

assumption that they were approved for a loss mitigation option or were discouraged from submitting complete loss mitigation applications or taking other steps to cure their delinquencies and avoid foreclosure. In response to these findings, the servicers reviewed affected borrowers who remained delinquent to ensure they were considered for appropriate loss mitigation options.

2.1.7 Deceptive Delinquency Notices

Examiners found that servicers engaged in deceptive acts or practices when they sent notices informing certain consumers that they had missed payments and should fill out loss mitigation applications. In fact, these consumers did not need to make a payment because they were current on their payments, in a trial modification plan, or had an inactive loan (e.g., loan was paid off or subject to short sale). These misrepresentations were likely to mislead consumers and it was reasonable for consumers under the circumstances to believe that the notices from their servicers were accurate. The representations were material because they were likely to influence consumers' course of conduct. For example, in response to the notice, a consumer may contact their servicer to correct the error or fill out unnecessary loss mitigation applications. In response to these findings, servicers are implementing additional policies and procedures to ensure accuracy of notices.

2.1.8 Loss Mitigation Violations

Regulation X generally requires servicers to send borrowers a written notice acknowledging receipt of their loss mitigation application and notifying the borrowers of the servicers' determination that the loss mitigation application is either complete or incomplete after receiving the application.¹¹ Examiners found that servicers violated Regulation X by sending acknowledgment notices to borrowers that failed to specify whether the borrowers' applications were complete or incomplete.

Additionally, after receiving borrowers' complete loss mitigation applications, Regulation X generally requires servicers to provide borrowers with a written notice stating the servicers' determination of which loss mitigation options, if any, the servicers will offer to the borrower.¹² Among

other requirements, the written notice must include the amount of time the borrower has to accept or reject an offer of a loss mitigation option.¹³ Examiners found that servicers violated Regulation X because the servicers did not provide timely notices stating the servicers' determination regarding loss mitigation options. The servicers were directed to enhance policies and procedures to ensure timely loss mitigation determinations. One servicer also violated Regulation X because its written notices did not provide a deadline for accepting or rejecting loss mitigation offers. In response to the finding, the servicers updated the offer letter templates to include a deadline to accept or reject the loss mitigation offer.

Finally, Regulation X requires servicers to maintain policies and procedures that are reasonably designed to ensure that they can properly evaluate borrowers who submit applications for all available loss mitigation options for which they may be eligible.¹⁴ Examiners found that servicers violated Regulation X because they failed to maintain policies and procedures reasonably designed to achieve this objective. Specifically, the servicers did not follow investor guidelines for evaluating loss mitigation applications when they automatically denied certain consumers a payment deferral option rather than submitting the consumers' applications to the investor for review. In response to these findings, the servicers updated their policies and procedures and refunded or waived late charges and corrected negative credit reporting for impacted consumers.

2.1.9 Live Contact and Early Intervention Violations

Regulation X requires servicers to make good faith efforts to establish live contact with delinquent borrowers no later than the 36th day of delinquency.¹⁵ Examiners found that servicers violated this provision when they failed to make good faith efforts to establish live contact with hundreds of delinquent borrowers. The servicers took corrective action which included providing remediation to harmed borrowers including refunding or waiving late fees.

Regulation X also requires servicers to provide written early intervention notices to delinquent borrowers no later than the 45th day of delinquency and

again every 180 days thereafter.¹⁶ Examiners found that servicers violated this provision when they failed to send written early intervention notices to thousands of delinquent borrowers. In response to these findings, the servicers identified and provided remediation to affected borrowers who were assessed late fees for missed payments after the 45th day of delinquency.

2.1.10 Failing To Retain Records Documenting Actions Taken on Mortgage Loan Accounts

Regulation X requires servicers to retain records documenting actions taken with respect to a borrower's mortgage loan account until one year after the date the loan was discharged or servicing of the loan was transferred to another servicer.¹⁷ Examiners found that servicers failed to document certain actions in their servicing systems, such as establishing live contact with borrowers, in violation of this provision. In response to these findings, the servicers were directed to enhance training and monitoring to ensure compliance with this requirement.

Rohit Chopra,

Director, Consumer Financial Protection Bureau.

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CONSUMER PRODUCT SAFETY COMMISSION

Sunshine Act Meeting

TIME AND DATE: Wednesday, May 8, 2024-3:30 p.m.

PLACE: The meetings will be held remotely, and in person at 4330 East West Highway, Bethesda, Maryland 20814.

STATUS: Commission Meeting—Open to the Public.

MATTERS TO BE CONSIDERED:

Briefing Matter

FY 2024 Midyear Review

To attend remotely, please use the following link: <https://cpsc.webex.com/cpsc/j.php?MTID=m6d40a3231e2b6f93a08fda74c53af1fe>.

CONTACT PERSON FOR MORE INFORMATION: Alberta E. Mills, Office of the Secretary, U.S. Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814, 301-504-7479 (Office) or 240-863-8938 (Cell).

¹¹ 12 CFR 1024.41(b)(2)(i)(B). This notice is only required if the servicer receives a loss mitigation application 45 days or more before a foreclosure sale.

¹² 12 CFR 1024.41(c)(1). This notice is only required if the servicer receives a complete loss

mitigation application more than 37 days before a foreclosure sale.

¹³ 12 CFR 1024.41(c)(1)(ii).

¹⁴ 12 CFR 1024.38(b)(2)(v).

¹⁵ 12 CFR 1024.39(a).

¹⁶ 12 CFR 1024.39(b)(1).

¹⁷ 12 CFR 1024.38(c)(1).

Dated: May 1, 2024.

Alberta E. Mills,

Commission Secretary.

[FR Doc. 2024-09804 Filed 5-1-24; 4:15 pm]

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DEPARTMENT OF EDUCATION

National Assessment Governing Board

Committee and Quarterly Board Meetings

AGENCY: National Assessment Governing Board, Department of Education.

ACTION: Notice of open and closed meetings.

SUMMARY: This notice sets forth the agenda, time, and instructions to access the National Assessment Governing Board's (hereafter referred to as the Board or Governing Board) standing committee meetings and quarterly Governing Board meeting. This notice provides information to members of the public who may be interested in attending the meetings and/or providing written comments related to the work of the Governing Board. The meetings will be held either in person and/or virtually, as noted below. Members of the public must register in advance to attend the meetings virtually. A registration link will be posted on the Governing Board's website, www.nagb.gov, five (5) business days prior to each meeting.

DATES: The Quarterly Board Meeting will be held on the following dates:

- May 16, 2024, from 8:15 a.m. to 6:00 p.m., ET.
- May 17, 2024, from 9:00 a.m. to 2:15 p.m., ET.

ADDRESSES: Hotel AKA, 625, First Street, Alexandria, VA 22314.

FOR FURTHER INFORMATION CONTACT: Angela Scott, Designated Federal Officer (DFO) for the Governing Board, 800 North Capitol Street NW, Suite 825, Washington, DC 20002, telephone: (202) 357-7502, fax: (202) 357-6945, email: Angela.Scott@ed.gov.

SUPPLEMENTARY INFORMATION:

Statutory Authority and Function: The Governing Board is established under the National Assessment of Educational Progress Authorization Act (20 U.S.C. 9621). Information on the Governing Board and its work can be found at www.nagb.gov. Notice of the meetings is required under section 1009(a)(2) of 5 U.S.C. chapter 10 (Federal Advisory Committees). The Governing Board formulates policy for the National Assessment of Educational

Progress (NAEP) administered by the National Center for Education Statistics (NCES). The Governing Board's responsibilities include:

(1) selecting the subject areas to be assessed; (2) developing appropriate student achievement levels; (3) developing assessment objectives and testing specifications that produce an assessment that is valid and reliable, and are based on relevant widely accepted professional standards; (4) developing a process for review of the assessment which includes the active participation of teachers, curriculum specialists, local school administrators, parents, and concerned members of the public; (5) designing the methodology of the assessment to ensure that assessment items are valid and reliable, in consultation with appropriate technical experts in measurement and assessment, content and subject matter, sampling, and other technical experts who engage in large scale surveys; (6) measuring student academic achievement in grades 4, 8, and 12 in the authorized academic subjects; (7) developing guidelines for reporting and disseminating results; (8) developing standards and procedures for regional and national comparisons; (9) taking appropriate actions needed to improve the form, content use, and reporting of results of an assessment; and (10) planning and executing the initial public release of NAEP reports.

Standing Committee Meetings

The Governing Board's standing committees will meet to conduct regularly scheduled work. Standing committee meeting agendas and meeting materials will be posted on the Governing Board's website, www.nagb.gov, no later than five (5) business days prior to the meetings. Minutes of prior standing committee meetings are available at <https://www.nagb.gov/governing-board/quarterly-board-meetings.html>.

Standing Committee Meetings:

Monday, May 6, 2024

Nominations Committee (Virtual)

5:00 p.m.–6:30 p.m. (ET), Open Session

The Nominations Committee will meet in open session on Monday, May 6, 2024, from 5:00 p.m.–6:30 p.m. The committee will review and discuss the rating guidelines for nominees, updates to the descriptions of Board membership categories, and updates to questions on the Board member application.

Wednesday, May 16, 2024

Executive Committee (In-Person Meeting)

8:15 a.m.–8:45 a.m. (ET) Open Session

The Executive Committee will meet in open session on Thursday, May 16, 2024, from 8:15 a.m.–8:45 a.m. to discuss the Strategic Vision update.

Assessment Development Committee (In-Person Meeting)

4:00 p.m.–6:00 p.m. (ET) Open Session

The Assessment Development Committee will meet in open session on Thursday, May 16, 2024, from 4:00 p.m.–6:00 p.m. From 4:00 p.m. to 4:45 p.m., the committee will discuss lessons learned from the update of the 2028 NAEP Science Framework. From 4:45 p.m. to 5:30 p.m., the committee will review considerations for the Assessment Framework Development Policy and Procedures manual. The committee will receive an update on the Social Studies Content Advisory Group from 5:30 p.m. to 5:45 p.m., and from 5:45 p.m. to 6:00 p.m., the committee will have an open discussion on other committee work.

Committee on Standards, Design and Methodology (In-Person Meeting)

4:00 p.m.–6:00 p.m. (ET) Open Session

The Committee on Standards, Design and Methodology (COSDAM) will meet in open session on Thursday, May 16, 2024, from 4:00 to 6:00 p.m. From 4:00 p.m.–4:55 p.m., the committee will discuss inappropriate and appropriate interpretations of NAEP Achievement Levels for inclusion in a NAEP Achievement Levels Validity argument, a report currently under development. The group will then summarize prior discussions regarding practical significance of NAEP score differences in preparation for a joint session with the Reporting and Dissemination (R&D) committee. From 5:00 p.m.–6:00 p.m., COSDAM will join the R&D committee for an open session regarding shared goals towards NAEP analysis and reporting that improves interpretation of NAEP score changes and subgroup differences. COSDAM and the R&D committee will describe their perspectives and build a plan for collaborative activity.

Reporting and Dissemination Committee (In-Person Meeting)

4:00 p.m.–6:00 p.m. (ET) Open Session

The R&D committee will meet in open session on Thursday, May 16, 2024, from 4:00 p.m. to 6:00 p.m. From 4:00 p.m.–5:00 p.m., the committee will discuss progress made on implementing