG Foreign Schools Participation Division
NSLDS Research and Customer Care Center
G5 Nelnet Total & Permanent Disability Team

Contacts

- Chicago/Denver School Participation Division
  - Main Number: 312-730-1511
  - Effie Barnett (IIS) 312-730-1587
  - George West (IIS) 312-730-1538

- Denver Training Officers
  - Deborah Tarpley 303-844-3683
  - Joseph Massman 303-844-0432

- Email – firstname.lastname@ed.gov

Training Feedback

To ensure quality training we ask all participants to please fill out an online session evaluation

- Go to https://www.surveymonkey.com/s/Massman
- Evaluation form is specific to Joseph Massman
- This feedback tool will provide a means to educate and inform areas for improvement and support an effective process for "listening" to our customers
- Additional feedback about training can be directed to annmarie.weisman@ed.gov; 215-656-6456

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Questions?

Contact me with follow-up questions about this session:
Joseph Massman, Federal Training Officer
Joseph.Massman@ed.gov; 303-844-0432

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