

The Secretary proposes to amend the Student Assistance General Provisions by adding Subpart Q to Part 668, to establish measures for determining whether certain postsecondary educational programs lead to gainful employment in recognized occupations, and the conditions under which these educational programs remain eligible for student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, as amended (HEA).

In general, the proposed requirements establish various metrics such as debt to earnings rates and program cohort default rates to determine whether a gainful employment (GE) program may continue to participate in the title IV, HEA programs.

Institutions have the opportunity to correct the data, challenge the data, and appeal the data, as well as, submit alternatives to some of the data under these proposed regulations. Institutions with GE programs must report information about all students in GE programs. As a result of the metrics, institutions may be required to provide enrolled students and prospective students with disclosures and/or warnings regarding the metrics of completers and about students who withdrew from the GE program.

Section 668.410(a)(1) - Student warnings to enrolled students.

Under proposed §668.410(a), if we notify an institution that a GE program could become ineligible based on a final GE measure for the next award or fiscal year, within 30 days the institution would have to provide a written warning directly to each student enrolled in the program. In the warning, an institution would be required to describe the options available to the student to continue his or her education in the event that the program loses its eligibility for title IV, HEA program funds.

Section 688.410(a)(1) - New Burden:

| # of Respondents | # of Responses | Hours/Response | Burden Hours |
|------------------|----------------|----------------|--------------|
| 1,193,493 | 1,193,493 | 0.17 | 202,894 |

Section 668.410(a)(2) - Student warnings to prospective students.

Under proposed §668.410(a)(2), institutions must provide a written warning about a possible loss of eligibility for title IV, HEA program funds directly to prospective students prior to their signing an enrollment agreement, registering, or making any financial commitment to the institution.

Section 688.410(a)(2) - New Burden:

| # of Respondents | # of Responses | Hours/Response | Burden Hours |
|------------------|----------------|----------------|--------------|
| 7,066,361 | 7,066,361 | 0.08 | 565,309 |

Section 668.410(a)(2)(ii)(B) – Subsequent warning of a prospective student.

Under proposed §668.410(a)(2)(ii)(B), if more than 30 days have passed from the date the initial warning is provided, the prospective student must be provided an additional warning and may not enroll until three days later. We estimate that half of the number of prospective students would not enroll within 30 days of the initial warning and therefore would require a second warning.

Section 688.410(a)(2)(ii)(B) - New Burden:

| # of Respondents | # of Responses | Hours/Response | Burden Hours |
|------------------|----------------|----------------|--------------|
| 3,533,181 | 3,533,181 | 0.08 | 282,654 |

Section 668.412(e) - Disclosures requirements for GE programs, direct distribution to prospective students.

Under proposed §668.412(e), an institution must provide, as a separate document, a copy of the disclosure information to a prospective student. Before a prospective student signs an enrollment agreement, completes registration at, or makes a financial commitment to the institution, the institution must obtain written confirmation from the prospective student that he or she received the copy of the disclosure information.

Section 688.412(e) - New Burden:

| # of Respondents | # of Responses | Hours/Response | Burden Hours |
|------------------|----------------|----------------|--------------|
| 13,953,411 | 13,953,411 | 0.08 | 1,116,272 |

TOTALS

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|--------------|------------|
| Responses | 25,746,446 |
| Respondents | 25,746,446 |
| Burden Hours | 2,167,129 |