

The Department of Education (the Department) proposes to amend the Institutional Eligibility Under the Higher Education Act of 1965, as Amended regulations to implement changes to §600.9 – State Authorization. These proposed regulations are a result of negotiated rulemaking in early 2019 and would add new requirements to the current regulations.

The proposed regulations in §600.9(c)(1)(ii)(A) would require an institution to determine in which State a student is located while enrolled in a distance education or correspondence course when the institution participates in a State authorization reciprocity agreement under which it is covered in accordance with the institution’s policies and procedures. The institution must make such determinations consistently and apply them to all students.

The proposed regulations in §600.9(c)(1)(ii)(B) would require an institution, upon request from the Secretary, provide the written documentation of its determination of a student’s location, including the basis for such determination.

For the proposed regulations in §600.9(c)(1)(ii)(A), we estimate that, on average, an institutions would need 30 minutes to update its policies and procedures manual to ensure consistent location determinations for distance education and correspondence course students.

<u>Affected entity</u>	<u># of Respondents</u>	<u># of Responses</u>	<u>Hrs/Response</u>	<u>Total Burden</u>
Private Institutions	1,704	1,704	X .5 hours	852 hours

For the proposed regulations in §600.9(c)(1)(ii)(B), we estimate that, on average, an institutions would need 30 minutes provide the Secretary, upon request, with written documentation from its policies and procedures manual of its method of determination of a student’s location, including the basis for such determination. We estimate that no more than five percent of institutions will be required to provide written documentation to the Secretary regarding the basis for the institutions’ determination of a State location.

<u>Affected entity</u>	<u># of Respondents</u>	<u># of Responses</u>	<u>Hrs/Response</u>	<u>Total Burden</u>
Private Institutions	1,704 x5%	85	X .5 hours	43 hours

TOTALS

Responses	1,789
Respondents	1,704
Burden Hours	895