

insights

TYPES NOT MAPPED YET November 29, 2016 | TTR not mapped yet | Aaron D. Lacey, Jeffrey R. Fink

Final Borrower Defense Rule Webinar Series

The New Borrower Defense Framework

In this first webinar of the “Decoding the FINAL Borrower Defense Rule” series, we’ll closely examine the new borrower defense framework, with particular attention to what constitutes a valid “claim,” the risk of misrepresentation, and the Department’s decision to “punt” on fully-formed, procedural rules. We’ll also offer our thoughts regarding where the new framework is problematic, and what institutions can do to head off future borrower defense claims.

CLE

The live presentation of this program was approved for 1.5 hour general CLE credit in California and Illinois, and 1.8 general CLE credit in Missouri. CLE credit is no longer available for this recording.

Presenter:

[Aaron Lacey](#)

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Originally Presented:

November 29, 2016

The Revised Financial Responsibility Standards

Among the significant changes made by the new rules are revisions to the financial responsibility standards that apply to private institutions (both nonprofit and proprietary). The regulation creates a significant number of new “triggering events” that automatically require institutions to provide financial protection to the Department (e.g., letter of credit). In this webinar, we’ll walk through the triggering events and associated processes, and discuss significant risks.

CLE

The live presentation of this program was approved for 1.5 hour general CLE credit in California and Illinois, and 1.8 general CLE credit in Missouri. CLE credit is no longer available for this recording.

Presenter:

[Aaron Lacey](#)

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Originally Presented:

December 1, 2016

Changes to Closed School and False Certification Discharge

In our third webinar of the “Decoding the FINAL Borrower Defense Rule” series, we’ll examine the changes the new regulation makes to the closed school and false certification discharge rules. In particular, we’ll focus on the commentary that accompanied the final rules, and the potentially surprising ways in which the new rules may impact institutions of higher education, nonprofit and for-profit, alike.



CLE

The live presentation of this program was approved for 1.5 hour general CLE credit in California and Illinois, and 1.8 general CLE credit in Missouri. CLE credit is no longer available for this recording.

Presenter:

[Aaron Lacey](#)

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Originally Presented:
December 6, 2016

The Elimination of Pre-Dispute Arbitration Clauses and the New Repayment Rates for Proprietary Schools

The fourth webinar in our “Decoding the FINAL Borrower Defense Rule” series will examine the ban on pre-dispute arbitration agreements and class action waivers. We’ll discuss the impact of these rules on past and future agreements, and approaches institutions might use to implement the new requirements. In addition, we’ll discuss the new repayment rate for proprietary institutions.

CLE

The live presentation of this program was approved for 1.5 hour general CLE credit in California and Illinois, and 1.8 general CLE credit in Missouri. CLE credit is no longer available for this recording.

Presenters:

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Originally Presented:
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