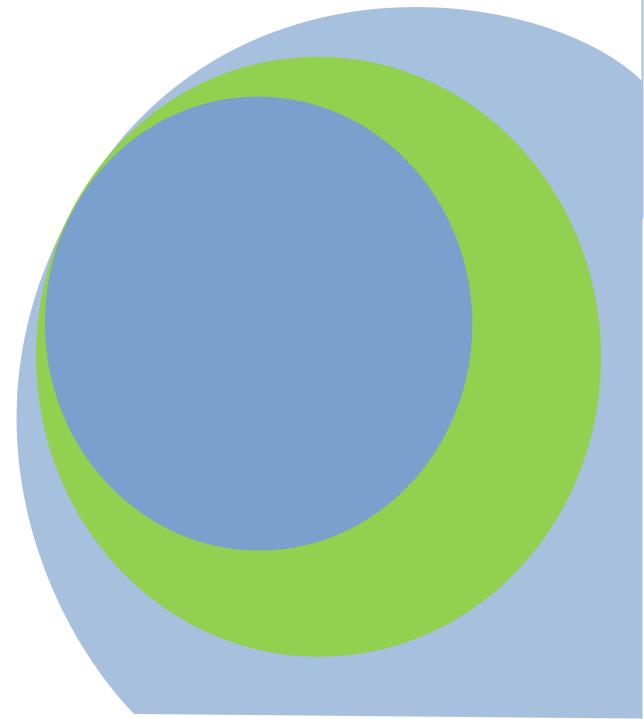


## 4.10 Thirty-or -Fewer Borrowers

### Appeal

Department Offices and Addresses



## ***What is a Thirty-or-Fewer borrowers appeal?***

If a combined total of thirty or fewer borrowers entered repayment in the three most recent cohort fiscal years used to calculate a school's cohort default rates, the school is not subject to sanction.

**Regulatory citations:  
34 CFR 682.216**

<b>Thirty-or-Fewer Borrowers Appeal Timeframe</b>		
Draft Cycle	Not applicable	
Official Cycle	School receives notice of loss of eligibility as part of official cohort default rate notification package	<i>September</i>
	School sends completed Thirty or Fewer Borrowers Appeal to the U.S. Department of Education (the Department)	<i>Within 30 days of timeframe begin date</i>

## ***How does a school qualify for a successful thirty-or-fewer borrowers appeal?***

Take a sequence of cohort fiscal years: This Year, Last Year, and Two Years Ago.

School A, a degree-granting school that is subject to sanction, had

- ◆ 3 borrowers enter repayment This Year,
- ◆ 10 borrowers enter repayment Last Year, and
- ◆ 5 borrowers enter repayment Two Years Ago.

The combined total number of borrowers who entered repayment in School A's three most recent cohort fiscal years is 18 borrowers (3 + 10 + 5 = 18). Because this number is less than thirty, School A's thirty-or-fewer borrowers appeal is successful and the school is not subject to sanction.

## ***How does the thirty-or-fewer borrowers appeal process begin?***

The Department will automatically determine if a school meets the criteria associated with a thirty-or-fewer borrowers appeal. This initial determination will take place prior to the release of the official cohort default rates. The Department will notify the school that it is not subject to sanction at the same time the Department notifies the school of its official cohort default rate.

In addition, if a school's official cohort default rate changes because of an adjustment or appeal the school submitted, the Department will automatically determine if the change in the cohort default rate results in the school meeting the criteria for a thirty-or-fewer borrower's appeal.

**The timeframe begins on the sixth business day following the transmission date for eCDR notification packages that is posted on the Department's website.**

## ***What if a school disagrees with the initial determination by the Department?***

If a school disagrees with the initial determination by the Department, the school may submit a thirty-or-fewer borrowers appeal to the Department. The thirty-or-fewer borrowers appeal must include supporting documentation showing that there were a total of thirty or fewer borrowers in the three most recent cohort fiscal years used to calculate its cohort default rates. The school must include a certification from the school's chief executive officer that all information is true and correct. The school must send the thirty-or fewer borrowers appeal within 30 calendar days of receiving the Department's notice of a loss of eligibility.

### ***How a school submits a Thirty-or-Fewer Borrowers Appeal***

*The Department recommends that a school send all correspondence return receipt requested or via commercial overnight mail/courier delivery. This will be useful to the school if it is asked to authenticate the timeliness of its submission. A school should maintain the documentation that verifies the receipt of the appeal as well as all electronic and hardcopy documentation submitted as a part of the appeal process. If a school does not meet the timeframe for submitting the appeal, the appeal will not be reviewed.*

*If sending by courier:*

U.S. Department of Education  
Partner Eligibility and Oversight Services  
Union Center Plaza, 6<sup>th</sup> Floor (61G3)  
830 First Street, NE.  
Washington, DC 20202  
ATTN: Cohort Default Rates Group

*If sending by U.S. Postal Service:*

U.S. Department of Education  
Partner Eligibility and Oversight Services  
Union Center Plaza, 6<sup>th</sup> Floor (61G3)  
400 Maryland Avenue, SW  
Washington, DC 20202-5353  
Attn: Cohort Default Rates Group

*Do not send materials to any other address at the Department*

### ***Thirty-or-Fewer Borrowers Appeal Checklist***

#### ***School to the Department***

#### **Determine**

- ◆ Is the school subject to loss of eligibility?
- ◆ Did the school have thirty or fewer borrowers enter repayment in the three most recent cohort fiscal years?
- ◆ Did the Department automatically grant the school a thirty-or-fewer borrowers appeal?

#### **Submit to the Department**

- ◆ Supporting Documentation
- ◆ Certification