

*The*



# *Torch*

January 28, 2011

*A bi-weekly report from the Coalition of Higher Education Assistance Organizations*

## COHEAO News

- [COHEAO Hosts Successful Annual Conference](#)  
COHEAO members and friends gathered outside of Washington, DC this week for the 2011 Annual Conference.
- [COHEAO Names Commercial and Institutional Members of the Year](#)  
Larry Rock of Concordia College was named Institutional Member of the Year and Bob Frick of NCO Group was named Commercial Member of the Year at the COHEAO Annual Conference.
- [Suggested Reading for COHEAO Members: "Perceptions of Citizen Advocacy on Capitol Hill"](#)  
The Partnership for a More Perfect Union released a study on constituent communications with Congressional offices.
- [New Section for \*The Torch\*: Employment Opportunities](#)  
COHEAO is pleased to announce we will be publishing a new section promoting job opportunities in *The Torch*. If your organization has a job announcement of interest to COHEAO members, please send it to Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)) for posting in the new Employment Opportunities section.

## The Congress

- [House Passes Resolution Calling for Deep Cuts in Remainder of FY11 Spending](#)  
Hours before the State of the Union address, every House Republican and 17 Democrats approved a bill to reduce non-security discretionary spending for the remainder of FY2011 to FY2008 levels.
- [CBO Releases Preliminary Baselines](#)  
CBO released preliminary budget baselines for this week. The baselines will be republished in March, providing the final guide for CBO scores for the rest of the year.
- [Makeup of Congressional Committees Taking Shape](#)  
The organization of the 112<sup>th</sup> Congress continued this week with additional announcements on Committee assignments.

## The Administration

- [News from the COHEAO Annual Conference: Perkins Loans Authorized Through FY2014](#)  
The Department of Education's Gail announced that the Department has determined current law authorizes the Perkins Loan Program through FY2014.
- [President Cites "Sputnik Moment" and Importance of Education in State of the Union](#)  
President Barack Obama delivered his second, and somewhat subdued, State of the Union Address on Tuesday.

- [State of the Union Materials Cite “Affordable Student Loans” in Upcoming Budget](#)  
To accompany the State of the Union Address, the White House will provide fact sheets on the administration’s proposals in highlighted areas, such as education.
- [Administration Signals Movement on Gainful Employment Regulations](#)  
Assistant Secretary for Postsecondary Education Eduardo Ochoa gave the strongest indication from the Obama Administration that the final gainful employment regulations may be more palatable to the for-profit higher education community than the draft regulations.
- [HRSA Provides Additional Guidance on NFLP and SDS Programs](#)  
The Health Resources and Services Administration (HRSA) announced the availability of two grants of interest to student aid professionals this week.

## Industry News

- [For-Profits Express Concern with NSLDS Errors](#)  
The Association of Private Sector Colleges and Universities (APSCU) urged the Department of Education (ED) to address flaws in the federally guaranteed loan tracking system.
- [State Spending on Higher Ed Trends Slightly Downward in 2010, Continued Budget Pressures Predicted for 2011 and Beyond](#)  
The Center for the Study of Education Policy and the State Higher Education Executive Officers (SHEEO) released their annual grapevine report on higher education spending in the states this week.

## Attachments

- [Board of Directors](#)
- [COHEAO Commercial Members](#)

***\*\*Please Note: A listing of Member assignments for the Budget, Appropriations, and Education and the Workforce Committees from CEF and a summary of the State of the Union prepared by Washington Partners, LLC are included with this week’s edition as special attachments.***

## COHEAO News

### **COHEAO Hosts Successful Annual Conference**

COHEAO members and friends gathered outside of Washington, DC this week for the 2011 Annual Conference. Attendees indicated the conference program was informative and engaging and will help them in their jobs when they return home. The event featured remarks from Rep. Tim Bishop (D-NY) and some breaking news from the Department of Education (see related article).

Another key aspect of the conference was Tuesday's visits to Capitol Hill. COHEAO members must continue to engage their legislators on Perkins Loans and other issues of interest on campus, and we would like to thank those who visited the Hill.

We would also like to thank all of the attendees at this year's Annual Conference. We will be building on the success of this year's Annual Conference at the 2011 COHEAO Mid-Year Conference. That event is slated for July 30-August 2 in St. Louis. Look for more information on travel, registration, and the program agenda in the coming weeks from COHEAO.

### **COHEAO Names Commercial and Institutional Members of the Year**

Another highlight of the Annual Conference was the naming of the 2010 Commercial and Institutional Members of the Year. Larry Rock of Concordia College was named Institutional Member of the Year and Bob Frick of NCO Group was named Commercial Member of the Year.

COHEAO President Bob Perrin presented the awards at the beginning of the conference. Perrin noted the work of Bob Frick as Treasurer of the organization and Rock's efforts leading the COHEAO Agenda Committee. COHEAO would like to thank Bob and Larry for the exemplary efforts.

Perrin also presented another award at the conference, a COHEAO Award for outgoing Vice President Lettie Clark. Lettie has been a longtime member of the COHEAO Board of Directors and her leadership, dedication, and insights will be sorely missed by the entire board.

### **Suggested Reading for COHEAO Members: "Perceptions of Citizen Advocacy on Capitol Hill"**

One of the sessions at this week's COHEAO meeting focused on becoming a better advocate with Congressional offices. The same week, The Partnership for a More Perfect Union released a study on constituent communications with Congressional offices.

The study was based on a survey of 260 Congressional staffers. We thought its findings would be of interest to COHEAO members, particularly those who just visited the Hill this week. The key findings of the report are listed below:

1. **The Internet, Participation and Accountability.** *Most staffers (87%) thought email and the Internet have made it easier for constituents to become involved in public policy. A majority of staff (57%) felt email and the Internet have made Senators and Representatives more accountable to their constituents. Less than half (41%) thought email and the Internet have increased citizens' understanding of what goes on in Washington.*
2. **Citizens Have More Power Than They Realize.** *Most of the staff surveyed said constituent visits to the Washington office (97%) and to the district/state office (94%) have "some" or "a lot" of influence on an undecided Member, more than any other influence group or strategy. When asked*

about strategies directed to their offices back home, staffers said questions at town hall meetings (87%) and letters to the editor (80%) have “some” or “a lot” of influence.

3. **It’s Not the Delivery Method – It’s the Content.** There is virtually no distinction by the congressional staff we surveyed between email and postal mail. They view them as equally influential to an undecided Member. Nearly identical percentages of staffers said postal mail (90%) and email (88%) would influence an undecided Member of Congress.
4. **Grassroots Advocacy Campaigns – Staff are Conflicted.** The congressional staff we surveyed have conflicting views and attitudes about the value of grassroots advocacy campaigns. More than one-third of congressional staff (35%) agreed that advocacy campaigns are good for democracy (25% disagreed). Most staff (90%) agreed – and more than 60% strongly agreed – that responding to constituent communications is a high priority in their offices. But, more than half of the staffers surveyed (53%) agreed that most advocacy campaigns of identical form messages are sent without constituents’ knowledge or approval.
5. **Social Media Used to Listen and Communicate.** Congressional offices are integrating social media tools into their operations, both to gain an understanding of constituents’ opinions and to communicate information about the Member’s views. Nearly two-thirds of staff surveyed (64%) think Facebook is an important way to understand constituents’ views and nearly three-quarters (74%) think it is important for communicating their Member’s views.

We encourage COHEAO members to read the full report. It is available online:  
<http://pmpu.org/2011/01/26/perceptions-of-citizen-advocacy-on-capitol-hill/>

### **Submit Your Employment Opportunities to *The Torch***

COHEAO is pleased to announce we will be publishing a new section promoting job opportunities in *The Torch*. If your organization has a job announcement of interest to COHEAO members, please send it to Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)) for posting in the new Employment Opportunities section.

## **The Congress**

### **House Passes Resolution Calling for Deep Cuts in Remainder of FY11 Spending**

Hours before the State of the Union address, every House Republican and 17 Democrats approved a bill to reduce non-security discretionary spending for the remainder of FY2011 to FY2008 levels. The resolution, H. Res. 38, also gives the Chairman of the Budget Committee, Paul Ryan (R-WI), authority to issue a new budget allocation for the still-unfinished budget for FY2011, which began last Oct. 1.

What remains unknown, however, is whether Ryan will provide for pro-rated cuts or the House budget will seek to meet FY2008 levels in spite of the fact by the time the current short-term funding resolution expires March 4<sup>th</sup> almost half of the fiscal year will have passed with spending at FY2010 levels. The difference could mean as much as a \$40-50 billion cut for April-September 2011, which is quite significant when dealing with the small portion of the budget that is non-security related, discretionary spending.

Many Republicans in the House campaigned on a pledge to reduce FY2011 spending to FY2008 levels, before the controversial stimulus legislation took effect, which would result in a net reduction of \$100 billion in non-defense, discretionary spending from current levels. However, once Republicans took office, Speaker of the House Boehner (R-OH) and others in Leadership acknowledged the fiscal year would be almost halfway completed by the time the current continuing resolution expires and acknowledged the cuts may need to be trimmed to a \$50-\$60 billion reduction from current levels.

Preliminary indications from the staff on the House Budget Committee suggested Ryan was amenable to prorating the cuts. However, there has been tremendous pressure from the conservative wing of the caucus to fully meet the campaign promise of \$100 billion in cuts. The Republican Study Committee recently wrote Speaker Boehner urging the full \$100 billion spending reduction.

The RSC also went a step further with a long term spending plan, calling for a return to FY2006 levels in FY2012-2021. This legislation repealed a large number of existing laws and federal programs, but notably, the Title IV student aid programs, including Perkins Loans, were largely untouched. Sen. Jim DeMint Introduced a companion bill in the Senate, but Senate Democrats immediately pounced on the legislation, suggesting it would lead to the elimination of as many as one million jobs and highlighting its proposed cuts for education programs.

The coming weeks will be critical for the budget process. Ryan is expected to release his 302(a) allocation under budget rules, which will determine whether House Republicans will propose cuts of \$50-\$60 billion or \$100 billion the week of February 7.

The week of Feb. 14<sup>th</sup> will include the release of the President's budget plan for FY2012 while Republicans are expected to release the details on their plans for spending bills for the remainder of FY2011.

### **CBO Releases Preliminary Baselines**

CBO released preliminary budget baselines for this week. The baselines will be republished in March, providing the final guide for CBO scores for the rest of the year.

The baselines are extremely important to COHEAO and the extension of the Perkins Loan Program because they reflect the anticipated federal revenues and spending based on "current law." With the Department's new interpretation of the Perkins authorization, it will be incredibly important for CBO to interpret a 2014 authorization date as "current law." COHEAO will be working with the Department and our allies in Congress to educate CBO on the new interpretation.

The preliminary baselines offered some items of note in terms of student loans and student aid. Surprising no one, the savings estimates from eliminating FFELP are already proving to be overstated:

"Student Loans. CBO has updated its projections of outlays for the federal student loan program by incorporating recent data from the National Student Loan Data System. On the basis of that information, CBO has adjusted its cash-flow projections to reflect a smaller volume of future student loans and an update to the average length of time between the disbursement of various student loans and the beginning of their repayment. Such changes lead to an additional \$20 billion in estimated outlays between 2011 and 2020. Consistent with the budgetary treatment required by the Federal Credit Reform Act, CBO calculated that revision to projected outlays as a change in the net present value of all cash flows associated with new student loans provided over the 10-year period.)"

The new baselines also covered Pell Grants. An accounting change at CBO will likely affect the costs of the program:

"Among the largest revisions in CBO's 10-year baseline projections for nondefense programs are lower expected outlays for the Pell Grant program (\$15 billion); that reduction stems from a change in CBO's estimating methodology, which now projects outlays for the upcoming award year on the basis of available budget authority. (Previously, CBO estimated outlays for the upcoming year on the basis of the program's costs, irrespective of budget authority.)"

CBO also released information on the funds that would be necessary to support varying levels of the maximum Pell Grant. If you are interested in viewing these tables, please email Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)).

## **Makeup of Congressional Committees Taking Shape**

The organization of the 112<sup>th</sup> Congress continued this week with additional announcements on Committee assignments. In the House, Democrats announced their Committee assignments and the Republicans made a few final adjustments. In the Senate, Committee assignments were just announced for both parties.

A compilation prepared by CEF on the House Appropriations, Budget, and Education and the Workforce Committees is included with today's edition as a special attachment. A list of the Senators on the most relevant Committees is included below:

### **Appropriations:**

#### **Democrats**

Chairman Daniel Inouye  
Patrick Leahy  
Tom Harkin  
Barbara Mikulski  
Herb Kohl  
Patty Murray  
Dianne Feinstein  
Richard Durbin  
Tim Johnson  
Mary Landrieu  
Jack Reed  
Frank Lautenberg  
Ben Nelson  
Mark Pryor  
Jon Tester  
Sherrod Brown

#### **Republicans**

Ranking Member Thad Cochran, Miss.  
Mitch McConnell, Ky.  
Richard Shelby, Ala.  
Kay Bailey Hutchison, Texas  
Lamar Alexander, Tenn.  
Susan Collins, Maine  
Lisa Murkowski, Alaska  
Lindsey Graham, S.C.  
Mark Kirk, Ill.  
Dan Coats, Ind.  
Roy Blunt, Mo.  
Jerry Moran, Kan.  
John Hoeven, N.D.  
Ron Johnson, Wis.

### **HELP:**

#### **Democrats**

Chairman Tom Harkin  
Barbara Mikulski  
Jeff Bingaman  
Patty Murray  
Bernard Sanders  
Robert Casey  
Kay Hagan  
Jeff Merkley  
Al Franken  
Michael Bennet  
Sheldon Whitehouse  
Richard Blumenthal

#### **Republicans**

Mike Enzi, Wyo.  
Lamar Alexander, Tenn.  
Richard Burr, N.C.  
Johnny Isakson, Ga.  
Rand Paul, Ky.  
Orrin Hatch, Utah  
John McCain, Ariz.  
Pat Roberts, Kan.  
Lisa Murkowski, Ala.  
Mark Kirk, Ill.

For the full list of Senate Committee assignments, please email Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)).

## **The Administration**

### **News from the COHEAO Annual Conference: Perkins Loans Authorized Through FY2014**

The Department of Education's Gail McLarnon brought some welcome news to the COHEAO Annual Conference. McLarnon announced that the Department has determined current law authorizes the Perkins Loan Program through FY2014. This means Perkins schools should plan to continue making loans from Perkins revolving funds until September 30, 2014 (the federal fiscal year ends on September 30).

The challenge facing Perkins was two dates in the Higher Education Act related to its authorization under federal law to operate. One, modified in 2008 as part of the Higher Education Act reauthorization, indicates the program is authorized through FY2014. Another, the infamous sunset provision, suggests the federal share of the revolving fund is to be sent to the Department of Education starting after October 1, 2012. This date was last modified in 2007.

During her presentation, McLarnon said attorneys at the Department of Education have decided the program will, in fact, be treated as authorized through FY2014. The Department intends to announce this interpretation in a dear colleague letter, which McLarnon said was in the final stages and is expected to be published sometime in February.

COHEAO will continue to let Congress know about the benefits of Perkins Loan Program and support its funding and continuation in the indefinite future. If you have any questions, please contact Harrison Wadsworth ([hwadsworth@wpllc.net](mailto:hwadsworth@wpllc.net)) or Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)).

### **President Cites "Sputnik Moment" and Importance of Education in State of the Union**

President Barack Obama delivered his second, and somewhat subdued, State of the Union Address on Tuesday. Building up to the address, pundits speculated that innovation, education and infrastructure would be front and center, and they were proven correct. Speaking highly of the research and education programs initiated as part of the space race, which includes the National Defense Student Loan Program, the President asserted this to be our generation's "Sputnik moment." He noted the importance of maintaining the nation's "leadership in research and technology" and linked this imperative to innovatively educating U.S. students.

A full summary of the speech prepared by Washington Partners is included with today's edition as a special attachment.

### **State of the Union Materials Cite "Affordable Student Loans" in Upcoming Budget**

To accompany the State of the Union Address, the White House will provide fact sheets on the administration's proposals in highlighted areas, such as education. This year's fact sheet included a reference to promoting "more affordable student loans."

The reference has led many to question whether a new initiative is on the horizon from the Obama Administration. However, budget proposals from a presidential administration traditionally do not just go away, even if they are not approved by Congress, so this line may be a reference to the Administrations

previous Direct Perkins Loan proposal, which is expected to remain in the budget proposal. Also expected to be addressed is the expiration of the interest rate cut to subsidized Stafford Loans that was passed by Congress in 2007. The subsidized Stafford interest rates have dropped by half a percentage point per year since then. They will bottom out at 3.4% for AY 2012-13, then rise back up to 6.8% for loans made after June 30, 2013. Retaining this subsidy will be a multi-billion dollar cost to the federal budget.

The White House education fact sheets also mention continuing efforts to support the Pell Grant Program. Last year, the President called for making Pell an entitlement. Appropriators from both parties, particularly those on the Labor-HHS-ED Subcommittees, were irritated when that proved impossible that the Administration had essentially left a mess in education funding for Congress to clean up.

A rebroadcast and other materials on the State of the Union speech from the White House are available online: <http://www.whitehouse.gov/state-of-the-union-2011>

### **Administration Signals Movement on Gainful Employment Regulations**

Speaking at the annual meeting of the Council on Higher Education Accreditation, Assistant Secretary for Postsecondary Education Eduardo Ochoa gave the strongest indication from the Obama Administration that the final gainful employment regulations may be more palatable to the for-profit higher education community than the draft regulations. During his remarks, Ochoa said, in part:

"The regulations as they come out are going to be significantly different—I think they're going to be better, nuanced, and I think that there's a lot there that people will appreciate having other views reflected."

Ochoa's speech followed remarks from Rep. Virginia Foxx (R-NC), the new Chair of the House Subcommittee on Higher Education, Lifelong Learning, and Competitiveness. As final regs have yet to be published, Foxx did not state outright opposition to the regulations, but her wariness was readily apparent. She said she was concerned with the size and scope of the regulations and indicated increased disclosures should apply to all colleges, both for-profit and non-profit.

For additional coverage of the remarks of Foxx and Ochoa, please visit the following link for an article from *Inside Higher Ed*, "Focus on For-Profits (Yes, Again):"  
[http://www.insidehighered.com/news/2011/01/26/u\\_s\\_official\\_suggests\\_significant\\_changes\\_in\\_rules\\_on\\_for\\_profit\\_colleges](http://www.insidehighered.com/news/2011/01/26/u_s_official_suggests_significant_changes_in_rules_on_for_profit_colleges)

### **HRSA Provides Additional Guidance on NFLP and SDS Programs**

The Health Resources and Services Administration (HRSA) announced the availability of two grants of interest to student aid professionals this week. HRSA released additional guidance on the Scholarships for Disadvantaged Students (SDS) program, as well as the Nurse Faculty Loan Program (NFLP).

The following is the description of the NFLP. The full grant announcement is available online at <https://grants.hrsa.gov/webExternal/SFO.asp?ID=9ED909AF-EA59-45E8-A23B-4AC44EE3D427>

*The NFLP provides funding to schools of nursing to support the establishment and operation of a distinct, interest-bearing NFLP loan fund. Participating schools of nursing make loans from the fund to assist registered nurses in completing their graduate education to become qualified nurse faculty. The program offers partial loan forgiveness for borrowers that graduate and serve as full-time nursing faculty for the prescribed period of time. Accredited collegiate schools of nursing are eligible to apply for funding. Eligible schools must offer an advanced education nursing degree program(s) that will prepare the graduate student to teach.*

The following is HRSA's description of SDS. The full grant announcement is available online at <https://grants.hrsa.gov/webExternal/SFO.asp?ID=664AA66F-B316-4FE8-AC44-2FD519756BFD>

*The Scholarships for Disadvantaged Students (SDS) program promotes diversity among health profession students and practitioners by providing scholarships to full-time students with financial need from disadvantaged backgrounds, enrolled in health professions and nursing programs. Participating schools are responsible for selecting scholarship recipients, making reasonable determinations of need, and providing scholarships that do not exceed the allowable costs (i.e., tuition, reasonable educational expenses and reasonable living expenses), as defined in this funding opportunity announcement.*

## **Industry News**

### **For-Profits Express Concern with NSLDS Errors**

The Association of Private Sector Colleges and Universities (APSCU), formerly the Career College Association, recently urged the Department of Education (ED) to address flaws in the federally guaranteed loan tracking system. The system has been complicated by major Federal loan changes the past few years.

According to APSCU, the trade association has recently been alerted by numerous member schools that the ED is providing mistaken or delayed information to schools and students, contributing to the problem of students unknowingly going into default on their loans and limiting institutions from assisting students. In a letter to William Taggart, Chief Operating Officer of ED's Office of Federal Student Aid (FSA), Harris Miller, president and CEO of APSCU, asked for a meeting to address these issues and find solutions for students and schools.

APSCU members, particularly those who are part of its Default Prevention Initiative committee, primarily have shared concerns about FFFELP loans that were "put" (sold to ED by private lenders) and are now managed by ED and its contracted servicers. Examples problems that APSCU said its member schools have experienced include:

- Receiving conflicting information from the National Student Loan Data System (NSLDS) and Direct School Services (DSS), with NSLDS stating that loans are in default after 270 days and DSS stating that loans are in default after 360 days—a gap that results in some students being unaware that they have defaulted on their loans until after the fact.
- Servicers claiming that during the 30-45 day period it takes to transfer a loan from one direct loan servicer to another, they cannot take any action on the loan—including receiving payments, resulting in students becoming delinquent on or unnecessarily defaulting on loans.
- Servicers with both put and non-put loans being unable to provide information or action on both types of loans, creating confusion for students and institutions and causing students to become delinquent or default on their loans.

"We share with ED an interest in supporting students as they repay their student loans," said APSCU President Harris Miller. "I am hopeful we can work with Mr. Taggart and his FSA colleagues to assist students and institutions that have already been harmed and to minimize any problems going forward as the student loan system completes its transition to all federally owned and managed."

To read the full letter, please click here:

<http://www.career.org/iMISPublic/AM/Template.cfm?Section=Home&CONTENTID=22567&TEMPLATE=/CM/ContentDisplay.cfm>

## **State Spending on Higher Ed Trends Slightly Downward in 2010, Continued Budget Pressures Predicted for 2011 and Beyond**

The Center for the Study of Education Policy and the State Higher Education Executive Officers (SHEEO) released their annual grapevine report on higher education spending in the states this week.

The report indicates that overall, total higher education funding (\$79 billion) has received less than a one-percent cut when states are facing very difficult budget environments. However, as the recent calls for draconian cuts in California, Texas, and other states would indicate, there is great variance among individual states and many expect higher education to face significant cuts as the funding from ARRA, the federal stimulus bill, dries up.

Additional information on the report is available from the Center for the Study of Education Policy:

<http://www.centereducationpolicy.ilstu.edu/>. We also recommend coverage from *Inside Higher Ed*, which explains the situation facing states and offers expandable tables on state spending and the role of ARRA dollars:

[http://www.insidehighered.com/news/2011/01/24/states\\_make\\_more\\_cuts\\_in\\_spending\\_on\\_higher\\_education](http://www.insidehighered.com/news/2011/01/24/states_make_more_cuts_in_spending_on_higher_education)

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