

In January 2024, the Department convened a negotiated rulemaking committee, the Program Integrity and Institutional Quality Committee, to consider proposed regulations for the title IV, Higher Education Act of 1965, as amended, (HEA) programs. Through the Notice of Proposed Rulemaking (NPRM), docket number ED-2024-OPE-0050, the Secretary proposes new regulations to promote program integrity and institutional quality. The NPRM regulations would clarify, update, and consolidate certain provisions that apply to distance education; the return of title IV, HEA funds; and the Federal TRIO programs.

The NPRM proposes the following changes to the information collection 1845-0022 – Student Assistance General Provisions.

Section 668.22 Treatment of title IV funds when a student withdraws.

The proposed revision to 668.22 would require institutions to take attendance in distance education courses, which would require schools to use actual attendance data to determine a student's withdrawal date for students enrolled entirely in online courses for a particular payment period or period of enrollment. The requirement would not apply to dissertation research courses that are part of a doctoral program

The proposed regulatory change would add a burden for institutions. The Award Year 2022 IPEDS reporting has 3,732 institutions offering one or more distance education courses. The Department estimates that each of the institutions would be required to do an initial review of their distance education system to ensure that attendance is being collected and potentially develop or add attendance taking to the system. The Department expects that this would require an average of 10 hours per institution as a one-time burden.

The Department estimates it would take 1,634 Public institutions 16,340 hours to perform this review function ($1,634 \times 10 \text{ hours} = 16,340$).

Due to the highly automated delivery of these types of courses, and the availability of such coursework on a daily basis, the Department estimates half of the institutions offering distance education courses would already be performing this task. Therefore, the Department estimates it would take the remaining fifty percent of institutions offering distance education about 10 minutes on a daily basis to capture attendance information for their records.

The Department estimates it would take 817 Public institutions 50,695 hours annually to perform this recordkeeping function ($1,634/2 \times 365 \times .17 \text{ (10 minutes)} = 50,695$).

TOTALS

Responses – 299,838
 Respondents – 1,634
 Burden Hours – 67,035

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 13 minutes 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.