

The Department of Education (the Department) amends the Student Assistance General Provisions regulations to implement changes to §668.43 – Financial assistance information . These changes are based on requirements of Section 485(a)(1)(G) of the Higher Education Act of 1965, as amended, (HEA). These final regulations are a result of negotiated rulemaking in 2021 and add new requirements to the current regulations.

The final regulations in §668.43 put in place new institutional disclosure requirements for participants in the Prison Education Program (PEP). Specifically, §668.43(a)(5)(v) is amended to require disclosure of typical State or Federal prohibitions on the licensure or employment of formerly confined or incarcerated individuals for a PEP that is designed to meet educational requirements for a specific professional license or certification. This information is required for licensure requirements in States other than the State where the correctional facility is located or the State where most students are likely to return.

We believe that of an estimated 400 institutions who participate in PEPs, 20 percent or 80 institutions will have programs that are required to perform such research and disclosure development. We further believe that of an estimated 800 programs at those institutions, 20 percent or 160 programs will require such research.

We anticipate that to fully research the licensure requirements in the required State or States and prepare documentation for students in the eligible PEP, an institution will need 25 hours per program for an estimate total burden of 4,000 hours (160 x 25 = 4,000).

Affected Entity	Respondent	Responses	Hrs/Response	Total Burden	Cost/Entity
Public Inst.	66	132	25	3,300	\$153,747

TOTALS

Respondents	1,860
Responses	8,805
Burden Hours	343,533