



## Policy Changes Approved

*Unified Student Loan Policy*

Batch 216: Proposals 1320 & 1323

The nation's guarantors provide the following summaries to inform schools, lenders, and servicers of the latest *Common Manual* policy changes. These changes will appear in the manual's next annual update. These changes will also be incorporated into the Integrated *Common Manual*. The Integrated *Common Manual* is available on several guarantor websites, and it is also available on the *Common Manual's* website at <http://commonmanual.org>. Please carefully note the effective date of each policy change.

### Loan Rehabilitation and Interest Capitalization

The *Common Manual* is being revised to incorporate regulatory changes outlined in the November 1, 2016 *Federal Register* that prohibit the lender's capitalization of outstanding accrued interest when purchasing a rehabilitated loan from a guarantor and establishing the borrower's repayment schedule. The lender may not consider the purchase of a rehabilitated loan as entry into repayment or resumption of repayment for the purpose of interest capitalization. The change is effective for rehabilitated loans purchased after October 16, 2018. The Manual is also revised to clarify that the guarantor will provide outstanding principal, outstanding accrued interest, and interest-paid-through date information to assist the lender with an accurate conversion to repayment.

<b>Affected Section(s):</b>	10.10 Capitalizing Accrued Interest 13.7 Rehabilitation of Defaulted FFELP Loans
<b>Effective Date:</b>	For rehabilitated loans purchased after October 16, 2018.
<b>Basis:</b>	Final Rule published in November 1, 2016 <i>Federal Register</i> (81 FR 75926); §682.202(b)(1), and §682.405(b)(4)(ii); California Association of Private Postsecondary Schools v. DeVos, __F.Supp.3d at__(2018 WL 5017749, at *15).
<b>Policy Information:</b>	1320/Batch 216
<b>Guarantor Comments:</b>	None

### Closed School Discharge Changes

The Manual is being revised to incorporate new regulatory requirements for closed school discharge. A lender will be required to send another closed school discharge application at the time the lender resumes collection activity for a borrower who fails to submit an application within 60 days of being notified of the option for discharge or if the borrower has been denied discharge. The Manual is also revised to explain the possibility that the Department or guarantor may determine that a borrower is automatically eligible for a closed school discharge (i.e., no application needed). Such determinations can be made by either the Department or guarantor for borrowers who attended schools that closed on or after November 1, 2013, when the borrower fails to re-enroll in any title-IV eligible school within three years from the date the borrower's school closed.

<b>Affected Section(s):</b>	13.8.B Closed School
<b>Effective Date:</b>	For the requirement to send a second application, initial closed school discharge applications sent to borrowers on or after December 14, 2018. For the automatic discharge process, notifications received on or after December 14, 2018, from guarantors or the Department.

**Basis:** Final Rule published in November 1, 2016 *Federal Register* (81 FR 75926); §682.402(d)(6)(ii)(I), §682.402(d)(6)(ii)(K)(3), §682.402(d)(7)(ii) and (iii), and §682.402(d)(8)(ii); Electronic Announcement December 13, 2018.

**Policy Information:** 1323/Batch 216

**Guarantor Comments:** None