

On January 18, 2022, the Department convened a negotiated rulemaking committee, the Institutional and Programmatic Eligibility Committee, to consider proposed regulations for the Federal Student Aid programs authorized under title IV of the Higher Education Act of 1965, as amended, (HEA). Through the Notice of Proposed Rulemaking (NPRM), docket number ED-2022-OPE-0062, the Secretary proposes new regulations to promote transparency, competence, stability, and effective outcomes for students in the provision of postsecondary education. The NPRM, published May 19, 2023 (Vol. 88, No. 97, pages 32300-32511), included proposed regulations on five topics--Financial Value Transparency and Gainful Employment (GE), Financial Responsibility, Administrative Capability, Certification Procedures, and Ability to Benefit. Some of those topics were covered under the information collection 1845-0022 as published in the NPRM.

The NPRM has been divided into two separate Final Rules, one which covers only the provisions on Financial Value Transparency and GE. This Final Rule includes a portion of the information collection 1845-0022 that was published in the NPRM. At a later date, another final rule covering the remaining topics (Financial Responsibility, Administrative Capability, Certification Procedures, and Ability to Benefit) will also include elements of 1845-0022 that were included in the information collection that was part of the NPRM.

The GE Final Rule makes changes to the information collection 1845-0022 – Student Assistance General Provisions.

Section 668.43-Institutional and programmatic information.

Under final § 668.43(d), the Department will establish and maintain a website for posting and distributing key information pertaining to the institution's educational programs. An institution will provide such information as the Department prescribes through a notice published in the *Federal Register* for prospective and enrolled students through the website.

This information could include, but will not be limited to, as reasonably available, the primary occupations that the program prepares students to enter, along with links to occupational profiles on O*NET or its successor site; the program's or institution's completion rates and withdrawal rates for full-time and less-than-full-time students, as reported to or calculated by the Department; the length of the program in calendar time; the total number of individuals enrolled in the program during the most recently completed award year; the total cost of tuition and fees, and the total cost of books, supplies, and equipment, that a student would incur for completing the program within the length of the program; the percentage of the individuals enrolled in the program during the most recently completed award year who received a title IV, HEA loan, a private education loan, or both; and whether the program is programmatically accredited and the name of the accrediting agency.

The institution will be required to provide a prominent link and any other needed information to access the website on any webpage containing academic, cost, financial aid, or admissions information about the program or institution. The Department could require the institution to modify a webpage if the

information about how to access the Department's website is not sufficiently prominent, readily accessible, clear, conspicuous, or direct.

In addition, the Department will require the institution to provide the relevant information to access the website to any prospective student or third party acting on behalf of the prospective student before the prospective student signs an enrollment agreement, completes registration, or makes a financial commitment to the institution.

The final regulatory language in § 668.43(d) will add burden to all institutions, domestic and foreign. The changes in § 668.43(d) will require institutions to supply the Department with specific information about programs it is offering as well as provide to enrolled and prospective students this information.

We believe that this reporting or disclosure activity would require an estimated 50 hours per institution.

We estimate that it will take private non-profit institutions 70,500 hours (1,410 x 50 = 70,500) to complete the required reporting activity.

TOTALS

Responses – 1,410
Respondents – 1,410
Burden Hours – 70,500

Paperwork Burden Statement

According to the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless such collection displays a valid OMB control number. The valid OMB control number for this information collection is 1845-0022. Public reporting burden for this collection of information is estimated to average 50 hours per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. The obligation to respond to this collection is required to obtain or retain a benefit (34 CFR 668). If you have comments or concerns regarding the status of your individual submission of this information, please contact Beth Grebeldinger at beth.grebeldinger@ed.gov directly.