



December 13, 2023

The Honorable Nassar H. Paydar
Assistant Secretary for Postsecondary Education
United States Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202

RE: Docket ID ED-2023-OPE-0039

Dear Dr. Paydar,

We write in response to the Department's November 28, 2023, Federal Register notice requesting nominations for negotiators to serve as part of the ongoing negotiated rulemaking process Docket ID ED-2023-OPE-0039. This letter is behalf of two organizations, The Project on Predatory Student Lending (PPSL), a nonprofit legal organization that seeks to end predatory practices in higher education, and Young Invincibles, a nonprofit focused on amplifying the voice of young adults in the political process including higher education, health care, workforce development, and civic engagement. Together, we are committed to having negotiators at the table who center the interests of students, student loan borrowers, their families, and public investments in financial aid programs. We believe a robust negotiating process requires substantial representation by the groups and constituencies that will be impacted the most individually by the changes considered.

Accordingly, we nominate two individuals for the student negotiator seat: Emmett Blaney as primary negotiator, and Evan Ganick, as the alternate negotiator for the winter 2024 table to represent students or borrowers, including currently enrolled borrowers or groups representing them.

Qualifications of Emmett Blaney

At Young Invincibles, Emmett is responsible for the facilitation of the Colorado Legislative Session Young Advocates programming, has interviewed rural stakeholders to conduct policy research on the barriers to higher education for rural Coloradans, and is helping design a stackable credentials program to support non-traditional learners in Jefferson County.

At the Hub for Justice-Centered Youth Engagement, Emmett co-founded and co-facilitated the Colorado Queer Youth Network (CQYN), a co-learning network of rural LGBTQ+ youth and adults. Emmett also organized a two-part legislative town hall for LGBTQ+ youth to meet with members of the Colorado LGBTQ+ Caucus, where they learned about political self-advocacy and queer connection building.

At the CU School of Public Health, he worked with stakeholders – including educators, students, and administrators – to design a participatory action-based curriculum exploring barriers to STEM fields for BIPOC youth in Colorado. Alongside these collaborators, Emmett performed a Social Impact Assessment that provided recommendations for the ethical administration of the curriculum.

His current role with Young Invincibles as the Rocky Mountain Policy Coordinator prepares him to participate in negotiated rulemaking, as it aligns with his work to support young adults' pursuit of higher education and create legislation that creates opportunities for young adults of all backgrounds. As a former student, policy advocate, and social worker, being a member of the negotiated rulemaking committee would enable Emmett to fulfill further Young Invincibles' mission: to amplify the voices of young adults in the political process and expand our economic opportunities.

Emmett Blaney is committed to negotiating in good faith. He understands the requirements and expectations of serving as a negotiator, including the expectation of participating via video conference technology throughout the process.

Qualifications of Evan Ganick

As a former student of USC's online MSW program operated by 2U (an online program manager or OPM), Evan Ganick has firsthand knowledge of the harm such institutions have on student borrowers. Mr. Ganick can speak to the unsavory and predatory practices he and his classmates experienced. He can attest to the need for stronger accountability measures to ensure other students seeking a better life through higher education do not suffer from the same fraud that he did: inadequate training coupled with insurmountable federal student loan debt.

Mr. Ganick has a track record of success speaking about the gross misconduct of online program managers. During the Department of Education's March 2023 listening sessions, Mr. Ganick shared powerful testimony about his bad experience with 2U recruiters. He encouraged the administration to change the rules governing how colleges outsource management of their online courses to outside companies, which contributed to the creation of the Program Integrity and Institutional Quality Committee. Mr. Ganick is uniquely positioned to offer insight on "the requirements for distance education under 34 CFR 600.2 that pertain to reporting for students who enroll primarily online," as outlined in the third topic that this committee plans to address. His testimony has been a critical part of fighting for the rights of defrauded student borrowers.

Mr. Ganick has helped organize advocacy for and collect data about former students of the online program that defrauded him and spoken poignantly in public about harm caused by Online Program Managers.

Evan Ganick is committed to negotiating in good faith. He understands the requirements and expectations of serving as an alternate to the primary negotiator, including the expectation of participating via video conference technology throughout the process.

We thank you for considering both nominees to participate as negotiators representing **students or borrowers, including currently enrolled borrowers or groups representing them** in this critical process. We have complete confidence in his ability to forge consensus whenever possible and to advance student and borrower interests through equity-oriented rulemaking.

We are also pleased to have the organizations and individuals listed below join us in supporting this nomination.

Sincerely,

Young Invincibles

Project on Predatory Student Lending (PPSL)