

*The*



# *Torch*

**October 26, 2012**

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

## **COHEAO News**

- [Seeking Nominations for the Board of Directors](#)  
COHEAO needs your help. Do you know of someone who you feel would make a good Member of the Board of Directors? We are seeking nominations for positions on the Board for a term starting in January 2013.
- [COHEAO Annual Conference—Online Registration to Begin Monday, Draft Agenda to Be Released Next Week](#)  
We are busy working on the agenda for our Annual Conference, which is set for January 27-30 in Arlington, VA (Just outside of Washington, DC). A draft agenda will be released next week and registration will be available on Monday.
- [November 15 COHEAO Webinar—Making the Most of NSLDS: Edits & Errors, Tips & Tricks](#)  
The next COHEAO webinar will address what has certainly become a hot topic for certain parts of our community—effectively using the National Student Loan Data System. The webinar is set for November 15 at 2 PM ET, and registration will be available early next week.
- [Become @COHEAO's 100<sup>th</sup> Follower!](#)  
We are currently approaching 100 followers on Twitter. Follow [@COHEAO](#) today and push us over the century mark!

## **The 2012 Campaign**

- [Two In-Depth Looks at the Campaign & Higher Education Issues](#)  
This week, Justin Pope of the *Associated Press* and Libby Nelson of *Inside Higher Education* each offered in-depth looks at how each campaign might tackle issues related to higher education.

## **Congress**

- [HEA in 2013? Contrasting Reports from House & Senate Republicans](#)  
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## **Administration**

- [CFPB Defines "Larger Participants" in Debt Collection](#)  
This week, in advance of a field hearing in Seattle on debt collection, the Consumer Financial Protection Bureau issued a final rule defining "larger participants" (subject to CFPB supervision) in the debt collection marketplace.

- [Updated Perkins MPN Now Available](#)

The Office of Management and Budget has approved a new Federal Perkins Loan Program Master Promissory Note

- [CFPB Issues Annual Ombudsman's Report](#)

Last week, the Consumer Financial Protection Bureau (CFPB) released the "Annual Report of the CFPB Student Loan Ombudsman," a report required under section 1035 of the Dodd-Frank Wall Street Reform and Consumer Protection Act.

## **Industry News**

- [College Board Releases Annual Trends Reports](#)

The College Board released its annual "Trends in Student Aid" and "Trends in College Pricing" reports this week.

## **Attachments**

- [COHEAO Board of Directors Nomination Form](#)

- [COHEAO Commercial Members](#)

- [Board of Directors](#)

## COHEAO News

### **Seeking Nominations for the Board of Directors**

COHEAO needs your help. Do you know of someone who you feel would make a good Member of the Board of Directors? We are seeking nominations for positions on the Board for a term starting in January 2013. Nominations are currently being accepted for the elected positions of President, Vice President and for 10-12 appointed board chairs and co-chairs. All positions are two-year terms (with a two-term limit for any individual position).

We encourage you to submit nominations. Nominations can be made via email at [COHEAOelections@wpllc.net](mailto:COHEAOelections@wpllc.net) with a cc to [t-schm@umn.edu](mailto:t-schm@umn.edu), via fax at 1-202-371-0197, or by mailing the form attached at the end of the Torch to:

COHEAO  
1101 Vermont Ave. N.W.  
Suite 400  
Washington DC 20005-3521

All nominations must be received by November 9, 2012. Nominations can be made by any COHEAO member but only primary institutional or commercial members can serve on the Board. All nominees will be contacted in November and encouraged to pursue one of the available Board positions.

The election for President and Vice President will be conducted via email ballot in late November/December. The chairs and co-chairs will be appointed by the COHEAO officers. If you have any questions, please contact Tom Schmidt, COHEAO Internal Operations Chair, at [t-schm@umn.edu](mailto:t-schm@umn.edu); Harrison Wadsworth, executive director, at [hwadsworth@wpllc.net](mailto:hwadsworth@wpllc.net); or Wes Huffman, legislative and communications director, at [whuffman@wpllc.net](mailto:whuffman@wpllc.net).

### **COHEAO Annual Conference—Online Registration to Begin Monday, Draft Agenda to Be Released Next Week**

We are busy working on the agenda for our Annual Conference, which is set for January 27-30 in Arlington, VA (Just outside of Washington, DC). A draft agenda will be released next week and registration will be available on Monday. Below is a brief description of the Annual Conference:

#### **The 2013 COHEAO Annual Conference: January 27-30, 2013**

*The COHEAO Annual Conference offers those involved in student financial services, particularly loan servicing and collection, an opportunity to learn first-hand from the key players in Washington on what to look for in the 113<sup>th</sup> Congress. In addition the “inside Washington” information from COHEAO Executive Director Harrison Wadsworth, the Department of Education, and others, the conference will explore the most pressing issues in student financial services, such as the use of technology and consumer expectations, reforming the Telephone Consumer Protection Act (TCPA), as well as a legal session for attendees to ask attorneys questions on the top concerns at their office or organization.*

## **November 15 COHEAO Webinar—Making the Most of NSLDS: Edits & Errors, Tips & Tricks**

The next COHEAO webinar will address what has certainly become a hot topic for certain parts of our community—effectively using the National Student Loan Data System. The webinar is set for November 15 at 2 PM ET, and registration will be available early next week.

The webinar will feature Valerie Scherrer of NSLDS, Bob Frick of University Accounting Service, and Carol Moyer of Baylor University. The panel will offer their insights from a government, school, and servicer perspective and, perhaps more importantly, discuss how all of these entities intersect via NSLDS.

If you work in NSLDS or are affected by it, this is a can't miss webinar. An example of the material to be covered is included below:

- What schools can see/use NSLDS for tips and tricks to using this important tool
- What students can see/use NSLDS for. How to use the site.
- Most common NSLDS Reporting errors and how to stop them from happening.
- NSLDS Edit check discussion, new data elements/issues.
- NSLDS Reporting Statistics
- Type of Error Reports
- How to stay ahead of reporting errors (time of year) removing the mystery.
- When is it time to submit a ticket to NSLDS to correct an account?
- Why are some errors easy to correct while others are not and take as long as 90 days to correct on NSLDS?

### **Become @COHEAO's 100<sup>th</sup> Follower!**

After launching our handle, [@COHEAO](#), several weeks ago, COHEAO has been quite active on Twitter. We are currently approaching 100 followers—nowhere near a celebrity to be sure, but no small accomplishment in a short amount of time for a small trade association today. Follow us [@COHEAO](#) today and push us over the century mark!

We have been using the Twitter feed to provide news updates, attach Perkins advocacy to “trending” Twitter topics in higher education, and share our thoughts on the day's news. For the latest on anything and everything related to student loans and student financial services (and sometimes even matters that are not), follow us [@COHEAO](#).

## The 2012 Campaign

### **Two In-Depth Looks at the Campaign & Higher Education Issues**

This week, Justin Pope of the *Associated Press* and Libby Nelson of *Inside Higher Education* each offered in-depth looks at how each campaign might tackle issues related to higher education. The *Inside Higher Ed* article offered a comprehensive look at nearly all issues related to higher education while the *Associated Press* piece came in the form of Q&A on what each Administration would do to confront college costs. Both provide a wealth of information a little over a week before Election Day.

The *Inside Higher Ed* article is available online:

<http://www.insidehighered.com/news/2012/10/25/overview-obama-romney-and-federal-higher-education-policy>

The *Associated Press* article is available online:

[http://www.google.com/hostednews/ap/article/ALeqM5hvqM1xNtJNYnGPISRukkom\\_cLQIQ?docId=e51f3c759e38413989a87441b6f9e379](http://www.google.com/hostednews/ap/article/ALeqM5hvqM1xNtJNYnGPISRukkom_cLQIQ?docId=e51f3c759e38413989a87441b6f9e379)

## Congress

### **HEA in 2013? Contrasting Reports from House & Senate Republicans**

With Members of Congress back home campaigning, most of Capitol Hill is focused on the elections. However, the question of whether the Congress will take up the reauthorization of the Higher Education Act next year did come up this week.

Earlier this week, David Cleary of Senator Alexander's staff expressed the view that the Senate was unlikely to get to reauthorization in 2013 due to other pending business before the HELP Committee. Later in the week, we heard that the House might make a priority of starting the reauthorization process in the first quarter of 2013.

## Administration

### **CFPB Defines "Larger Participants" in Debt Collection**

This week, in advance of a field hearing in Seattle on debt collection, the Consumer Financial Protection Bureau issued a final rule defining "larger participants" (subject to CFPB supervision) in the debt collection marketplace.

Larger participants are defined as a debt collection firm with more than \$10 million in annual receipts. The rule will cover three general areas of debt collection: firms that may buy defaulted debt and collect the proceeds for themselves; firms that collect defaulted debt owned by another company in exchange for a fee; and debt collection attorneys that collect through litigation.

The Bureau also released its examination procedures for debt collection. According to the document, the CFPB intends to focus on ensuring debt collection firms provide required disclosures and accurate information and that they communicate "civily and honestly with consumers." The Bureau will also be examining companies' consumer complaint and dispute resolution processes.

Roughly 175 debt collection firms will now be subject to CFPB supervisory authority, effective January 2, 2013. COHEAO suggested receipts related to the Title IV student loan programs should be excluded in

the overall revenue calculation because, among other reasons, the Department of Education audits Title IV debt collectors. However, the CFPB rejected this proposal because Education says it does not audit collection companies for compliance with the Fair Debt Collection Practices Act. The discussion of COHEAO's comment on this topic is included on pages 27-28 of the text of the final rule.

The CFPB did accept another comment and clarified that third party billing servicing is not being counted for the purposes of this rule, nor is debt collection by the original creditor. The rule and examination guide were released in advance of a CFPB field hearing on debt collection in Seattle, featuring remarks from Director Richard Cordray as well as testimony from representatives of consumer and industry groups. Additional information on the field hearing, including Cordray's prepared remarks and an archived webcast, are available online: <http://www.consumerfinance.gov/blog/live-from-seattle-wa-2/>

COHEAO has created a CFPB Task Force to assist our members on all things related to the CFPB. If you are interested in joining this task force, which is open to all COHEAO members, please contact Wes Huffman ([whuffman@wpllc.net](mailto:whuffman@wpllc.net)) or the Task Force Chair David Stocker ([dstocker@accountcontrol.com](mailto:dstocker@accountcontrol.com)).

- A factsheet on the CFPB announcement can be found at: <http://goo.gl/pJn7p>
- A copy of the final rule can be found at: [http://files.consumerfinance.gov/f/201210\\_cfpb\\_debt-collection-final-rule.pdf](http://files.consumerfinance.gov/f/201210_cfpb_debt-collection-final-rule.pdf)
- The CFPB Examination Procedures for Debt Collection can be found at: [http://files.consumerfinance.gov/f/201210\\_cfpb\\_debt-collection-examination-procedures.pdf](http://files.consumerfinance.gov/f/201210_cfpb_debt-collection-examination-procedures.pdf)

### **Updated Perkins MPN Now Available**

The Office of Management and Budget (OMB) has approved a new Federal Perkins Loan Program Master Promissory Note (Perkins MPN) under OMB Control Number 1845-0074. The revised Perkins MPN has an expiration date of September 30, 2015 and replaces the current Perkins MPN that has an expiration date of August 31, 2012. There are no substantive differences between this new Perkins MPN and the Perkins MPN with the August 31, 2012 expiration date.

As of January 1, 2013, schools may no longer distribute the Perkins MPN with the August 31, 2012 expiration date. Only the new Perkins MPN may be distributed to borrowers on or after January 1, 2013. However, if, prior to January 1, 2013, a school has already distributed the Perkins MPN with the August 31, 2012 expiration date to a borrower, that MPN remains valid for making loans. Similarly, if a school uses the Perkins MPN as a multi-award year promissory note students who previously signed a Perkins MPN with an earlier expiration date may continue to receive Perkins Loan advances under that MPN for up to 10 years from the date the student signed that MPN.

A school may not change the presentation of the Perkins MPN. Nor may a school change, delete, or add to the text of the MPN, except that the bracketed sentence relating to minimum monthly payment may be deleted at the option of the school. Consistent with past guidance, the addition of coding (for example, bar coding for filing or processing purposes) is permitted.

The new Perkins MPN in MSWord format is available online:

<http://www.ifap.ed.gov/dpclletters/attachments/GEN1219PNAttach.doc>

The new Perkins MPN in PDF format is available online:

<http://www.ifap.ed.gov/dpclletters/attachments/GEN1219PNAttach.pdf>

## CFPB Issues Annual Ombudsman's Report

Last week, the Consumer Financial Protection Bureau (CFPB) released the "Annual Report of the CFPB Student Loan Ombudsman," a report required under section 1035 of the Dodd-Frank Wall Street Reform and Consumer Protection Act. Notably, we should look for this report around the same time every year as the Dodd-Frank legislation did not stipulate a specific date for the report, but does state it must be delivered on the same date each year.

The report notes the Bureau has received roughly 2,900 complaints related to private student loans from March, 2012-September, 2012. The document is divided into two parts—Part I, which simply provides anecdotes of complaints and highlights certain issues and Part II, wherein CFPB Student Loan Ombudsman Rohit Chopra provides an analysis. Part II of the document carries a disclaimer that the views expressed are Chopra's alone and do not necessarily represent those of the full Bureau.

The 2,900 complaints represent a small proportion of private loan borrowers. The Consumer Bankers Association notes the complaints represent 1/12 of 1 percent (or 0.0008 percent) of the 3.48 million student loan records the CFPB has on file, much less the entire universe of private loan borrowers. The report includes the following on its limitations:

*The report does not attempt to present a statistically significant picture of issues faced by borrowers. It is, by design, not a random sample and not intended to communicate the frequency to which certain practices exist. While the market information we receive from consumers, schools, and industry yields a broad range of input, readers should recognize the inherent limitations of the underlying data. However, the information provided by borrowers can help to illustrate where there is a mismatch between borrower expectations and actual service delivered. Representatives from industry and borrower assistance organizations will likely find the inventory of borrower issues helpful in further understanding the diversity of customer experience in the market.*

Despite the limitations noted above, the second section of the report suggests patterns of complaints may be illustrative of larger problems in the marketplace and offers a series of thoughts and suggestions for stakeholders and policymakers.

The report includes a breakdown of complaints by company. In a subsequent interview Chopra, its author, indicated the breakdown of complaints is "not surprising" given the current makeup of the marketplace and reiterated the sample is not statistically significant. The executive summary adds, "Eighty-seven percent of all student loan complaints were directed at just seven companies. This is not surprising, given that the private student lending and servicing markets are highly concentrated."

The report describes "the types of issues faced, along with some illustrative examples." It includes the issues under five headings. They are as follows:

1. Responsible Borrowers Stymied
2. Servicing Surprises
3. Frustration Faced by Struggling Borrowers
4. Challenges Faced by Military Families
5. Other Concerns

In the "Ombudsman's Discussion" section of the document, Chopra includes his analysis of the complaints as well as recommendations for individual stakeholders. His opening comments indicate "a

substantial number of consumers” are rerouted through the Department of Education and most complaints “in all likelihood” do not relate to loans made post-2009 with special private loan disclosures and under current underwriting standards. However, the introduction to this section also includes the following.

“But while the complaints and input to the CFPB are not and should not be interpreted as a representative sample, the insights from these data do raise concerns. Specifically, the breadth of potential servicing errors and the inability to easily modify a loan bear an uncomfortable resemblance to experiences faced by homeowners in the mortgage market.”

The report also offers recommendations for policymakers. The heading for its recommendation to Congress is as follows: “Identify opportunities to spur the availability of loan modification and refinance options for student loan borrowers.” This is an idea Chopra has mentioned repeatedly—refinancing for student loan borrowers who improve their credit profiles. Section II of the report suggests possible players in such a refinancing market, such as investors, entrepreneurs, and small financial institutions.

The recommendations for the Secretaries of Education and Treasury as well as the CFPB Director fall under the two following headlines: “Assess whether efforts to correct problems in mortgage servicing could be applied to improve the quality of student loan servicing” & “Continue initiatives to increase adoption of the Income-Based Repayment program for federal student loans.”

The comparisons to mortgages were noted in many media reports on the report, but its call for increasing the adoption of IBR has caught the attention of those more familiar with higher education and student lending issues. A report released the same day by the New America Foundation indicates that many borrowers may be better served by extended repayment plans via consolidation than the IBR program and warns against government agencies and advocacy organizations overselling its benefits.

The 2012 Annual Report of the CFPB Student Loan Ombudsman is available online:

[http://files.consumerfinance.gov/f/201210\\_cfpb\\_Student-Loan-Ombudsman-Annual-Report.pdf](http://files.consumerfinance.gov/f/201210_cfpb_Student-Loan-Ombudsman-Annual-Report.pdf)

## **Industry**

### **College Board Releases Annual Trends Reports**

The College Board released its annual “Trends in Student Aid” and “Trends in College Pricing” reports this week.

The College Board highlighted the following key findings on college pricing:

- Average published tuition and fees for in-state students at public four-year colleges and universities increased from \$8,256 in 2011-12 to \$8,655 in 2012-13. The 4.8% increase in tuition and fees was accompanied by a \$325 (3.7%) increase in room and board charges for students living on campus. At \$9,205, room and board charges account for more than half of the total charges for these students.
- Average published tuition and fees for out-of-state students at public four-year colleges and universities increased by \$883 (4.2%), from \$20,823 in 2011-12 to \$21,706 in 2012-13. Total charges, including room and board for students living on campus, average \$30,911.

- Average published tuition and fees at private nonprofit four-year institutions increased by \$1,173 (4.2%), from \$27,883 in 2011-12 to \$29,056 in 2012-13. Total charges, including room and board for students living on campus, average \$39,518.
- Average published in-state tuition and fees at public two-year colleges increased by \$172 (5.8%), from \$2,959 in 2011-12 to \$3,131 in 2012-13.

The College Board highlighted the following key findings on student aid:

- Total education borrowing, including federal student and parent loans, as well as nonfederal loans, declined by 4% in real terms between 2010-11 and 2011-12 — the first decline in at least 20 years. However, the 2011-12 total of \$113.4 billion was 24% higher than five years earlier.
- Over the decade from 2001-02 to 2011-12, the number of federal Stafford Loan borrowers almost doubled, while the average amount borrowed from subsidized and unsubsidized Stafford Loans combined increased by 8%, from \$7,627 (in 2011 dollars) to \$8,230.
- During the 2011-12 academic year, \$236.7 billion in financial aid was distributed to undergraduate and graduate students in the form of grants from all sources, Federal Work-Study (FWS), federal loans, and federal tax credits and deductions. In addition, students borrowed about \$8.1 billion from private, state and institutional sources to help finance their education.
- The number of students receiving Pell Grants — the central federal grant program providing funding for low- and moderate-income students — increased from 2.7 million in 1981-82 and 3.8 million in 1991-92 to 4.3 million in 2001-02 and to 9.4 million (37% of all undergraduates) in 2011-12.

The “Trends” reports are widely held to be the benchmark of tuition pricing and student aid data, but the annual publication is not without criticism. Though no one has challenged the College Board’ data, there are different figures from other sources, such as the New York Federal Reserve, suggesting the student debt issue is more of a concern than what is presented in the report. Additionally, some commentators have noticed how the information is presented.

Additional information on the “Trends” reports is available online: <http://trends.collegeboard.org/>  
 A blog post from critic Kevin Carey of the New America Foundation, “Ignore the Industry Spin: Latest Tuition and Student-Loan Figures Are Worrisome,” is also available online: <http://chronicle.com/blogs/conversation/2012/10/24/ignore-the-industry-spin-latest-tuition-and-student-loan-figures-are-worrisome/>



**COHEAO Board of Directors Nomination Form-Due by 11/9/2012**

I nominate the following *primary* member(s) for the COHEAO Board of Directors as noted:

President: \_\_\_\_\_ Their Organization: \_\_\_\_\_

Vice President: \_\_\_\_\_ Their Organization: \_\_\_\_\_

Chairperson nominations - There are three open positions. You may nominate as many **primary** members as you wish.

Nominee's Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Chair and Co-Chair Positions are: Internal Operations, Membership (3 positions), Legislative (5 positions), Commercial, Financial Literacy and Accounts Receivable(STAR).

Please return form via email to: [COHEAOelections@wpllc.net](mailto:COHEAOelections@wpllc.net) with a cc to [t-schm@umn.edu](mailto:t-schm@umn.edu) or send it by mail to: COHEAO, 1101 Vermont Ave. N.W., Suite 400, Washington, DC 20005-3521 or by fax to: 1-202-371-0197.

**COHEAO Would Like To Thank Its Commercial Members  
For Supporting More Education for More People**



Account Control Technology, Inc.

ACS Inc.

AMO Recoveries, Inc

Bass & Associates

Bonded Collection Corporation, Inc.

Campus Partners

Client Services, Inc.

Coast Professional

ConServe

Credit Adjustments, Inc.

Credit Control, LLC

Credit World Services, Inc.

Delta Management Associates

Educational Computer Systems, Inc.

Security Credit Systems, Inc.

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CR Software, LLC

Enterprise Recovery Systems, Inc.

Ceannate, Inc.

General Revenue Corporation

Immediate Credit Recovery, Inc.

JC Christensen and Associates

National Credit Management

NCO Financial Systems, Inc.

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Regional Adjustment Bureau, Inc.

Reliant Capital Solutions, LLC

Todd, Bremer & Lawson, Inc.

Williams & Fudge, Inc.

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National Enterprise Systems, Inc.

## 2012 COHEAO Board of Directors

### *President:*

Robert Perrin

### *President*

Williams & Fudge, Inc.  
775 Addison Avenue, Suite 201  
Rock Hill, SC 29731  
803-329-9791 x 2104  
Fax: 803-329-0797  
[bperrin@wfcorp.com](mailto:bperrin@wfcorp.com)

### *Secretary*

Edgar DelosAngeles

University of California, Office of the President  
Administration Bldg. Room 101  
Irvine, CA 92697-3010  
949-824-4689  
Fax 949-824-4688  
[edelosan@ucop.edu](mailto:edelosan@ucop.edu)

### *Past President:*

Alisa Abadinsky

Director of Receivables, Loans, and Collections  
University of Illinois at Chicago  
809 S. Marshfield Ave. M/C 557  
Chicago, IL 60612  
312-413-1971  
Fax: 312-413-1992  
[aabadins@uillinois.edu](mailto:aabadins@uillinois.edu)

### *Commercial Member Chair*

Karen Reddick

Vice President Business Development  
National Credit Management  
10845 Olive Blvd  
St. Louis, MO 63141  
800-627-2300  
[kreddick@ncmstl.com](mailto:kreddick@ncmstl.com)

### *Legislative Chair*

Lori Hartung

Vice President  
Todd, Bremer & Lawson  
560 Herlong Avenue  
Post Office Box 36788  
Rock Hill, South Carolina 29732-0512  
800-849-6669  
Fax: 803-323-5211  
[lori.hartung@tbandl.com](mailto:lori.hartung@tbandl.com)

### *Vice President*

Maria Livolsi

Director, Student Loan Service Center  
State University of New York  
5 University Place, A310  
Rensselaer, NY 12144  
518-525-2628  
[MLivolsi@uamail.albany.edu](mailto:MLivolsi@uamail.albany.edu)

### *Treasurer:*

Bob Frick

President  
University Accounting Service  
200 S. Executive Drive, 3<sup>rd</sup> Fl  
Brookfield, WI 53005  
800-340-1526  
Fax: 262-784-9014  
[bob.frick@ncogroup.com](mailto:bob.frick@ncogroup.com)

### *Legislative Co-Chair, Regulatory*

Pamela Devitt

Legislative Analyst, University Student Financial  
Services and Cashier Operations  
University of Illinois at Springfield  
312-996-5885  
Fax: 312-413-3453  
[devitt@uillinois.edu](mailto:devitt@uillinois.edu)

### *Financial Literacy Chair*

Carl Perry

Senior Vice President  
Progressive Financial Services  
516 N Production Street (Suite 100)  
Aberdeen, SD 57401  
800-585-4978  
Fax: 800-585-4981  
[cperry@progressivefinancial.com](mailto:cperry@progressivefinancial.com)

### *Internal Operations*

Tom Schmidt

Associate Director of Student Financial  
Collections & Third Party Billing  
University of Minnesota  
211 Science Teaching & Student Services  
222 Pleasant St. SE  
Minneapolis, MN 55455612-625-1082  
Fax: 612-624-2873  
[t-schm@umn.edu](mailto:t-schm@umn.edu)

*Communications Chair*

Micheal Kahler

Regional Vice President, Sales  
Windham Professionals  
60 Normandy Drive  
Lake St. Louis, MO 63367  
800-969-0059, ext. 2909  
Fax: 636-625-0231  
[mkahler@windhampros.com](mailto:mkahler@windhampros.com)

*Perkins Task Force Chair*

Nancy D. Paris

Vice President, Financial Services Group  
ACS, A Xerox Company  
900 Commerce Dr Ste 320  
Oak Brook IL 60523  
630.203.2769  
FAX: 630.203.2796  
[nancy.paris@acs-inc.com](mailto:nancy.paris@acs-inc.com)

*Membership Co-Chair, Institutional*

Jeane Olson

Bursar  
Northern Arizona University  
Gammage Building  
Flagstaff, AZ 86011  
928-523-3122  
[Jeane.olson@nau.edu](mailto:Jeane.olson@nau.edu)

*Membership Co-Chair, Commercial*

Rick Wiening

Director of Business Development  
Regional Adjustment Bureau  
7000 Goodlett Farms Parkway  
Memphis, TN 38016  
219-937-9760  
[rwiening@rabinc.com](mailto:rwiening@rabinc.com)

*Membership Development*

Michael Mietelski

Regional Director of Business Development  
ConServe  
200 CrossKeys Office Park  
P.O. Box 7  
Fairport, NY 14450-0007  
800-724-7500 x4450  
[mmietelski@conserve-arm.com](mailto:mmietelski@conserve-arm.com)

*Member at Large*

David Stocker

General Counsel  
Account Control Technology, Inc.  
6918 Owensmouth Avenue,  
Canoga Park, CA 91303  
(800) 394-4228  
Fax: (818) 936-0389  
[DStocker@accountcontrol.com](mailto:DStocker@accountcontrol.com)

*Member at Large*

Lee Anne Wigdahl

Manager, Loan Administration  
DeVry Inc.  
814 Commerce Drive  
Oak Brook, IL 60523  
(630) 645-1178  
Fax: 630 891-6292  
[LWigdahl@devry.edu](mailto:LWigdahl@devry.edu)

*Executive Director*

Harrison Wadsworth

Principal  
Washington Partners, LLC  
1101 Vermont Ave. N.W. Suite 400  
Washington, DC 20005-3521  
202-289-3903  
Fax 202-371-0197  
[hwadsworth@wpllc.net](mailto:hwadsworth@wpllc.net)