



UNITED STATES DEPARTMENT OF EDUCATION  
OFFICE OF POSTSECONDARY EDUCATION

THE ASSISTANT SECRETARY

August 18, 2016

GEN-16-15

Subject: Third-Party Servicer Questions and Answers

Summary- This attachment to this letter provides guidance on issues related to third-party servicers and establishes a Questions and Answers link on the IFAP website.

Dear Colleague:

On January 9, 2015, the U.S. Department of Education (Department) published Dear Colleague Letter GEN 15-01, which addressed institutional responsibilities and requirements for those institutions of higher education that enter into contracts with third-party servicers. Dear Colleague Letter GEN 15-01 resulted in a number of questions submitted to the Department related to third-party servicer requirements.

The attachment to this letter provides additional guidance on issues related to third-party servicer requirements. These questions and answers provide clarification with regards to GEN 15-01 based on questions the Department has received, but does not make any changes to the regulations related to third-party servicers. This Dear Colleague Letter does not change or reverse any guidance provided in Dear Colleague Letter GEN 15-01, which is still in effect. Rather, this Dear Colleague Letter provides clarification on the guidance provided in that DCL.

In addition to these questions and answers, the Department would like to remind both institutions of higher education and third-party servicers that they are required to abide by the Family Educational Rights and Privacy Act (FERPA) regulations (20 U.S.C. § 1232g; 34 CFR Part 99).

For further information on third-party servicers, we encourage you to review the regulations at 34 C.F.R. § 668.2 (definition of third-party servicer); 34 C.F.R. §§ 668.23, 668.25; Dear Colleague Letters GEN 12-08, GEN 15-01.

Sincerely,

A handwritten signature in black ink, appearing to read "Lynn B. Mahaffie".

Lynn B. Mahaffie  
Deputy Assistant Secretary for  
Policy, Planning, and Innovation  
Delegated the Duties of Assistant Secretary  
for Postsecondary Education

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