

# Kansas Legal Services

A non-profit law firm and community education organization helping low and moderate income people in Kansas



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## Public Service Loan Forgiveness Temporary Waiver: What Borrowers Need to Know

The Department of Education (ED) is current undertaking a comprehensive review of the **Public Service Loan Forgiveness (PSLF)** program that aims to address permanently the numerous problems that have prevented public service workers from accessing the forgiveness they have earned.

With this process ongoing, ED has established a “Temporary Waiver” expanding the criteria until October 31, 2022 under which past payments that were previously ineligible to count towards the 120 required will be considered qualifying. Borrowers can use the **“Aid Summary”** in their Federal Student Aid account to find out whether any they have made any previously ineligible payments that may now qualify.

### **These payments may include:**

- Payments made on Federal Family Education Loans, Perkins Loans, and some other uncommon older federal loans (excluding Parent PLUS loans).
- Payments made under any repayment plan (previously, only payment made under Income-Driven Repayment (IDR), or the Standard Plan would count).
- Past payments that were made late or for less than the amount due.

ED will automatically reconsider past payments on this basis for individuals who currently hold only Direct Loans, for any period for which they have received an Employment Certification Form (ECF) or combined PSLF Form. Individuals who hold only Direct Loans or Direct Consolidation Loans and who have certified their full history of qualifying employment are not required to take further action. ED has acknowledged that this process will take a matter of months but **offered reassurances** that it will occur.

### **Other borrowers are required to take action in order for ED to count all potentially eligible past payments:**

- Borrowers who have not submitted an ECF for any period of past work for a qualifying

employer should do so using the **PSLF Help Tool**.

- Borrowers who still hold FFEL or Perkins Loans should consolidate those non-qualifying loans into a Direct Consolidation Loan. A coming update to the PSLF HELP Tool will enable borrowers to request consolidation and generate a PSLF form simultaneously.
- Borrowers with payments that have not been counted because ED has deemed their employer to be non-qualifying can provide documentation to dispute this through the PSLF HELP Tool. This is unlikely to be necessary for employees at civil legal aid organizations.

ED will contact borrowers to inform them when their payment count has been updated, and has indicated that borrowers should expect this to occur through the winter and spring.

The above summary highlights only the main changes about which borrowers should be aware. NLADA strongly encourages borrowers to carefully review all the information about the Temporary Waiver provided by ED, including Frequently Asked Questions, which is available [here](#).

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