

RCW 28B.77.007 Student loan advocate—Duties—Referral of complaints. (1) The council shall designate a student loan advocate within the office to provide timely assistance to any student education loan borrower with any student education loan. The student loan advocate may hire additional staff as necessary to implement this section.

(2) The student loan advocate receives and reviews complaints from student education loan borrowers. Complaints regarding student education loan servicers licensed or subject to licensing under chapter 31.04 RCW must be referred to the department of financial institutions. The department of financial institutions investigates complaints received by the student loan advocate, and from the public who may also submit complaints directly to the department of financial institutions.

(3) The student loan advocate, in collaboration with the attorney general's office, receives, reviews, and refers to the attorney general's consumer protection division all other complaints from student education loan borrowers regarding student education loan servicers whose activities are not subject to licensure by chapter 31.04 RCW.

(4) The student loan advocate, the department of financial institutions, and the office of the attorney general shall confer annually regarding the student education loan servicer complaints, the proper referral processes for those complaints, and the reporting requirements of the advocate under chapter 31.04 RCW and this section.

(5) The student loan advocate has the following duties:

(a) Compile and analyze data on student education loan borrower complaints received and referred to the department of financial institutions and the office of the attorney general;

(b) Assist student education loan borrowers in understanding rights and responsibilities under the terms of student education loans, including reviewing the complete student education loan history for any student education loan borrower who has provided written consent for the review;

(c) Provide information to the public, agencies, legislators, and others regarding the problems and concerns of student education loan borrowers and make recommendations for resolving those problems and concerns;

(d) Analyze and monitor the development and implementation of federal, state, and local laws, rules, regulations, and policies relating to student education loan borrowers and recommend any changes the student loan advocate deems necessary;

(e) Assess the number of residents with federal student education loans who have applied for, received, or are awaiting a decision on forgiveness or discharge of a student education loan on a comparable annual basis, subject to the availability of applicable data;

(f) Disseminate information concerning the availability of the student loan advocate to assist student education loan borrowers and potential student education loan borrowers, as well as institutions of higher education, student education loan servicers, and any other participant in student education loan lending, with any student education loan concerns;

(g) Take any action reasonably calculated or intended to assist student education loan borrowers, including providing assistance applying for forgiveness or discharge of a student education loan and communicating with a student education loan servicer to resolve a

complaint received by the advocate from a student education loan borrower; and

(h) Take any other actions necessary to fulfill the duties of the student loan advocate as provided in chapter 31.04 RCW and this section.

(6) By October 1, 2020, the student loan advocate shall establish and maintain a student education loan borrower education course that includes educational presentations and materials regarding issues surrounding student education loans. The course must include, but not be limited to, key loan terms, documentation requirements, monthly payment obligations, income-driven repayment options, loan forgiveness, refund, and discharge, state-based tuition recovery, disclosures, federal consumer information and warnings, federal regulations intended to protect federal student loan borrowers, options for submitting complaints to the student loan advocate and state and federal agencies, and specific benefits and options for military service members and veterans.

(7) By December 31, 2020, the council shall submit a report to the appropriate committees of the legislature having jurisdiction over matters relating to financial institutions and higher education. The council shall report on: (a) The implementation of this section; (b) the overall effectiveness of the student loan advocate; (c) the types of complaints received regarding student education loan borrowing, student education loan repayments and servicing, and how these complaints are resolved; and (d) other data on outstanding student education loan issues faced by borrowers.

(8) Implementation of this section by the council is subject to the availability of amounts appropriated and the balance of the student loan advocate account. [2018 c 62 s 1.]

Application—Short title—2018 c 62: See RCW 31.04.905 and 31.04.906.