



U.S. DEPARTMENT OF EDUCATION

BORROWER DEFENSE TO REPAYMENT APPLICATION

OMB Number: 1845-0163
Form Approved
Expiration Date: 11/30/2023

Certain conduct by the school that you attended can lead to a discharge of all or some of your federal student loans. The type of conduct that can lead to a borrower defense discharge depends on a variety of factors, including when you received or consolidated your loans. However, the most common type of conduct that can lead to a borrower defense discharge is a misrepresentation related to how you received your federal student loans, or the education that they were intended to pay for.

However, before completing this application, it is important to understand the types of conduct that cannot lead to your receiving a discharge. Below, please find a list of the types of conduct that cannot lead to a borrower defense discharge:

- A violation of the legal requirements a school is bound to follow under its agreement with the U.S. Department of Education.
- Conduct that does not directly and clearly relate to enrollment or continuing enrollment at the school.
- Conduct that does not directly and clearly relate to the educational services your school provided.
- Conduct that led to your personal injury.
- Personnel at the school sexually harassing you.
- The school violating your civil rights.
- The school slandering or defaming you.
- The school damaging your property.
- Conduct relating to the general quality of your education or the reasonableness of the faculty's conduct in providing you with educational services.
- Informal communications about a school's conduct from other students.
- Conduct relating to academic disputes and disciplinary matters.

FORM INSTRUCTIONS: To apply, you must complete, sign, and submit this form to the U.S. Department of Education for review.

You may attach additional documents, such as transcripts, enrollment agreements, and promotional materials from your school. Once completed, please submit this form and any additional documents you believe will help us review your application by email to BorrowerDefense@ed.gov or mail to US Department of Education - Borrower Defense to Repayment, PO Box 1854, Monticello, KY 42633.

Fields marked with an asterisk (*) are required for your application to be considered complete.

SECTION I: BORROWER INFORMATION

Please provide contact information for the borrower:

Name (First, Middle, Last)		Date of Birth (mm/dd/yyyy)		Social Security Number	
[REDACTED]		[REDACTED]		***-**-[REDACTED]	
Telephone Number	Email Address				
[REDACTED]	[REDACTED]				
Street Address		City	State	Zipcode	
[REDACTED]		[REDACTED]	[REDACTED]	[REDACTED]	
Loan First Name	Loan Middle Initial		Loan Last Name		
[REDACTED]	[REDACTED]		[REDACTED]		

Are you a PARENT who took out a federal loan on behalf of the student?

☐ Yes

☒ No

If yes, please enter the full name of the student (Last, First, Middle):

If yes, please enter the student's Social Security Number:

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SECTION II: SCHOOL INFORMATION

School

DEVRY UNIVERSITY

Campus (including on-line campuses for distance education borrowers)

DeVry University

Location (City, State):

Naperville, Illinois

In what state(s) did you live during the enrollment period that is the subject of this claim, and when did you live in each state listed (month, year to month, year)?

-

Enrollment Dates at this school (month, year to month, year):

From:

To:

Are you still enrolled at this school?

☐

Yes

☒

No

Are your enrollment dates approximate, or are you unsure of them?

☒

Yes

☐

No

Subsequent enrollment dates

Are your subsequent enrollment dates approximate, or are you unsure of them?

☐

Yes

☒

No

If your attendance at the school listed above was not or has not been continuous (for example, from October 2015 to March 2016, then again from August 2016 to November 2016), please describe all dates that you attended.

#	Program Name or Major (e.g. Nursing, Medical Assistant, Paralegal)	Credential/Degree Sought (e.g. Certificate, Diploma, Associate, Bachelors, Masters)
1		Bachelor

Only manually entered programs will appear in the above table.

Current Enrollment Status at school listed above:

Graduated

Note: if you are enrolled at this school, indicate that you are "attending" even if at the time you complete this application you are on a scheduled break, an approved leave of absence, or have decided to not attend classes during the current term, but plan to resume attendance in the near future.

SECTION III: OTHER LOAN REDUCTION OR TUITION RECOVERY REQUESTS

Have you made any requests to anyone else to recover tuition amounts that you paid to your school (for example, a lawsuit against the school, a claim made to a tuition recovery program, any other public funds, or any

other source of obtained relief)?

☐ Yes ☒ No

If yes, please describe these other request(s) and attach any documentation about the requests, if available:

If a request for tuition recovery was approved, what was the amount of the tuition recovery?

Have you been denied financial relief for any of the attempts you have made or that were made by others on your behalf?

☐ Yes ☒ No

If yes, which ones and why?

Have you been, or are you currently in, arbitration with the school that is the subject of this application? If yes, what was the date that a written request for arbitration was filled, by either yourself or the school?

SECTION IV: BASIS FOR BORROWER DEFENSE

EMPLOYMENT PROSPECTS

Did your school mislead you or fail to tell you important information about your likely employment outcomes as a result of your enrollment? Please select all that apply:

☐ My school did not fulfill its guarantee that I would find future employment.

☒ My school misrepresented its job placement rates.

One of the most compelling reasons why I chose DeVry was I was told that 90% of those who graduated found employment in their field within 180 days as well as received incomes 15% higher than other university counterparts. DeVry University academic advisors also said employers looked at DeVry as a prestigious school for Computer Information Systems majors. In the documentation presented to me for promotional marketing, job placement statistics stated by DeVry University noted that 84% of graduates were working in their field at that time, 180 days after graduation, significantly impacting my reason for attending DeVry University. I was strongly led to believe that attending DeVry would put me in an acclaimed candidate pool of applications and assist in receiving a job within my field. As a junior in high school, I was pressured to take classes before graduating high school to lock me into going to DeVry due to receiving credits for courses taken before graduating high school. These claims about job placements were proven false as a result of the FTC v. DEVRY EDUCATION GROUP INC lawsuit which clearly states advertisements claiming that "In 2012, 90% of DeVry University grads actively seeking employment had careers in their field in six months." As a result of the lawsuit, it was shown that information such as this, as well as increased income outcomes, were misleading statements on behalf of DeVry University. In addition to the FTC lawsuit, brought upon by the US Government who issued loans that allowed me to attend DeVry, there are other litigations that show DeVry was not truthful in their marketing and perception of DeVry's graduate career placement, statics around graduates in fields, as well as increased income levels opposed to other universities and programs. There are many lawsuits against DeVry University and a litany of information that DeVry touted as being truthful and factual where it was proven in a legal settlement to be false.

☐ My school misrepresented the demand for graduates in my field.

☐ My school misrepresented its partnerships with employers.

☐ My school misrepresented my eligibility for certification or licensure in my field of study.

☐

- ☐ My school exaggerated the earnings of prior graduates or my likely earnings after graduation.
- ☐ My school misrepresented that it was accredited when it was not.
- ☐ My school misrepresented that my program had the accreditation necessary to qualify graduates for licensure or certification when it did not.
- ☐ My school failed to tell me that my programs did not have the accreditation necessary to qualify graduates for certification or licensure.
- ☐ Other, please identify

Please provide information about the difficulties you have had getting a job in your field of study that led you to believe that the school misrepresented the employment outcomes or earnings of past graduates or your likely employment outcomes or earnings.

After graduation from DeVry, I found it difficult to receive and land interviews with companies due to the fact I had attended DeVry University. In most interviews, I had to explain that while I went to DeVry, I was not a lesser candidate and had the technical knowledge. After graduation, I receive a job only as a customer service agent that had an interaction with technical stuff, not fully utilizing my degree to its full advantage.

How did the school communicate with you about your employment prospects? Please select all that apply:

In person, Online, Phone, Email, Brochures

Please describe your communication with the school below. Please describe in detail what the school told you or failed to tell you and why you believe it was misleading. Additionally, please attach any emails or other communications regarding the misleading behavior and any other documents that may support your claim.

The school communicated to me through in-person conversations with academic advisors, campus deans, and other staff. Additionally, through print media (such as class brochures for course selections) and through online and TV advertisements with the purported claims.

Who at the school provided you with the misleading information? If known, please provide the names and titles of these individuals.

Academic advisors as well as acting dean of the [REDACTED] Satellite campus such as Dean [REDACTED] and academic advisor [REDACTED].

When did you discover that the information that the school provided was inaccurate?

12/15/2016

How were you financially affected by the misleading information or lack of information relating to career prospects? Please include any difficulties you have had getting a job in your field of study as a result of your school's misrepresentations regarding employment prospects.

Financially, I was left paying higher than community college as well as in-state tuition for a program like ASU for a degree that is looked less upon in the community as well as had fewer job placements than those of other universities. I found it difficult to land interviews due to my degree from DeVry and found many of my peers not working in their field (still to this day, 2022). As a result, I may have had a higher income earlier in my career with any other university than DeVry due to those aforementioned circumstances.

Did you rely upon the promises of employment you described above when you chose to enroll in your school?

☒ Yes ☐ No

One of the sole reasons for my attending DeVry University was the fact that after graduation, 90% of graduates within 180 days had job placements in their field. This was a factor for attending as I was able to get out of school and be fast-tracked into a Computer Information Systems career that would net me income near the stated guidelines as well as income above other universities stated.

SECTION V: FINANCIAL HARM

Note: This section only applies to borrowers who receive a Direct Loan, including a Direct Consolidation Loan, on or after July 1, 2020.

You can only receive a borrower defense discharge if you have suffered financial harm as a result of your school's misrepresentation. Financial harm does not include:

- Non-monetary loss, such as personal injury, inconvenience, aggravation, emotional distress, pain and suffering, punitive damages, or opportunity costs
- The act of taking out a federal student loan
- Your voluntary decision to pursue less than full-time work
- Your decision to not work
- Your decision to voluntarily change occupations

What is the total monetary loss associated with your federal student loans that you have incurred due to your school's misrepresentation?

\$0.00

Please explain how you determined that amount.

For which jobs did the program say it would prepare you, if any?

Where and how did the school provide you with this information?

Have you actively pursued employment in the field for which your education was intended to prepare you?

☐ Yes ☒ No

If yes, list any jobs you have applied for.

Have you been terminated or removed for performance reasons from a position which was in your field of study or a related field?

☐ Yes ☒ No

Have you failed to meet other requirements or qualifications for employment in your field of study for reasons unrelated to your school's misrepresentation such as your ability to pass a drug test, satisfy driving record requirements, or meet health qualifications?

☐ Yes ☒ No

If yes please explain:

SECTION VI: FORBEARANCE/STOPPED COLLECTIONS

If you are not currently in default on your federal student loans, you may request to have the loans that you took for the school you are filing your claim about to be placed into **forbearance** status while your application is under review. **Forbearance means that you do not have to make loan payments and your loans will not go into default.** Forbearance will continue until the borrower defense review process of your application is completed. Your servicer will notify you when your loans have been placed into forbearance status.

If your federal student loans are in default, you may request to have debt collection on the loans that you took for the school you are filing your claim about to be stopped ("stopped collections status"). This means that the federal government or debt collection companies will stop attempting to collect on the loans, including by not withholding money from your wages or income tax refunds. Stopped collections status will continue until the borrower defense review process of your application is completed.

If you have more questions about forbearance or stopped collections, visit [StudentAid.gov/borrower-defense](https://studentaid.gov/borrower-defense) or contact your servicer. If you do not know who your servicer is, please visit [StudentAid.gov/aid-summary](https://studentaid.gov/aid-summary) or call 1-800-4-FED-AID.

Note that interest will continue to accumulate on all federal student loans regardless of what status they are in, including subsidized loans. If your application for borrower defense is denied, or partially approved, the total amount you owe on those loans may be higher, and outstanding interest may capitalize (be added to your principal balance) if your borrower defense application is denied or partially approved. If you wish to make interest payments while your loans are in a forbearance or stopped collections status, please contact your servicer.

PLEASE NOTE: You do not have to place your loans in forbearance or stopped collections to apply for borrower defense relief. If you received loans for attendance at a school that you are not filing your claim about, then you will remain responsible to repay those loans. You can learn more about repayment options at [StudentAid.gov/manage-loans](https://studentaid.gov/manage-loans).

Are you requesting forbearance/stopped collections?

- ☐ Yes, I want my federal loans that I took for attendance at the school I am filing my claim about and that are currently in repayment to be placed in forbearance and for collections to stop on any loans in default while my borrower defense application is reviewed. During this time period, I understand that interest will continue to accrue.
- ☒ No, I do not want any of my federal loans currently in repayment to be placed in forbearance and for collections to stop on any loans in default while my borrower defense application is reviewed. During this time period, I understand that interest will continue to accrue and that I must continue to make loan payments.

If you do not select one of the options immediately above, your federal loans that you took for attendance at the school you are filing your claim about and that currently in repayment will automatically be placed into forbearance and collections will stop for any defaulted loans, and the Department will request that this occur for any similar commercially held Federal Family Education Loan (FFEL) program loans.

SECTION VII: CERTIFICATIONS

By signing this attestation, I certify that:

All of the information that I provided is true and complete to the best of my knowledge. Upon request, I agree to provide to the U.S. Department of Education additional information that is reasonably available to me that will verify the accuracy of my completed attestation.

I also agree to provide, upon request, testimony, a sworn statement, or other documentation reasonably available to me that demonstrates to the satisfaction of the U.S. Department of Education or its designee that I meet the qualifications for borrower defense.

I certify that I received proceeds of a federal loan, in whole or in part, to attend the school/campus identified in Section II above.

I understand that if my application is approved and some or all of my loans are forgiven, I am assigning to the U.S. Department of Education any legal claim I have against the school for those forgiven loans. By assigning my claims, I am transferring my interest in any claim that I could make against the school relating to the forgiven loans (including the ability to file a lawsuit over those forgiven loans and any money ultimately recovered in compensation for those forgiven loans in court or other legal proceedings) to the U.S. Department of Education. I am not assigning any claims I may have against the school for any other form of relief—including injunctive relief or damages related to private loans, tuition paid out-of-pocket, unforgiven loans, or other financial losses.

I understand that the U.S. Department of Education has the authority to verify information reported on this application with other federal or state agencies or other entities. I authorize the U.S. Department of Education,



along with its agents and contractors, to contact me regarding this request at the phone number above using automated dialing equipment or artificial or prerecorded voice or text messages.

I understand that any rights and obligations with regard to borrower defense to repayment are subject to the provisions currently in effect under Title 34 of the Code of Federal Regulations.

I understand that if I purposely provided false or misleading information on this application, I may be subject to the penalties specified in 18 U.S.C. § 1001, including fines or imprisonment. I understand that I may be asked to confirm the truthfulness of the statements in this application to the best of my knowledge under penalty of perjury.

I understand that in the event that I receive a 100 percent discharge of my loan balance for which the defense to repayment application has been submitted, the institution may, if not prohibited by other applicable law, refuse to verify or to provide an official transcript that verifies my completion of credits or a credential associated with the discharged loan.

I agree to allow the institution that is the subject to this defense to repayment application to provide the Department with items from my student educational record relevant to this defense to repayment application.

Signature	Date	Case Number
	06/30/2022	

Submit this form and any additional documents you believe will help us review your application by email to BorrowerDefense@ed.gov or by mail to: U.S. Department of Education, PO Box 1854, Monticello, KY 42633. If you have questions while your application is pending you may contact the Department at: 1-855-279-6207.

PRIVACY ACT NOTICE

The Privacy Act of 1974 (5 U.S.C. 552a) requires that the following notice be provided to you: The authorities for collecting the requested information from and about you are §421 et seq., §451 et seq. and §461 et seq. of the Higher Education Act of 1965, as amended (20 U.S.C. 1071 et seq., 20 U.S.C. 1087a et seq., and 20 U.S.C. 1087aa et seq.) and the authorities for collecting and using your Social Security Number (SSN) are §§428B(f) and 484(a)(4) of the HEA (20 U.S.C. 1078-2(f) and 20 U.S.C. 1091(a)(4)) and 31 U.S.C. 7701(b). Participating in the William D. Ford Federal Direct Loan (Direct Loan) Program, the Federal Family Education Loan (FFEL) Program, or the Federal Perkins Loan (Perkins Loan) Program, and giving us your SSN are voluntary, but you must provide the requested information, including your SSN, to participate. The principal purposes for collecting the information on this form, including your SSN, are to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan (such as a deferment, forbearance, discharge, or forgiveness) under the Direct Loan Program, FFEL, or Perkins Loan Programs, to permit the servicing of your loans, and, if it becomes necessary, to locate you and to collect and report on your loans if your loans becomes delinquent or defaults. We also use your SSN as an account identifier and to permit you to access your account information electronically. The information in your file may be disclosed, on a case- by-case basis or under a computer matching program, to third parties as authorized under routine uses in the appropriate systems of records notices. The routine uses of this information include, but are not limited to, its disclosure to federal, state, or local agencies, to private parties such as relatives, present and former employers, business and personal associates, to consumer reporting agencies, to financial and educational institutions, and to guaranty agencies in order to verify your identity, to determine your eligibility to receive a loan or a benefit on a loan, to permit the servicing or collection of your loans, to enforce the terms of the loans, to investigate possible fraud and to verify compliance with federal student financial aid program regulations, or to locate you if you become delinquent in your loan payments or if you default. To provide default rate calculations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to state agencies. To provide financial aid history information, disclosures may be made to educational institutions. To assist program administrators with tracking refunds and cancellations, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal or state agencies. To provide a standardized method for educational institutions to efficiently submit student enrollment statuses, disclosures may be made to guaranty agencies or to financial and educational institutions. To counsel you in repayment efforts, disclosures may be made to guaranty agencies, to financial and educational institutions, or to federal, state, or local agencies. In the event of litigation, we may send records to the Department of Justice, a court, adjudicative body, counsel, party, or witness if the disclosure is relevant and necessary to the litigation. If this information, either alone or with other information, indicates a potential violation of law, we may send it to the appropriate

authority for action. We may send information to members of Congress if you ask them to help you with federal student aid questions. In circumstances involving employment complaints, grievances, or disciplinary actions, we may disclose relevant records to adjudicate or investigate the issues. If provided for by a collective bargaining agreement, we may disclose records to a labor organization recognized under 5 U.S.C. Chapter 71. Disclosures may be made to our contractors for the purpose of performing any programmatic function that requires disclosure of records. Before making any such disclosure, we will require the contractor to maintain Privacy Act safeguards. Disclosures may also be made to qualified researchers under Privacy Act safeguards.

PAPERWORK REDUCTION ACT NOTICE

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0163. Public reporting burden for this collection of information is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit (20 U.S.C. 1087e(h)). If you have comments or concerns regarding the status of your individual submission of this application, please contact Borrower Defense directly at <https://studentaid.gov/help-center/contact>.
