

*Draft language to consider in constructing an institution's written public disclosure under 34 CFR 668.41. Institutions should modify the template as needed and consult with their legal counsel, if necessary.*

### **Pre-Dispute Arbitration and Class Action Waiver Disclosure**

**Name of Institution** seeks to resolve disputes or claims between any student and the school in a manner that addresses an individual student's complaint in an efficient, cost-effective, and quicker manner than traditional litigation. A student who enrolls at **Name of Institution** agrees, as a condition of his or her enrollment, to resolve any dispute through mandatory arbitration that shall not be adjudicated as a class action or a consolidated class arbitration proceeding. However, the school cannot require a student loan borrower to participate in arbitration or any internal dispute resolution process offered by the institution prior to filing a borrower defense to repayment application with the U.S. Department of Education pursuant to 34 CFR 685.206(e); the school cannot, in any way, require students to limit, relinquish, or waive their ability to pursue filing a borrower defense claim, pursuant to 34 CFR 685.206(e) at any time; and any arbitration, required by a pre-dispute arbitration agreement, tolls the limitations period for filing a borrower defense to repayment application pursuant to 34 CFR 685.206(e)(6)(ii).