

**Comments of Robyn Smith, Of Counsel,
National Consumer Law Center**

**To the Massachusetts Division of Professional Licensure
Office of Private Occupational School Education**

**Regarding the Revised Proposed Regulations for Private Occupational Schools
at 230 Mass. Code Regs. 12.00-17.00**

September 26, 2014

The following comments are submitted on behalf of the National Consumer Law Center's low-income clients. The Boston-based National Consumer Law Center (NCLC) is a nonprofit organization specializing in consumer issues on behalf of low-income people. We work with thousands of legal services, government and private attorneys and their clients, as well as community groups and organizations that represent low-income and older individuals on consumer issues.

NCLC's Student Loan Borrower Assistance Project provides information about student rights and responsibilities for borrowers and advocates. We also seek to increase public understanding of student lending issues and to identify policy solutions to promote access to education, lessen student debt burdens and make loan repayment more manageable.¹

Our policy and advocacy efforts are grounded in our direct legal assistance work with low-income clients in Massachusetts. These clients, many of whom attended for-profit schools, seek our assistance because they are struggling with student loan debt. In addition to our work in Massachusetts, we consult with advocates across the country representing borrowers, many with complaints against for-profit schools. Further, a large percentage of the complaints we get through our Student Loan Borrower Assistance web site involve for-profit schools.

We applaud the Division of Professional Licensure's (DPL) commitment to protecting consumers from fraudulent for-profit schools. In March, we submitted comments supporting

¹ See the Project's web site at www.studentloanborrowerassistance.org. NCLC also publishes and annually supplements practice treatises which describe the law currently applicable to all types of consumer transactions, including *Student Loan Law* (4th ed. 2010 and Supp.).

many of the provisions of DPL's first proposed regulations for the oversight of Private Occupational Schools.² Among other proposals, we strongly supported DPL's proposed cooling-off period, which would have forbidden private occupational schools from accepting signed enrollment contracts for 72 hours after the school provided the contracts to the prospective students.³ We also supported the proposal that would have allowed students to withdraw from a program without incurring significant debt within the first ten days or ten percent of the program.⁴

We were therefore dismayed to see that the revised proposed regulations significantly curtail or eliminate these and other essential protections for students. We share in the concerns described by Toby Merrill, Director of the Project on Predatory Student Lending at the Legal Services Center of Harvard Law School and fully support and join in the comments she submitted to DPL regarding the revised proposed regulations.⁵

We urge DPL to reconsider its removal of previously proposed and important safeguards. We encourage the Division to enact the stronger regulations necessary to protect students from the abuses that are widespread throughout the for-profit school sector. We have seen too many of our clients attend fraudulent schools and end up with no more than shattered dreams when they discover that their credentials are worthless, they are unable to find the employment promised, and they are stuck with a lifetime of debt.

Thank you for your consideration of these comments. Please feel free to contact Robyn Smith if you have any questions or comments. (Ph: 617-542-8010; E-mail: rsmith@nclc.org).

² See Written Statement of Deanne Loonin to the Division of Professional Licensure dated March 28, 2014.

³ *Id.* at p. 4

⁴ *Id.* at p. 5.

⁵ See Comment of Toby Merrill submitted to DPL on September 12, 2014.