

Gainful Employment Final Regulations Matrix*

The U.S. Department of Education (ED) published final regulations on Gainful Employment in the October 29, 2010 and June 13, 2011 *Federal Registers*. The final regulations are the result of the negotiated rulemaking sessions between ED and the financial aid community in 2010.



Prepared by Great Lakes Higher Education Guaranty Corporation

November 11, 2011

***This matrix provides a summary of the regulatory provisions pertaining to gainful employment, as well as a compilation of ED guidance issued on the subject to date. It is intended to be used as a resource tool and is limited in scope to the regulatory requirements and related guidance. The information is subject to change based upon additional guidance issued by ED or clarifications that may be received. Readers should refer to the final rules or contact ED to resolve any questions.**

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Key:

Summary of Regulatory Change = provides a summary of the regulatory language from Chapter 34 of the Code of Federal Regulations (CFR) that contains the federal regulations for the Department of Education (ED).

Date/Trigger = contains the effective date and trigger (i.e., the event that “triggers” the change to occur).

Related DCL/ED Guidance = refers to Dear Colleague Letter(s) or other sub-regulatory guidance issued by ED that addresses the topic.

Additional Guidance/Clarifying Comments = Contains supplementary guidance from or obtained by the financial aid community.

Questions and Answers = ED Q&A’s or ones that Great Lakes has collected on the topic.

Designation of a Gainful Employment Program					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Definition of Gainful Employment Programs at Public and Not-for-Profit Institutions					
1.	<p>An eligible program provided by a public or not-for-profit institution of higher education (school) must meet one of the following criteria:</p> <ul style="list-style-type: none"> • Lead to an associate, bachelor's, professional, or graduate degree. • Be at least a two-academic-year program that is acceptable for full credit toward a bachelor's degree. • Be at least a one-academic-year training program that leads to a certificate, or other non-degree recognized credential and prepares students for gainful employment in a recognized occupation. <p style="text-align: right;">[§668.8(c)]</p>	July 1, 2011	<p>DCL GEN-11-10</p> <p>GE Electronic Announcement #3</p> <p>GE Electronic Announcement #11</p> <p>GE Electronic Announcement #12</p> <p>GE Electronic Announcement #19</p>	<p>At public institutions and not-for-profit institutions, all programs are considered gainful employment programs, except:</p> <ul style="list-style-type: none"> • Programs that lead to a degree. • Programs of at least two years in length that are fully transferrable to a bachelor's degree. • Preparatory non-certificate coursework necessary for enrollment in an eligible program. <p>[ED presentation at NASFAA 2011 (slide 13)]</p> <p>The following are also gainful employment programs at these institutions:</p> <ul style="list-style-type: none"> • Teacher certification programs leading to a certificate awarded by the institution but not to teacher training programs that do not lead to a certificate. • ESL (English as a second language) programs leading to a certificate or, if a proprietary institution, a degree. <p>[ED presentation at NASFAA 2011 (slide 14)]</p> <p>Regardless of whether a preparatory course of study leads to a certificate awarded by the school or is simply a set of courses, the preparatory course of study is not a gainful employment program since it does not prepare a student for employment in a</p>	<p>G-Q2 (May 12, 2011)</p> <p>G-Q3 (May 27, 2011)</p> <p>G-Q9 (June 30, 2011)</p> <p>G-Q15 (September 20, 2011)</p> <p>G-Q16 (October 17, 2011)</p>

Designation of a Gainful Employment Program					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
				recognized occupation. [GE Electronic Announcement #19]	
Definition of Gainful Employment Programs at Proprietary Institution of Higher Education and Postsecondary Vocational Institutions					
2.	<p>Among other requirements, an eligible program provided by a proprietary institution of higher education (proprietary school) or postsecondary vocational institution must provide training that prepares a student for gainful employment in a recognized occupation as provided in §668.6.</p> <p>[§668.8(d)(2)(iii) & (3)(iii)]</p>	July 1, 2011	<p>DCL GEN-11-10</p> <p>GE Electronic Announcement #3</p> <p>GE Electronic Announcement #11</p> <p>GE Electronic Announcement #12</p> <p>GE Electronic Announcement #19</p>	<p>All programs at proprietary schools are considered gainful employment programs, except:</p> <ul style="list-style-type: none"> Programs leading to a baccalaureate degree in liberal arts offered since January 2009 that has been regionally accredited since October 2007. Preparatory non-certificate coursework necessary for enrollment in an eligible program. <p>[ED presentation at NASFAA 2011 (slide 12)]</p> <p>The following are also gainful employment programs at these institutions:</p> <ul style="list-style-type: none"> Teacher certification programs leading to a certificate awarded by the institution but not to teacher training programs that do not lead to a certificate. ESL (English as a second language) programs leading to a certificate or, if a proprietary institution, a degree. <p>[ED presentation at NASFAA 2011 (slide 14)]</p> <p>Regardless of whether a preparatory course of study leads to a certificate awarded by the school or is simply a set of courses, the preparatory course of study is not a gainful employment program since it does not prepare a student for employment in a</p>	<p>G-Q2 (May 12, 2011)</p> <p>G-Q3 (May 27, 2011)</p> <p>G-Q9 (June 30, 2011)</p> <p>G-Q15 (September 20, 2011)</p>

Designation of a Gainful Employment Program					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
				recognized occupation. [GE Electronic Announcement #19]	

Student Disclosure Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Required Disclosure Items -- Occupations and Program Costs					
1.	<p>For each program offered by a school that prepares students for gainful employment, the school must provide prospective students with—</p> <ul style="list-style-type: none"> Occupations (by names and SOC codes) that students attending the program will be prepared to enter. In addition, the school must provide the students with links to the occupational profiles on O*NET (or a representative sample of occupations if the number of occupations is more than ten). Tuition and fees charged to students completing the program within the normal time. Books and supplies (unless included in tuition and fees). Room and board, if applicable. <p>The school may also include other costs, such as transportation and living expenses.</p> <p style="text-align: right;">[§668.6(b)(1)(i) & (iii)]</p>	July 1, 2011	DCL GEN-11-10		<p>G-Q11 (July 22, 2011) D-Q10 (June 15, 2011)</p>
Required Disclosure Items -- On-time Graduation Rates					
2.	<p>For each program offered by a school that prepares students for gainful employment, the school must provide prospective students with the on-time graduation rate for students completing the program. The school calculates this rate by—</p> <ul style="list-style-type: none"> Determining the number of students who completed the program during the most recently completed award year (denominator). Determining the number of students who completed the program within the normal time (as defined in §668.41(a) (numerator). 	July 1, 2011	DCL GEN-11-10		<p>D-Q7 (May 20, 2011) D-Q11 (June 15, 2011) D-Q12 (June 15, 2011) D-Q15 (July 13, 2011)</p>

Student Disclosure Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<ul style="list-style-type: none"> Dividing the numerator by the denominator and multiplying the result by 100. <p style="text-align: right;">[§668.6(b)(1)(ii) & (c)]</p>				
Required Disclosure Items -- Placement Rate					
3.	<p>For each program offered by a school that prepares students for gainful employment, the school must provide prospective students with the placement rate for students completing the program.</p> <p>This rate will eventually be determined under a methodology developed by the National Center for Education Statistics (NCES). Until that is available, if a school is required by its accrediting agency or State to calculate a placement rate on a program basis, it must disclose the rate and identify under whose requirements the rate was calculated. If, however, the school's accrediting agency or State requires the school to calculate a placement rate at the institutional level (or other than a program basis), the school must use the accrediting agency's or State's methodology and calculate a placement rate for the program and disclose that rate.</p> <p style="text-align: right;">[§668.6(b)(1)(iv)]</p>	July 1, 2011	DCL GEN-11-10		<p>D-Q8 (June 8, 2011)</p> <p>D-Q9 (June 8, 2011)</p>
Required Disclosure Items -- Median Loan Debt					
4.	<p>For each program offered by a school that prepares students for gainful employment, the school must provide prospective students with the median loan debt incurred by students who completed the program as provided by ED. The median loan debt must be separated by type of loan program – federal, private or institutional.</p> <ul style="list-style-type: none"> Title IV loan debt (FFELP and Direct Loan only). Private educational loan debt. Institutional finance plans. <p style="text-align: right;">[§668.6(b)(1)(v)]</p>	July 1, 2011	DCL GEN-11-10	<p>The title IV loan debt (FFELP and Direct Loan only) is based on the amount borrowed. The private educational loan debt is based on the amount borrowed. The institutional finance plans is based on the amount owed.</p> <p>[ED presentation at NASFAA 2011 (slide 25)]</p> <p>The regulation states ED will provide the median loan amounts, however, since the first disclosures must be made no later than July 1, 2011 and the first reporting by schools to ED is not required until October 1, 2011, a</p>	<p>G-Q14 (August 12, 2011)</p> <p>D-Q5 (May 12, 2011)</p> <p>D-Q6 (May 12, 2011)</p> <p>D-Q13 (June 15, 2011)</p> <p>D-Q14 (June 30, 2011)</p>

Student Disclosure Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
				school must include in its own calculations of median debt in the gainful employment disclosure until such time that ED provides that information. [GEN-11-10]	
Disclosure Method					
5.	<p>For each program, the school must disclose the items outlined above—</p> <ul style="list-style-type: none"> In promotional materials it makes available to prospective students and posts on its Web site. In a simple and meaningful manner on the home page of its program Web site, and provide a prominent and direct link on any other Web page containing general, academic, or admissions information about the program to the single Web page that contains all the required information. In an open format that can be retrieved, downloaded, indexed, and searched by commonly used Web search applications. An open format is one that is platform-independent, is machine readable, and is made available to the public without restrictions that would impede the reuse of the information. <p>When it becomes available, the school must use the disclosure form issued by ED to provide the required disclosure items.</p> <p style="text-align: right;">[§668.6(b)(2)(i) – (iv)]</p>	July 1, 2011	DCL GEN-11-10	<p>Schools are responsible for meeting the disclosure requirements by July 1, 2011 using their own form since the ED form has not yet been released.</p> <p>[ED presentation at NASFAA 2011 (slide 20)]</p> <p>The ED 'form' will be provided to schools through an online Web-application. The application will allow schools to create a Web page containing the required disclosure information.</p> <p>[GEN-11-10]</p>	<p>G-Q6 (June 8, 2011) G-Q7 (June 8, 2011) G-Q8 (June 15, 2011) G-Q12 (August 9, 2011) G-Q13 (August 12, 2011) D-Q1 (May 12, 2011) D-Q2 (June 17, 2011) D-Q3 (July 22, 2011) D-Q4 (May 12, 2011) D-Q17 (July 22, 2011)</p>

School Reporting Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Required Reporting Items					
1.	A school must report to ED the following information each award year on students enrolled in a gainful employment	See item 2 for reporting time	DCL GEN-11-10 GE Electronic	Schools may also report tuition and fees, but it is optional.	<p>G-Q4 (May 27, 2011) G-Q6 (June 8, 2011)</p>

School Reporting Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>program:</p> <ul style="list-style-type: none"> Student identifying information. School identifying information. <p>If the student <i>began</i> a program during the award year, the school must report the program's name and Classification of Instructional Program (CIP) code.</p> <p>If the student <i>completed</i> a program during the award year, school must also report the—</p> <ul style="list-style-type: none"> CIP code and the date the student completed the program. Amounts the student received from private educational loans and institutional financing plans that the student owes the school upon completing the program. Whether the student matriculated to a higher credentialed program at the school, or (if available) evidence the student transferred to a higher credentialed program at another school. <p>In addition, for each gainful employment program (by name and CIP code) the school must report to ED the total number of students enrolled in the program at the end of each award year and identifying information for those students.</p> <p style="text-align: right;">[§668.6(a)(1)]</p>	frames.	<p>Announcement #13</p> <p>GE Electronic Announcement #14 & #26</p> <p>GE Electronic Announcements #17 & #22</p> <p>NSLDS Newsletter #34</p> <p>GE Electronic Announcement #23 (NSLDS reporting option)</p> <p>GE Electronic Announcement #25</p>	<p>[ED presentation at NASFAA 2011 (slide 27)]</p> <p>Student identifying information is:</p> <ul style="list-style-type: none"> SSN First, middle and last name Date of birth <p>School identifying information is the school's OPEID (8 digit code).</p> <p>[ED presentation at NASFAA 2011 (slide 29)]</p> <p>Private educational loans (as defined in 12 CFR §226.46(b)(5) by the Federal Reserve Board) are loans received by students to pay costs associated with attendance in the gainful employment programs. They include loans from financial institutions, credit unions, states and other localities, guaranty agencies, and postsecondary institutions.</p> <p>[ED presentation at NASFAA 2011 (slide 31)]</p> <p>Institutional financing plans include loans, extensions of credit, payment plans, or other financing mechanisms that would not otherwise be considered a private educational loan but that results in a debt obligation that a student must pay to a school after completing the program.</p> <p>[ED presentation at NASFAA 2011 (slide 32)]</p> <p>Schools were able to report gainful employment information via NSLDS Professional Access online as of</p>	<p>G-Q7 (June 8, 2011)</p> <p>G-Q8 (June 15, 2011)</p> <p>G-Q9 (June 30, 2011)</p> <p>G-Q10 (July 6, 2011)</p> <p>G-Q11 (July 22, 2011)</p> <p>G-Q12 (August 9, 2011)</p> <p>G-Q13 (August 12, 2011)</p> <p>R-Q1 (June 13, 2011)</p> <p>R-Q2 (May 12, 2011)</p> <p>R-Q3 (July 6, 2011)</p> <p>R-Q4 (July 22, 2011)</p> <p>R-Q5 (July 26, 2011)</p> <p>R-Q6 (July 26, 2011)</p> <p>R-Q7 (July 26, 2011)</p> <p>R-Q8 (August 3, 2011)</p> <p>R-Q9 (August 5, 2011)</p> <p>R-Q10 (August 5, 2011)</p> <p>R-Q11 (August 5, 2011)</p> <p>R-Q13 (August 19, 2011)</p> <p>R-Q14 (August 19, 2011)</p> <p>R-Q15 (August 19, 2011)</p> <p>R-Q16 (August 19, 2011)</p> <p>R-Q17 (August 26, 2011)</p> <p>R-Q18 (September 1, 2011)</p> <p>R-Q19 (September 6, 2011)</p> <p>R-Q20 (September 20, 2011)</p> <p>R-Q21 (September 20, 2011)</p> <p>R-Q22 (September 20, 2011)</p>

School Reporting Requirements					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
				September 26, 2011. [Electronic Announcements #14, #17, #22] See [ED webinar #4] for detailed information on reporting options.	R-Q23 (September 27, 2011) R-Q24 (September 27, 2011) R-Q26 (October 4, 2011) R-Q27 (October 17, 2011) R-Q28 (October 26, 2011)
Reporting Time Frames					
2.	Schools must report the required information listed above to ED no later than October 1, 2011 for information from the— <ul style="list-style-type: none"> 2006-07 award year to the extent it is available. 2007-08 through 2009-10 award years. For the most recently completed award year, schools must report the required information no earlier than September 30, but no later than the date established by ED as published in the <i>Federal Register</i> . [§668.6(a)(2)(i)]	Reports submitted no later than October 1, 2011 and beyond.	EA dated August 2, 2011 – ED announced that it will continue to accept information from the 2006-07 through 2009-10 until November 15, 2011. GE Electronic Announcement #27	In August 2, 2011 <i>Federal Register</i> , ED published reporting deadline date for 2010-11 award year as November 15, 2011, and announced that it would continue to accept information from prior award years until that same date.	G-Q5 (August 19, 2011) R-Q12 (August 9, 2011) R-Q29 (November 4, 2011)
Missing or Incomplete Data					
3.	For any award year, if a school is unable to provide some or all of the required information listed above to ED, the school must provide an explanation of why the missing information is not available. [§668.6(a)(2)(ii)]	By time frames noted in item 2.	GE Electronic Announcement #18	If a school is unable to report the required information, it must provide an explanation to ED via GE-Missing-Data@ed.gov . Refer to [EA #18] for additional information.	

Adding New Gainful Employment Programs					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Notifying ED of a New Program					
1.	An eligible school must notify ED at least 90 days before the first day of class when it intends to add an educational program that prepares students for gainful employment in a recognized occupation. The school may proceed to offer the program described in its notice, unless ED advises the school	July 1, 2011	GE Electronic Announcement #5	For new gainful employment programs where the first day of class will begin on or after July 1, 2011 and before October 1, 2011, notification must be provided to ED no later than	NP-Q2 (May 20, 2011) NP-Q4 (September 1, 2011) NP-Q5 (October 17, 2011)

Adding New Gainful Employment Programs					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>that the additional educational program must be approved under §600.20(c)(1)(v).</p> <p>Except as provided for direct assessment programs under 34 CFR 668.10, or pursuant to a requirement included in a school's Program Participation Agreement under 34 CFR 668.14, the school does not have to apply for approval to add any other type of educational program.</p> <p style="text-align: right;">[§600.10(c)(1)]</p>			<p>July 1, 2011. If a school does not provide the required notification by this date, it must wait for ED approval before disbursing funds to students enrolled in the new program. The school must also inform students that the program has not been approved by ED to be eligible for federal student aid.</p> <p>For new gainful employment programs where the first day of class will begin on or after October 1, 2011, a school must notify ED at least 90 days prior to the first day of class. If the school does not give notice at least 90 days before the first day of class, it must wait for ED approval and must inform students that the school has not received ED approval for the program to be eligible for federal student aid.</p> <p>[Electronic Announcement #5]</p> <p>[ED webinar #3 (9/26/11), slides 19 & 27]</p> <p>See [Electronic Announcement #5] for the following:</p> <ul style="list-style-type: none"> • Language from 34 CFR 600.20(d)(2). • Procedures for notifying ED of a new GE program. • Notice format for intent to offer an educational program. 	
Definition of a New Gainful Employment Program					
2.	<p>An additional educational program for this purpose is defined as one of the following—</p> <ul style="list-style-type: none"> • A program with a Classification of Instructional Programs 	July 1, 2011			NP-Q3 (July 6, 2011)

Adding New Gainful Employment Programs					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>(CIP) code under the taxonomy of instructional program classifications and descriptions developed by the ED's National Center for Education Statistics (NCES) that is different from any other program offered by the institution.</p> <ul style="list-style-type: none"> A program that has the same CIP code as another program offered by the institution but leads to a different degree or certificate. A program that the institution's accrediting agency determines to be an additional program. <p style="text-align: right;">[§600.10(c)(2)]</p>				
Penalties for Failing to Obtain ED Approval					
3.	<p>An institution must repay to ED all HEA program funds received by the school for an educational program, and all the title IV, HEA program funds received by or on behalf of students who enrolled in that program if the school—</p> <ul style="list-style-type: none"> Fails to obtain ED's approval to offer an additional educational program that prepares students for gainful employment in a recognized occupation. Incorrectly determines that an educational program that is not subject to approval is an eligible program for title IV, HEA program purposes. <p style="text-align: right;">[§600.10(c)(3)]</p>	July 1, 2011			
Notice and Application Procedures					
4.	<p>A school must notify ED of its intent to offer an additional educational program, or provide an application to expand its eligibility, in a format prescribed by ED and provide all the information and documentation requested by ED to make a determination of its eligibility and certification.</p> <ul style="list-style-type: none"> A school that notifies ED of its intent to offer an educational program to expand its scope must ensure that ED receives the notice described below at least 90 days before the first day of class of the educational program. <ul style="list-style-type: none"> The school, however, is not required to obtain approval to offer the additional educational program unless ED alerts the school at least 30 days before the first day of class that the program must be approved for title IV, HEA 	July 1, 2011	GE Electronic Announcement #5 and #16	<p>The procedures for institutional notification to ED of new gainful employment programs was originally part of EA #5, but was updated and attached to EA #16 to reflect an E-App system update effective July 31, 2011.</p> <p>See ED webinar #3 for more information on the notification and application procedures for adding new programs.</p>	<p>NP-Q1 (August 5, 2011)</p> <p>NP-Q3 (July 6, 2011)</p>

Adding New Gainful Employment Programs					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>program purposes. If ED does alert the school that the additional educational program must be approved, ED will treat the notice provided about the additional educational program as an application for that program.</p> <ul style="list-style-type: none"> o If the school does not provide timely notice, the school must obtain approval of the additional educational program from ED for title IV, HEA program purposes. o If an additional educational program is required to be approved by ED for title IV, HEA program purposes, ED may grant approval, or request further information prior to making a determination of whether to approve or deny the additional educational program. <ul style="list-style-type: none"> • When reviewing an application for expanded eligibility from a school, the Secretary will take into consideration the following: <ul style="list-style-type: none"> o The school's demonstrated financial responsibility and administrative capability in operating its existing programs. o Whether the additional educational program is one of several new programs that will replace similar programs currently provided by the institution, as opposed to supplementing or expanding the current programs provided by the institution. o Whether the number of additional educational programs being added is inconsistent with the institution's historic program offerings, growth, and operations. o Whether the process and determination by the institution to offer an additional educational program that leads to gainful employment in a recognized occupation is sufficient. • If ED denies an application from a school to offer an additional educational program, the denial will be based on the factors described above ED will explain in the denial how the institution failed to demonstrate that the program is likely to lead to gainful employment in a recognized occupation. 				

Adding New Gainful Employment Programs					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<ul style="list-style-type: none"> ○ If ED denies the school's application to add an additional educational program, ED will permit the school to respond to the reasons for the denial and request reconsideration of the denial. <p>Notice format – A school that notifies ED of its intent to offer an additional educational program must at a minimum—</p> <ul style="list-style-type: none"> • Describe in the notice how the institution determined the need for the program and how the program was designed to meet local market needs, or for an online program, regional or national market needs. This description must contain any wage analysis the institution may have performed, including any consideration of Bureau of Labor Statistics data related to the program. • Describe in the notice how the program was reviewed or approved by, or developed in conjunction with, business advisory committees, program integrity boards, public or private oversight or regulatory agencies, and businesses that would likely employ graduates of the program. • Submit documentation that the program has been approved by its accrediting agency or is otherwise included in the school's accreditation by its accrediting agency or comparable documentation if the institution is a public postsecondary vocational institution approved by a recognized State agency for the approval of public postsecondary vocational education in lieu of accreditation. • Provide the date of the first day of class of the new program. <p style="text-align: right;">[§600.20(d)(1) & (2)]</p>				

Debt Measures (Metrics) – General					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Minimum Standards					
1.	A school is considered to be providing training that leads to gainful employment in a recognized occupation if--	July 1, 2012		Informational rates will be published by ED in 2012 and official rates will be	DM-Q1 (August 12, 2011)

Debt Measures (Metrics) – General					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<ul style="list-style-type: none"> The program's annual loan repayment rate is at least 35%. The program's annual loan repayment rate is less than or equal— <ul style="list-style-type: none"> 30% of discretionary income (discretionary income threshold); or 12% of annual earnings (actual earnings threshold). <p style="text-align: right;">[§668.7(a)(1)]</p>			<p>published in 2013</p> <p>[ED webinar #3 (9/26/11), slide 10]</p>	
Definitions—Program					
2.	<p>Program – refers to an educational program offered by a school under §668.8(c)(3) or (d) that is identified by a combination of the school's 6-digit OPEID number, the program's 6-digit CIP code (as assigned by the school or ED), and credential level.</p> <p>ED determines whether a school accurately assigns a CIP code for a program based on the classifications and program codes established by the National Center for Education Statistics (NCES).</p> <p>The credential levels for identifying a program are—</p> <ul style="list-style-type: none"> undergraduate certificate associate's degree bachelor's degree post-baccalaureate certificate master's degree doctoral degree first professional degree <p style="text-align: right;">[§668.7(a)(2)(i)(A) & (B)]</p>	July 1, 2012			<p>R-Q4 (July 22, 2011)</p> <p>R-Q8 (August 3, 2011)</p> <p>R-Q22 (September 20, 2011)</p>
Definitions—Debt Measures					
3.	<p>Debt Measures – refers collectively to the loan repayment rate and debt-to-earnings ratios as described in §668.7(b) and (c) – see below.</p> <p style="text-align: right;">[§668.7(a)(2)(ii)]</p>	July 1, 2012			DM-Q1 (August 12, 2011)

Debt Measures (Metrics) – General					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Definitions—Fiscal Year					
4.	<p>Fiscal Year (FY) – is the 12-month period starting October 1 and ending September 30 that is designated by the calendar year in which it ends. For example, FY2013 is from October 1, 2012 to September 30, 2013. That designation also represents the FY for which ED calculates the debt measures.</p> <p style="text-align: right;">[§668.7(a)(2)(iii)]</p>	July 1, 2012			
Definitions—Two Year Period (2YP)					
5.	<p>Two-Year Period (2YP) – is the period covering two consecutive FY's that occur on—</p> <ul style="list-style-type: none"> • The third and fourth FY's (2YP) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2012, the 2YP is FY's 2008 and 2009; or • For FY's 2012, 2013, and 2014, the first and second FY's (2YP-A) prior to the most recently completed FY for which the loan repayment rate is calculated. For example, if the most recently completed FY is 2012, the 2YP-A is FY's 2010 and 2011. • For a program whose students are required to complete a medical or dental internship or residency, as identified by a school, the sixth and seventh FY's (2YP-R) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2012, the 2YP-R is FY's 2005 and 2006. <p>For this purpose, a required medical or dental internship or residency is a supervised training program that—</p> <ul style="list-style-type: none"> • Requires the student to hold a degree as a doctor of medicine or osteopathy, or a doctor of dental science. • Leads to a degree or certificate awarded by a school, a hospital, or a health care facility that offers post-graduate training. • Must be completed before the borrower may be licensed by the State and board certified for professional practice or service. <p style="text-align: right;">[§668.7(a)(2)(iv)]</p>	July 1, 2012			

Debt Measures (Metrics) – General					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Definitions—Discretionary Income					
6.	<p>Discretionary Income – is the difference between the mean or median annual earnings and 150% of the most current poverty guideline for a single person in the continental U.S. The poverty guidelines are published annually by the U.S. Department of Health and Human Services and are available at http://aspe.hhs.gov/poverty.</p> <p>[§668.7(a)(2)(vi)]</p>	July 1, 2012			

Loan Repayment Rate					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Loan Repayment Rate Formula					
1.	<p>For the most recently completed fiscal year (FY), ED calculates the loan repayment rate for a program using the following ratio:</p> $\frac{\text{OOPB of LPF plus OOPB of PML}}{\text{OOPB}}$ <p>[§668.7(b)]</p>	July 1, 2012			DM-Q1 (August 12, 2011)
Original Outstanding Principal Balance (OOPB)					
2.	<p>OOPB – the amount of the outstanding balance, including capitalized interest, of FFELP and Direct Loans owed by students for attendance in the program on the date those loans first entered repayment.</p> <p>The OOPB includes FFELP and Direct Loans that first entered repayment during the 2YP, the 2YP-A, the 2YP-R, the 4YP, or the 4YP-R. The OOPB does not include PLUS loans made to parent borrowers or TEACH Grant-related unsubsidized loans.</p> <p>For Consolidation loans, the OOPB is the OOPB of the FFELP or Direct Loans attributable to a borrower's attendance in the program.</p> <p>For FY's 2012, 2013, and 2014, ED calculates two loan repayment rates for a program – one with the 2YP and the</p>	July 1, 2012			

Loan Repayment Rate					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>other with the 2YP-A (so long as the 2YP-A represents more than 30 borrowers whose loans entered repayment). ED determines whether the program meets the minimum standard (see definition above) by using the higher of the 2YP rate or 2YP-A rate.</p> <p style="text-align: right;">[§668.7(b)(1)]</p>				
Loans Paid in Full (LPF)					
3.	<p>LPF – are loans that have never been in default or, in the case of a Federal Consolidation Loan or a Direct Consolidation Loan, neither the consolidation loan nor the underlying loan(s) have ever been in default and that have been paid in full by the borrower. A loan that is paid through a Federal Consolidation loan, a Direct Consolidation loan, or under another refinancing process provided for under the HEA, is not counted as paid-in-full for this purpose until the consolidation loan or other financial instrument is paid in full by the borrower.</p> <p>The OOPB of LPF in the numerator of the ratio is the total amount of OOPB for these loans.</p> <p style="text-align: right;">[§668.7(b)(2)]</p>	July 1, 2012			
Payments-Made Loans (PML)					
4.	<p>PML – are loans that have never been in default or, in the case of a Federal Consolidation Loan or a Direct Consolidation Loan, neither the consolidation loan nor the underlying loan have ever been in default where—</p> <ul style="list-style-type: none"> • Payments made by a borrower during the most recently completed FY reduce the outstanding balance of a loan, including the outstanding balance of a Federal Consolidation Loan or Direct Consolidation Loan, to an amount that is less than the outstanding balance of the loan at the beginning of that FY. The outstanding balance of a loan includes any unpaid accrued interest that has not been capitalized; or <ul style="list-style-type: none"> ○ If the program is a post-baccalaureate certificate, master's degree, doctoral degree, or first-professional degree program, the total outstanding balance of a Federal or Direct Consolidation Loan at the end of the most recently completed FY is less than or equal to 	July 1, 2012			

Loan Repayment Rate					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>the total outstanding balance of the consolidation loan at the beginning of the FY. The outstanding balance of the consolidation loan includes any unpaid accrued interest that has not been capitalized.</p> <ul style="list-style-type: none"> • A borrower is in the process of qualifying for Public Service Loan Forgiveness (as authorized in §685.219(c)) and submits an employment certification to ED that demonstrates the borrower is engaged in qualifying employment and the borrower made qualifying payments on the loan during the most recently completed FY. • A borrower in an income-based repayment (IBR) plan, income-contingent repayment (ICR) plan, or any other repayment plan makes scheduled payments on the loan during the most recently completed FY for an amount that is equal to or less than the interest that accrues on the loan during the FY. ED limits the dollar amount of these interest-only or negative amortization loans in the numerator of the ratio to no more than 3% of the total amount of OOPB in the denominator of the ratio, based on available data on a program's borrowers who are making satisfactory payments under these repayment plans. <ul style="list-style-type: none"> ○ Until ED determines there is sufficiently complete data on which of the program's borrowers have scheduled payment that are equal to or less than accruing interest, ED will include in the numerator 3% of the OOPB in the denominator. ○ ED may adjust the limitation by publishing a notice in the <i>Federal Register</i>. The adjusted limitation may not be lower than the 3% limit noted above, or higher than the estimated percentage of all outstanding Federal student loan dollars that are interest-only or negative amortization loans. <p>The OOPB of PML in the numerator of the ratio is the total amount of OOPB for these loans.</p> <p style="text-align: right;">[§668.7(b)(3)]</p>				
Loans Excluded from Total OOPB					
5.	Exclusions – the OOPB of the following loans is excluded	July 1, 2012			

Loan Repayment Rate					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>from both the numerator and denominator of the ratio for the most recently completed FY:</p> <ul style="list-style-type: none"> Loans that were in an in-school deferment status during any part of the FY. Loans that were in a military-related deferment status during any part of the FY. Loans that were discharged as a result of the death of the borrower. Loans that were assigned or transferred to ED that are being considered for discharge as a result of the total and permanent disability of the borrower, or were discharged for this reason by ED. <p style="text-align: right;">[§668.7(b)(4)]</p>				

Debt-to-Earnings Ratio					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Debt-to-Earnings Formulas					
1.	<p>For each FY, ED calculates the debt-to-earnings ratios using the following formulas:</p> <p>Discretionary Income Rate =</p> $\frac{\text{Annual loan payment}}{(\text{Mean or Median Annual Earnings} - (1.5 * \text{Poverty Guideline}))}$ <p>Earnings Rate =</p> $\frac{\text{Annual loan payment}}{\text{Mean or Median Annual Earnings}}$ <p style="text-align: right;">[§668.7(c)(1)]</p>	July 1, 2012			DM-Q1 (August 12, 2011)
Annual Loan Payment					
2.	<p>Annual loan payment – is determined by ED. ED first calculates the median loan debt of a program by—</p> <p>For each student who completed the program during the 2YP, 2YP-R, 4YP, or 4YP-R, determining the lesser of—</p>	July 1, 2012			

Debt-to-Earnings Ratio					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<ul style="list-style-type: none"> The amount of loan debt (see below) the student incurred; or If tuition and fee information is provided by the school, the total amount of tuition and fees that school charged the student for enrollment in all programs at the school. <p>Once the median loan debt of the program is determined, ED uses it and the current annual interest rate on Federal Direct unsubsidized Stafford loans (e.g., 6.8%) to calculate the annual loan repayment based on--</p> <ul style="list-style-type: none"> 10-year repayment schedule for a program that leads to a certificate (undergraduate or post-baccalaureate) or to an associate's degree. 15-year repayment schedule for a program that leads to a bachelor's or master's degree. 20-year repayment schedule for a program leading to a doctoral or first professional degree. <p style="text-align: right;">[§668.7(c)(2)]</p>				
Annual Earnings					
3.	<p>Annual earnings – ED obtains from the Social Security Administration (SSA), or another Federal agency, the most currently available mean and median annual earnings of the students who completed the program during the 2YP, the 2YP-R, the 4YP, or the 4YP-R. ED uses the higher of the mean or median annual earnings in the debt-to-earnings ratio.</p> <p style="text-align: right;">[§668.7(c)(3)]</p>	July 1, 2012			
Loan Debt					
4.	<p>Loan debt – to determine the loan debt for a student, ED—</p> <ul style="list-style-type: none"> Includes FFLEP and Direct Loans (except for parent PLUS or TEACH Grant-related loans) owed by the student for attendance in a program and any private education loans or debt obligations arising from institutional financing plans (as reported by the school per §668.6(a)(1)(i)(C)(2)). Attributes all the loan debt incurred by the student for attendance in programs at the institution to the highest credentialed program subsequently completed by the student at the school. 	July 1, 2012			D-Q6 (May 12, 2011)

Debt-to-Earnings Ratio					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<ul style="list-style-type: none"> Does not include any loan debt incurred by the student for attendance in a program at any other school(s), unless the other school(s) is under common ownership or control. <p style="text-align: right;">[§668.7(c)(4)]</p>				
Loans Excluded from Debt-to-Earnings Ratio					
5.	<p>Exclusions – The following FFELP or Direct Loans for a student are excluded from the FY in which ED is doing the calculation:</p> <ul style="list-style-type: none"> Loans in military-related status at any time during the calendar year. Loans that have been discharged due to the death of the student. Loans that were assigned or transferred to ED and are being considered for discharge or were discharged as a result of the total and permanent disability of the student. Loans for a student enrolled in any other eligible program at the same school or another school during the calendar year. <p style="text-align: right;">[§668.7(c)(5)]</p>	July 1, 2012			

Small Numbers, Draft Debt Measures, Data Corrections and Final Debt Measures					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Small Numbers					
1.	<p>For programs with small numbers of borrowers or completers, ED will calculate the debt measures (loan repayment rate and debt-to-earnings ratios) by using the 4YP or 4YP-R (as applicable) if the corresponding 2YP or 2YP-R (as applicable) represents 30 or fewer students who completed the program after any exclusions are considered.</p> <p>Instead of having to meet the minimum standards required in §668.7(a)(1), programs with small numbers of borrowers or completers will be considered to have met the debt measures if—</p> <ul style="list-style-type: none"> The 4YP or 4YP-R (after any exclusions) represents 30 	July 1, 2012			G-Q7 (June 8, 2011)

Small Numbers, Draft Debt Measures, Data Corrections and Final Debt Measures					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>or fewer borrowers whose loans entered repayment or 30 or fewer students who completed the program,</p> <ul style="list-style-type: none"> The Social Security Administration (SSA) does not provide the mean or median earnings for the program. The median loan debt calculated is zero. <p>[§668.7(d)(1) & (2)]</p>				
Draft Debt Measures					
2.	<p>For each FY beginning with FY2012, ED will issue draft results of the debt measures for each program offered by a school. The school may correct the data used to calculate the draft results before ED issues final debt measures.</p> <p>[§668.7(e)]</p>	July 1, 2012		<p>Informational rates will be published by ED in 2012 and official rates will be published in 2013</p> <p>[ED webinar #3 (9/26/11), slide 10]</p>	
Pre-Draft Corrections Process					
3.	<p>Before issuing draft results for a program, ED provides schools a list of the period for calculating the ratios. No later than 30 days after the date ED provides such list, the school, in accordance with procedures established by ED, may—</p> <ul style="list-style-type: none"> Provide evidence showing that a student should be included on or removed from the list. Correct or update the identity information provided for a student on the list, such as name, SSN, or date of birth. <p>After the 30-day correction period, the school may no longer challenge whether students should be included on the list or update identity information of those students.</p> <p>If the school provided updated information and it is found by ED to be accurate, it is used to create a final list of students the ED submits to the SSA. ED then calculates the draft debt-to-earnings ratios based on the mean and median earnings provided by SSA for the students on the final list.</p> <p>A school may not challenge the accuracy of the mean or median annual earnings ED obtains from the SSA to calculate the debt-to-earnings ratios.</p> <p>[§668.7(e)(1)]</p>	July 1, 2012			

Small Numbers, Draft Debt Measures, Data Corrections and Final Debt Measures					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Post-Draft Corrections Process					
4.	<p>A school has 45 days after issuance of the draft debt-to-earnings ratios and the loan repayment rate for a program to—</p> <ul style="list-style-type: none"> Challenge the accuracy of the loan data for a borrower that was used to calculate the loan repayment rate, or the median loan debt for the program that was used for the numerator of the draft debt-to-earnings ratios by submitting evidence showing the information was inaccurate. Challenge the accuracy of the list of borrowers included in the applicable two- or four-year period used to calculate the draft loan repayment rate by submitting evidence showing that a borrower should be included on or removed from the list or by correcting or updating the identity information provided for a borrower on the list, such as name, SSN, or date of birth. <p style="text-align: right;">[§668.7(e)(2)]</p>	July 1, 2012			
Recalculated Results					
5.	<p>If the school challenges the draft results and the updated information is found to be accurate by ED, it will be used to recalculate the debt measures for the program.</p> <p>For a program that fails the debt-to-earnings ratios, if SSA is unable to include in its calculation of the mean and median earnings for the program one or more students on the final list, ED will adjust the median loan debt by removing the highest loan debt associated with the number of students SSA is unable to include in its calculation. For example, if SSA is unable to include three students in its calculation, ED will remove the loan debt for the same number of students on the list that had the highest loan debt. ED will then recalculate the debt-to-earnings ratios for the program based on the adjusted median loan debt.</p> <p style="text-align: right;">[§668.7(e)(3)]</p>	July 1, 2012			
Final Debt Measures					
6.	ED will notify schools of any draft results that are not challenged, results that have been recalculated or results that are unsuccessfully challenged and these become the final	July 1, 2012			

Small Numbers, Draft Debt Measures, Data Corrections and Final Debt Measures					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	debt measures for the program. [§668.7(f)]				
Dissemination of Final Debt Measures					
7.	<p>After ED calculates the final debt measures and provides those debt measures to a school, the school must disclose for each of its programs, the final loan repayment rate and final debt-to-earnings ratio.</p> <p>ED may disseminate the final debt measures and information about, or related to, the debt measures to the public in any time, manner, and form, including publishing information that will allow the public to ascertain how well programs perform under the debt measures and other appropriate objective metrics.</p> <p>[§668.7(g)(6)]</p>	July 1, 2012			

Alternative Earnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
General					
1.	<p>A school may demonstrate that a failing program (as defined in §668.7(h)) would otherwise meet the debt-to-earnings standard by recalculating the debt-to-earnings ratios using the median loan debt for the program and alternative earnings from—</p> <ul style="list-style-type: none"> • A State-sponsored data system. • A school survey conducted in accordance with NCES standards. • For FY's 2012, 2013, and 2014, the Bureau of Labor Statistics (BLS). <p>[§668.7(g)(1)]</p>	July 1, 2012			
Use of State-Sponsored Data					
2.	For final debt-to-earnings ratios calculated by ED for FY2012 and any subsequent FY, a school may use State data to recalculate those ratios for a failing program only if the school	July 1, 2012			

Alternative Earnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>does all of the following.</p> <ul style="list-style-type: none"> Obtains earnings from State-sponsored data systems for more than 50% of the students (which must be more than 30 students) in the applicable two- or four-year period, or a comparable two- or four-year period. Uses the actual State-derived mean or median earnings of the students in the applicable two- or four-year period. Demonstrates that it accurately used the actual State-derived data to recalculate the ratios. <p style="text-align: right;">[§668.7(g)(2)]</p>				
Use of Survey Data					
3.	<p>For final debt-to-earnings ratios calculated by ED for FY2012 and any subsequent FY, a school may use survey data to recalculate those ratios for a failing program only if the school does all of the following.</p> <ul style="list-style-type: none"> Uses reported earnings obtained from an institutional survey conducted of the students (which must be more than 30 students) in the applicable two- or four-year period, or a comparable two- or four-year period. The school may use the mean or median annual earnings derived from the survey data. Submits a copy of the survey and certifies that it was conducted in accordance with the statistical standards and procedures established by NCES and available at http://nces.ed.gov. Submits an examination-level attestation by an independent public accountant or independent governmental auditor (as appropriate) that the survey was conducted in accordance with the specified NCES standards and procedures. The attestation must be conducted in accordance with the general, field work, and reporting standards for attestation engagements contained in the GAO's Government Auditing Standards, and with procedures for attestation contained in guides developed by and available from ED's Office of Inspector General. <p style="text-align: right;">[§668.7(g)(3)]</p>	July 1, 2012			

Alternative Earnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Use of Data from Bureau of Labor Statistics (BLS)					
4.	<p>For the final debt-to-earnings ratios calculated by ED for FY's 2012, 2013, and 2014, a school may use BLS earnings data to recalculate those ratios for a failing program only if the school does all of the following.</p> <ul style="list-style-type: none"> Identifies and provides documentation of the occupation by SOC code, or combination of SOC codes, in which more than 50% of the students (which must be more than 30 students) in the 2YP or 4YP were placed or found employment. The school may use placement records it maintains to satisfy accrediting agency or State requirements if those records indicate the occupation in which the student was placed. Otherwise, the school must submit employment records or other documentation showing the SOC code or codes in which the students typically found employment. Uses the most current BLS earnings data for the identified SOC code to calculate the debt-to-earnings ratio. If more than one SOC code is identified, the school must calculate the weighted average earnings of those SOC codes based on BLS employment data or institutional placement data. In either case, the school must use BLS earnings at no higher than the 25th percentile. Submits, upon request, all the placement, employment, and other records maintained by the school for the program that the school examined to determine whether those records identified the SOC codes for the students who were placed or found employment. <p style="text-align: right;">[§668.7(g)(4)]</p>	July 1, 2012			
Alternative Earnings Process					
5.	<p>In accordance with procedures established by ED, the school must--</p> <ul style="list-style-type: none"> Notify ED of its intent to use alternative earnings no later than 14 days after the date the school is notified of its final debt measures. Submit all supporting documentation related to recalculating the debt-to-earnings ratios using alternative earnings no later than 60 days after the date the school is notified of its final debt measures. 	July 1, 2012			

Alternative Earnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>Pending ED's review of the school's submission, the school is not subject to the requirements arising from the program's failure to satisfy the debt measures, provided the submission was complete, timely, and accurate.</p> <p>If ED <i>denies</i> the institution's submission, ED notifies the school of the reasons for the denial and the debt measures calculated by ED become the final measures for the FY.</p> <p>If ED <i>approves</i> the school's submission, the recalculated debt-to-earnings ratios become final for that FY.</p> <p style="text-align: right;">[§668.7(g)(5)]</p>				
Dissemination of Final Debt Measures					
6.	<p>After ED calculates the final debt measures, including any recalculated debt-to-earnings ratios based on alternative data, and provides those debt measures to a school, the school must disclose for each of its programs, the final loan repayment rate and final debt-to-earnings ratio.</p> <p>ED may disseminate the final debt measures and information about, or related to, the debt measures to the public in any time, manner, and form, including publishing information that will allow the public to ascertain how well programs perform under the debt measures and other appropriate objective metrics.</p> <p style="text-align: right;">[§668.7(g)(6)]</p>	July 1, 2012			DM-Q1 (August 12, 2011)

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Failing Program					
1.	<p>Except for the small numbers provisions under §668.7(d), starting with the debt measures calculated for FY 2012, a program fails for a FY if its final debt measures do not meet any of the minimum standards outlined in §668.7(a)(1)(i) or (ii).</p> <p style="text-align: right;">[§668.7(h)]</p>	July 1, 2012			

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Ineligible Program					
2.	<p>Except during the transition year (discussed below), starting with the debt measures calculated for FY 2012, a failing program becomes ineligible if it does not meet any of the minimum standards outlined in §668.7(a)(1) for three out of the four most recent FY's. ED will notify the school that the program is ineligible on this basis, and that the school may no longer disburse title IV, HEA program funds to students enrolled in that program except as permitted using the procedures in §668.26(d).</p> <p style="text-align: right;">[§668.7(i)]</p>	July 1, 2012			
Debt Warnings—General					
3.	<p>If ED notifies a school of a failing program, the school must warn currently enrolled and prospective students of the consequences of that failure in a timely manner.</p> <p style="text-align: right;">[§668.7(j)]</p>	July 1, 2012			
Debt Warnings—First Year Failure					
4.	<p>For a failing program that does not meet the minimum standards in §668.7(a)(1) for a single FY, the school must provide each enrolled and prospective student with a warning prepared in plain language and presented in an easy to understand format that--</p> <ul style="list-style-type: none"> • Explains the debt measures and shows the amount by which the program did not meet the minimum standards. • Describes any actions the school plans to take to improve the program's performance under the debt measures. <p>The warning must be delivered orally or in writing directly to the student in accordance with the procedures established by the school. Delivering the debt warning directly to the student includes communicating with the student face-to-face or telephonically, communicating with the student along with other affected students as part of a group presentation, and sending the warning to the student's e-mail address.</p> <p>If a school opts to deliver the warning orally to a student, it must maintain documentation of how that information was provided, including any materials the institution used to deliver</p>	July 1, 2012			

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>that warning and any documentation of the student's presence at the time of the warning.</p> <p>A school must continue to provide the debt warning until it is notified by ED that the failing program now satisfies one of the minimum standards outlined in §668.7(a)(1).</p> <p style="text-align: right;">[§668.7(j)(1)]</p>				
Debt Warnings—Second Year Failure					
5.	<p>For a failing program that does not meet the minimum standards in §668.7(a)(1) for two consecutive FYs or for two out of the three most recently completed FYs, the school must provide the debt warning described in item 4 above in writing in an easy to understand format and include in that warning--</p> <ul style="list-style-type: none"> • A plain language explanation of the actions the school plans to take in response to the second failure. If the school plans to discontinue the program, it must provide the timeline for doing so, and the options available to the student. • A plain language explanation of the risks associated with enrolling or continuing in the program, including the potential consequences for, and options available to, the student if the program becomes ineligible for title IV, HEA program funds. • A plain language explanation of the resources available, including http://www.collegenavigator.gov that the student may use to research other educational options and compare program costs. • A clear and conspicuous statement that a student who enrolls or continues in the program should expect to have difficulty repaying his or her student loans. <p>A school must continue to provide this warning to enrolled and prospective students until the program has met one of the minimum standards for two of the last three FYs.</p> <p style="text-align: right;">[§668.7(j)(2)]</p>	July 1, 2012			
Debt Warnings – Timing					
6.	<p>A school must provide the debt warnings to--</p> <ul style="list-style-type: none"> • An enrolled student, as soon as administratively feasible but no later than 30 days after the date ED notifies the 	July 1, 2012			

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>school that the program failed.</p> <ul style="list-style-type: none"> • A prospective student at the time the student first contacts the school requesting information about the program. If the prospective student intends to use title IV, HEA program funds to attend the program— <ul style="list-style-type: none"> ○ The school may not enroll the student until three days after the debt warnings are first provided to the student. ○ If more than 30 days pass from the date the debt warnings are first provided to the student and the date the student seeks to enroll in the program, the school must provide the debt warnings again and may not enroll the student until three days after the debt warnings are most recently provided to the student. <p style="text-align: right;">[§668.7(j)(3)]</p>				
Debt Warnings – Web Site and Promotional Materials					
7.	<p>A school subject to the second-year debt warning provisions must prominently display the debt warning on the program home page of its Web site and include the debt warning in all promotional materials it makes available to prospective students. These debt warnings may be provided in conjunction with the disclosures required under §668.6(b)(2).</p> <p style="text-align: right;">[§668.7(j)(4)]</p>	July 1, 2012			
Voluntarily Discontinuing a Failing Program					
8.	<p>A school that voluntarily discontinues a failing program, must notify enrolled students at the same time that it provides the written notice to ED that it relinquishes the program's title IV, HEA program eligibility.</p> <p style="text-align: right;">[§668.7(j)(5)]</p>	July 1, 2012			
Debt Warnings – Alternative Language					
9.	<p>To the extent practicable, a school that is subject to the debt warning provisions must provide such alternatives to English-language warnings for those students for whom English is not their first language.</p> <p style="text-align: right;">[§668.7(j)(6)]</p>	July 1, 2012			

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
Transition Year					
10.	<p>For programs that become ineligible based on final debt measures for FYs 2012, 2013, and 2014, ED will cap the number of those ineligible programs by--</p> <ul style="list-style-type: none"> • Sorting all programs by category of institution (public, private nonprofit, and proprietary) and then by loan repayment rate, from the lowest rate to the highest rate. • For each category of institution, beginning with the ineligible program with the lowest loan repayment rate, identifying the ineligible programs that account for a combined number of students who completed the programs during FY 2014 that do not exceed 5 percent of the total number of students who completed programs in that category. For example, ED does not designate as ineligible a program, or two or more programs that have the same loan repayment rate, if the total number of students who completed that program or programs would exceed the 5% cap for an institutional category. <p style="text-align: right;">[§668.7(k)]</p>	July 1, 2012			
Restrictions for Ineligible and Voluntarily Discontinued Programs					
11.	<p>An ineligible program, or a failing program that a school voluntarily discontinues, remains ineligible until the school re-establishes that program's eligibility under the provisions in 34 CFR 600.20(d). For this purpose, a school voluntarily discontinues a failing program on the date the school provides written notice to ED that it relinquishes the title IV, HEA program eligibility of that program.</p> <p>If the school voluntarily discontinued a failing program, it may not seek to re-establish that program's eligibility under 34 CFR 600.20(d) until either--</p> <ul style="list-style-type: none"> • The end of the second FY following the FY the program was voluntarily discontinued if the school voluntarily discontinued the program at any time after the program is determined to be a failing program, but no later than 90 days after the date ED notified the school that it must provide the second year debt warnings. • The end of the third FY following the FY the program was voluntarily discontinued if the school voluntarily discontinued the program more than 90 days after the 	July 1, 2012			

Failing Programs, Ineligible Programs, and Debt Warnings					
#	Summary of Regulatory Change	Date/Trigger	Related DCL/ED Guidance	Additional Guidance/Clarifying Comments	Questions and Answers
	<p>date ED notified the school that it must provide the second year debt warnings.</p> <p>A school may not seek to re-establish the eligibility of an ineligible program under 34 CFR 600.20(d), or establish the eligibility of a program that is substantially similar to the ineligible program, until the end of the third FY following the FY the program became ineligible. A program is substantially similar to the ineligible program if it has the same credential level and the same first four digits of the CIP code as that of the ineligible program.</p> <p style="text-align: right;">[§668.7(l)(1) & (2)]</p>				

TITLE 34—EDUCATION CHAPTER VI—OFFICE OF POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION

PART 600—INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED

§ 600.10 Date, extent, duration, and consequence of eligibility.

(a) *Date of eligibility.* (1) If the Secretary determines that an applicant institution satisfies all the statutory and regulatory eligibility requirements, the Secretary considers the institution to be an eligible institution as of the date—

(i) The Secretary signs the institution's program participation agreement described in 34 CFR part 668, subpart B, for purposes of participating in any title IV, HEA program; and

(ii) The Secretary receives all the information necessary to make that determination for purposes other than participating in any title IV, HEA program.

(2) [Reserved]

(b) *Extent of eligibility.* (1) If the Secretary determines that the entire applicant institution, including all its locations and all its educational programs, satisfies the applicable requirements of this part, the Secretary extends eligibility to all educational programs and locations identified on the institution's application for eligibility.

(2) If the Secretary determines that only certain educational programs or certain locations of an applicant institution satisfy the applicable requirements of this part, the Secretary extends eligibility only to those educational programs and locations that meet those requirements and identifies the eligible educational programs and locations in the eligibility notice sent to the institution under § 600.21.

(3) Eligibility does not extend to any location that an institution establishes after it receives its eligibility designation if the institution provides at least 50 percent of an educational program at that location, unless—

(i) The Secretary approves that location under § 600.20(e)(4); or

(ii) The location is licensed and accredited, the institution does not have to apply to the Secretary for approval of that location under § 600.20(c), and the institution has reported to the Secretary that location under § 600.21.

~~(c) *Subsequent additions of educational programs.* (1) Except as provided in paragraph (c)(2) of this section, if an eligible institution adds an educational program after it has been designated as an eligible institution by the Secretary, the institution must apply to the Secretary to have that additional program designated as an eligible program of that institution.~~

~~(2) An eligible institution that adds an educational program after it has been designated as an eligible institution by the Secretary does not have to apply to the Secretary to have that additional program designated as an eligible program of that institution except as provided in 34 CFR 668.10 if the additional program—~~

~~(i) Leads to an associate, baccalaureate, professional, or graduate degree; or~~

~~(ii)(A) Prepares students for gainful employment in the same or related recognized occupation as an educational program that has previously been designated as an eligible program at that institution by the Secretary; and~~

~~(B) Is at least 8 semester hours, 12 quarter hours, or 600 clock hours.~~

~~(3) If an institution incorrectly determines under paragraph (c)(2) of this section that an educational program satisfies the applicable statutory and regulatory eligibility provisions without applying to the Secretary for approval, the institution is liable to repay to the Secretary all HEA program funds received by the institution for that educational program, and all the title IV, HEA program funds received by or on behalf of students who were enrolled in that educational program.~~

~~(1) An eligible institution must notify the Secretary at least 90 days before the first day of class when it intends to add an educational program that prepares students for gainful employment in a recognized occupation, as provided under 34 CFR 668.8(c)(3) or (d). The institution may proceed to offer the program described in its notice, unless the Secretary advises the institution that the additional educational program must be approved under § 600.20(c)(1)(v). Except as provided for direct assessment programs under 34 CFR 668.10, or pursuant to a requirement included in an institution's Program Participation Agreement under 34 CFR 668.14, the institution does not have to apply for approval to add any other type of educational program.~~

~~(2) For purposes of paragraph (c)(1) of this section, an additional educational program is—~~

~~(i) A program with a Classification of Instructional Programs (CIP) code under the taxonomy of instructional program classifications and descriptions developed by the U.S. Department of Education's National Center for Education Statistics that is different from any other program offered by the institution;~~

~~(ii) A program that has the same CIP code as another program offered by the institution but leads to a different degree or certificate;~~
~~or~~

~~(iii) A program that the institution's accrediting agency determines to be an additional program.~~

~~(3) An institution must repay to the Secretary all HEA program funds received by the institution for an educational program, and all the title IV, HEA program funds received by or on behalf of students who enrolled in that program if the institution—~~

(i) Fails to obtain the Secretary's approval to offer an additional educational program that prepares students for gainful employment in a recognized occupation as provided under paragraph (c)(1) of this section; or

(ii) Incorrectly determines that an educational program that is not subject to approval under paragraph (c)(1) of this section is an eligible program for title IV, HEA program purposes.

§ 600.20 Notice and Application procedures for establishing, reestablishing, maintaining, or expanding institutional eligibility and certification.

(a) Initial eligibility application. **(1)** An institution that wishes to establish its eligibility to participate in any HEA program must submit an application to the Secretary for a determination that it qualifies as an eligible institution under this part.

(2) If the institution also wishes to be certified to participate in the title IV, HEA programs, it must indicate that intent on the application, and submit all the documentation indicated on the application to enable the Secretary to determine that it satisfies the relevant certification requirements contained in 34 CFR part 668, subparts B and L.

(3) A freestanding foreign graduate medical school, or a foreign institution that includes a foreign graduate medical school, must include in its application to participate—

(i)(A) A list of all medical school educational sites and where they are located, including all sites at which its students receive clinical training, except those clinical training sites that are not used regularly, but instead are chosen by individual students who take no more than two electives at the location for no more than a total of eight weeks; and

(B) The type of clinical training (core, required clinical rotation, not required clinical rotation) offered at each site listed on the application in accordance with paragraph (a)(3)(i)(A) of this section; and

(ii) Whether the school offers—

(A) Only post-baccalaureate/equivalent medical programs, as defined in §600.52;

(B) Other types of programs that lead to employment as a doctor of osteopathic medicine or doctor of medicine; or

(C) Both; and

(iii) Copies of the formal affiliation agreements with hospitals or clinics providing all or a portion of a clinical training program required under §600.55(e)(1).

(b) Reapplication. **(1)** A currently designated eligible institution that is not participating in the title IV, HEA programs must apply to the Secretary for a determination that the institution continues to meet the requirements in this part if the Secretary requests the institution to reapply. If the institution wishes to be certified to participate in the title IV, HEA programs, it must submit an application to the Secretary and must submit all the supporting documentation indicated on the application to enable the Secretary to determine that it satisfies the relevant certification requirements contained in subparts B and L of 34 CFR part 668.

(2) A currently designated eligible institution that participates in the title IV, HEA programs must apply to the Secretary for a determination that the institution continues to meet the requirements in this part and in 34 CFR part 668 if the institution wishes to—

(3) A freestanding foreign graduate medical school, or a foreign institution that includes a foreign graduate medical school, must include in its reapplication to participate—

(i)(A) A list of all of the foreign graduate medical school's educational sites and where they are located, including all sites at which its students receive clinical training, except those clinical training sites that are not used regularly, but instead are chosen by individual students who take no more than two electives at the location for no more than a total of eight weeks; and

(B) The type of clinical training (core, required clinical rotation, not required clinical rotation) offered at each site listed on the application in accordance with paragraph (b)(3)(i)(A) of this section; and

(ii) Whether the school offers—

(A) Only post-baccalaureate/equivalent medical programs, as defined in §600.52;

(B) Other types of programs that lead to employment as a doctor of osteopathic medicine or doctor of medicine; or

(C) Both; and

(iii) Copies of the formal affiliation agreements with hospitals or clinics providing all or a portion of a clinical training program required under §600.55(e)(1).

(i) Continue to participate in the title IV, HEA programs beyond the scheduled expiration of the institution's current eligibility and certification designation;

(ii) Reestablish eligibility and certification as a private nonprofit, private for-profit, or public institution following a change in ownership that results in a change in control as described in § 600.31; or

(iii) Reestablish eligibility and certification after the institution changes its status as a proprietary, nonprofit, or public institution.

(c) Application to expand eligibility. A currently designated eligible institution that wishes to expand the scope of its eligibility and certification and disburse title IV, HEA Program funds to students enrolled in that expanded scope must apply to the Secretary and

wait for approval to—

(1) Add a location at which the institution offers or will offer 50 percent or more of an educational program if one of the following conditions applies, otherwise it must report to the Secretary under § 600.21:

(i) The institution participates in the title IV, HEA programs under a provisional certification, as provided in 34 CFR 668.13.

(ii) The institution receives title IV, HEA program funds under the reimbursement or cash monitoring payment method, as provided in 34 CFR part 668, subpart K.

(iii) The institution acquires the assets of another institution that provided educational programs at that location during the preceding year and participated in the title IV, HEA programs during that year.

(iv) The institution would be subject to a loss of eligibility under 34 CFR 668.188 if it adds that location.

(v) The Secretary ~~previously notified~~ notifies, or has notified, the institution that it must apply for approval of an additional educational program or a location under §600.10(c).

(2) Increase its level of program offering (e.g., adding graduate degree programs when it previously offered only baccalaureate degree programs);

(3) Add an educational program if the institution is required to apply to the Secretary for approval under § 600.10(c);

(4) Add a branch campus at a location that is not currently included in the institution's eligibility and certification designation; ~~or~~

(5) For a freestanding foreign graduate medical school, or a foreign institution that includes a foreign graduate medical school, add a location that offers all or a portion of the foreign graduate medical school's core clinical training or required clinical rotations, except for those locations that are included in the accreditation of a medical program accredited by the Liaison Committee on Medical Education (LCME) or the American Osteopathic Association (AOA); or

~~(5)(6)~~ Convert an eligible location to a branch campus.

~~(d) Application format. To satisfy the requirements of paragraphs (a), (b), and (c) of this section, an institution must apply in a format prescribed by the Secretary for that purpose and provide all the information and documentation requested by the Secretary to make a determination of its eligibility and certification.~~

~~(d) Notice and application. (1) Notice and application procedures. (i) To satisfy the requirements of paragraphs (a), (b), and (c) of this section, an institution must notify the Secretary of its intent to offer an additional educational program, or provide an application to expand its eligibility, in a format prescribed by the Secretary and provide all the information and documentation requested by the Secretary to make a determination of its eligibility and certification.~~

~~(ii)(A) An institution that notifies the Secretary of its intent to offer an educational program under paragraph (c)(3) of this section must ensure that the Secretary receives the notice described in paragraph (d)(2) of this section at least 90 days before the first day of class of the educational program.~~

~~(B) An institution that submits a notice in accordance with paragraph (d)(1)(ii)(A) of this section is not required to obtain approval to offer the additional educational program unless the Secretary alerts the institution at least 30 days before the first day of class that the program must be approved for title IV, HEA program purposes. If the Secretary alerts the institution that the additional educational program must be approved, the Secretary will treat the notice provided about the additional educational program as an application for that program.~~

~~(C) If an institution does not provide timely notice in accordance with paragraph (d)(1)(ii)(A) of this section, the institution must obtain approval of the additional educational program from the Secretary for title IV, HEA program purposes.~~

~~(D) If an additional educational program is required to be approved by the Secretary for title IV, HEA program purposes under paragraph (d)(1)(ii)(B) or (C) of this section, the Secretary may grant approval, or request further information prior to making a determination of whether to approve or deny the additional educational program.~~

~~(E) When reviewing an application under paragraph (d)(1)(ii)(B) of this section, the Secretary will take into consideration the following:~~

~~(1) The institution's demonstrated financial responsibility and administrative capability in operating its existing programs.~~

~~(2) Whether the additional educational program is one of several new programs that will replace similar programs currently provided by the institution, as opposed to supplementing or expanding the current programs provided by the institution.~~

~~(3) Whether the number of additional educational programs being added is inconsistent with the institution's historic program offerings, growth, and operations.~~

~~(4) Whether the process and determination by the institution to offer an additional educational program that leads to gainful employment in a recognized occupation is sufficient.~~

~~(F)(1) If the Secretary denies an application from an institution to offer an additional educational program, the denial will be based on the factors described in paragraphs (d)(1)(ii)(E)(2), (3), and (4) of this section, and the Secretary will explain in the denial how the institution failed to demonstrate that the program is likely to lead to gainful employment in a recognized occupation.~~

(2) If the Secretary denies the institution's application to add an additional educational program, the Secretary will permit the institution to respond to the reasons for the denial and request reconsideration of the denial.

(2) Notice format. An institution that notifies the Secretary of its intent to offer an additional educational program under paragraph (c)(3) of this section must at a minimum—

(i) Describe in the notice how the institution determined the need for the program and how the program was designed to meet local market needs, or for an online program, regional or national market needs. This description must contain any wage analysis the institution may have performed, including any consideration of Bureau of Labor Statistics data related to the program;

(ii) Describe in the notice how the program was reviewed or approved by, or developed in conjunction with, business advisory committees, program integrity boards, public or private oversight or regulatory agencies, and businesses that would likely employ graduates of the program;

(iii) Submit documentation that the program has been approved by its accrediting agency or is otherwise included in the institution's accreditation by its accrediting agency, or comparable documentation if the institution is a public postsecondary vocational institution approved by a recognized State agency for the approval of public postsecondary vocational education in lieu of accreditation; and

(iv) Provide the date of the first day of class of the new program.

PART 668—STUDENT ASSISTANCE GENERAL PROVISIONS

§ 668.6 Reporting and disclosure requirements for programs that prepare students for gainful employment in a recognized occupation.

(a) Reporting requirements. (1) In accordance with procedures established by the Secretary an institution must report information that includes—

(i) For each student who enrolled in a program under §668.8(c)(3) or (d) during an award year—

(A) Information needed to identify the student and the institution the student attended;

(B) If the student began attending a program during the award year, the name and the Classification of Instructional Program (CIP) code of that program; and

(C) If the student completed a program during the award year—

(1) The name and CIP code of that program, and the date the student completed the program;

(2) The amounts the student received from private educational loans and the amount from institutional financing plans that the student owes the institution upon completing the program; and

(3) Whether the student matriculated to a higher credentialed program at the institution or if available, evidence that the student transferred to a higher credentialed program at another institution; and

(ii) For each program, by name and CIP code, offered by the institution under §668.8(c)(3) or (d), the total number of students that are enrolled in the program at the end of each award year and identifying information for those students.

(2)(i) An institution must report the information required under paragraph (a)(1) of this section—

(A) No later than October 1, 2011 for information from the 2006-07 award year to the extent that the information is available;

(B) No later than October 1, 2011 for information from the 2007-08 through 2009-10 award years; and

(C) No earlier than September 30, but no later than the date established by the Secretary through a notice published in the **Federal Register**, for information from the most recently completed award year.

(ii) For any award year, if an institution is unable to provide all or some of the information required under paragraph (a)(1) of this section, the institution must provide an explanation of why the missing information is not available.

(b) Disclosures. (1) For each program offered by an institution under this section, the institution must provide prospective students with—

(i) The occupations (by names and SOC codes) that the program prepares students to enter, along with links to occupational profiles on O*NET or its successor site. If the number of occupations related to the program, as identified by entering the program's full six digit CIP code on the O*NET crosswalk at <http://online.onetcenter.org/crosswalk/> is more than ten, the institution may provide Web links to a representative sample of the identified occupations (by name and SOC code) for which its graduates typically find employment within a few years after completing the program;

(ii) The on-time graduation rate for students completing the program, as provided under paragraph (c) of this section;

(iii) The tuition and fees it charges a student for completing the program within normal time as defined in §668.41(a), the typical costs for books and supplies (unless those costs are included as part of tuition and fees), and the cost of room and board, if applicable. The institution may include other costs, such as transportation and living expenses, but it must provide a Web link, or access, to the program cost information the institutions make available under §668.43(a);

(iv) The placement rate for students completing the program, as determined under a methodology developed by the National Center for Education Statistics (NCES) when that rate is available. In the meantime, beginning on July 1, 2011, if the institution is required by its accrediting agency or State to calculate a placement rate on a program basis, it must disclose the rate under this section and identify the accrediting agency or State agency under whose requirements the rate was calculated. If the accrediting agency or State requires an institution to calculate a placement rate at the institutional level or other than a program basis, the institution must use the accrediting agency or State methodology to calculate a placement rate for the program and disclose that rate; and

(v) The median loan debt incurred by students who completed the program as provided by the Secretary, as well as any other information the Secretary provided to the institution about that program. The institution must identify separately the median loan debt from title IV, HEA program loans, and the median loan debt from private educational loans and institutional financing plans.

(2) For each program, the institution must—

(i) Include the information required under paragraph (b)(1) of this section in promotional materials it makes available to prospective students and post this information on its Web site;

(ii) Prominently provide the information required under paragraph (b)(1) of this section in a simple and meaningful manner on the home page of its program Web site, and provide a prominent and direct link on any other Web page containing general, academic, or admissions information about the program, to the single Web page that contains all the required information;

(iii) Display the information required under paragraph (b)(1) of this section on the institution's Web site in an open format that can be retrieved, downloaded, indexed, and searched by commonly used Web search applications. An open format is one that is platform-independent, is machine-readable, and is made available to the public without restrictions that would impede the reuse of that information; and

(iv) Use the disclosure form issued by the Secretary to provide the information in paragraph (b)(1), and other information, when that form is available.

(c) On-time completion rate. An institution calculates an on-time completion rate for each program subject to this section by--

(1) Determining the number of students who completed the program during the most recently completed award year;

(2) Determining the number of students in paragraph (c)(1) of this section who completed the program within normal time, as defined under §668.41(a), regardless of whether the students transferred into the program or changed programs at the institution. For example, the normal time to complete an associate degree is two years and this timeframe applies to all students in the program. If a student transfers into the program, regardless of the number of credits the institution accepts from the student's attendance at the prior institution, those transfer credits have no bearing on the two-year timeframe. The student would still have two years to complete from the date he or she began attending the two-year program. To be counted as completing on time, a student who changes programs at the institution and begins attending the two-year program must complete within the two-year timeframe beginning from the date the student began attending the prior program; and

(3) Dividing the number of students who completed the program within normal time, as determined under paragraph (c)(2) of this section, by the total number of students who completed the program, as determined under paragraph (c)(1) of this section, and multiplying the result by 100.

§ 668.7 [Reserved] Gainful employment in a recognized occupation.

(a) Gainful employment. (1) Minimum standards. A program is considered to provide training that leads to gainful employment in a recognized occupation if--

(i) As determined under paragraph (b) of this section, the program's annual loan repayment rate is at least 35 percent;

(ii) As determined under paragraph (c) of this section, the program's annual loan payment is less than or equal to--

(A) 30 percent of discretionary income (discretionary income threshold); or

(B) 12 percent of annual earnings (actual earnings threshold); or

(iii) The data needed to determine whether a program satisfies the minimum standards are not available to the Secretary.

(2) General. For the purposes of this section--

(i)(A) A program refers to an educational program offered by an institution under §668.8(c)(3) or (d) that is identified by a combination of the institution's six-digit OPEID number, the program's six-digit CIP code as assigned by an institution or determined by the Secretary, and credential level;

(B) The Secretary determines whether an institution accurately assigns a CIP code for a program based on the classifications and program codes established by the National Center for Education Statistics (NCES); and

(C) The credential levels for identifying a program are undergraduate certificate, associate's degree, bachelor's degree, post-baccalaureate certificate, master's degree, doctoral degree, and first-professional degree;

(ii) Debt measures refers collectively to the loan repayment rate and debt-to-earnings ratios described in paragraphs (b) and (c) of this section;

(iii) A fiscal year (FY) is the 12-month period starting October 1 and ending September 30 that is designated by the calendar year in which it ends; for example FY 2013 is from October 1, 2012 to September 30, 2013. That designation also represents the FY for which the Secretary calculates the debt measures;

(iv) A two-year period is the period covering two consecutive FYs that occur on—

(A)(1) The third and fourth FYs (2YP) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2012, the 2YP is FYs 2008 and 2009; or

(2) For FYs 2012, 2013, and 2014, the first and second FYs (2YP-A) prior to the most recently completed FY for which the loan repayment rate is calculated under paragraph (b) of this section. For example, if the most recently completed FY is 2012, the 2YP-A is FYs 2010 and 2011; or

(B) For a program whose students are required to complete a medical or dental internship or residency, as identified by an institution, the sixth and seventh FYs (2YP-R) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2012, the 2YP-R is FYs 2005 and 2006. For this purpose, a required medical or dental internship or residency is a supervised training program that—

(1) Requires the student to hold a degree as a doctor of medicine or osteopathy, or a doctor of dental science;

(2) Leads to a degree or certificate awarded by an institution of higher education, a hospital, or a health care facility that offers post-graduate training; and

(3) Must be completed before the borrower may be licensed by the State and board certified for professional practice or service;

(v) A four-year period is the period covering four consecutive FYs that occur on—

(A) The third, fourth, fifth, and sixth FYs (4YP) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2017, the 4YP is FYs 2011, 2012, 2013, and 2014; or

(B) For a program whose students are required to complete a medical or dental internship or residency, as identified by an institution, the sixth, seventh, eighth, and ninth FYs (4YP-R) prior to the most recently completed FY for which the debt measures are calculated. For example, if the most recently completed FY is 2017, the 4YP-R is FYs 2008, 2009, 2010, and 2011. For this purpose, a required medical or dental internship or residency is a supervised training program that—

(1) Requires the student to hold a degree as a doctor of medicine or osteopathy, or a doctor of dental science;

(2) Leads to a degree or certificate awarded by an institution of higher education, a hospital, or a health care facility that offers post-graduate training; and

(3) Must be completed before the borrower may be licensed by the State and board certified for professional practice or service; and

(vi) Discretionary income is the difference between the mean or median annual earnings and 150 percent of the most current Poverty Guideline for a single person in the continental U.S. The Poverty Guidelines are published annually by the U.S. Department of Health and Human Services (HHS) and are available at <http://aspe.hhs.gov/poverty>.

(b) Loan repayment rate. For the most recently completed FY, the Secretary calculates the loan repayment rate for a program using the following ratio:

OOPB of LPF plus OOPB of PML

OOPB

(1) Original Outstanding Principal Balance (OOPB). (i) The OOPB is the amount of the outstanding balance, including capitalized interest, on FFEL or Direct Loans owed by students for attendance in the program on the date those loans first entered repayment.

(ii) The OOPB includes FFEL and Direct Loans that first entered repayment during the 2YP, the 2YP-A, the 2YP-R, the 4YP, or the 4YP-R. The OOPB does not include PLUS loans made to parent borrowers or TEACH Grant-related unsubsidized loans.

(iii) For consolidation loans, the OOPB is the OOPB of the FFEL and Direct Loans attributable to a borrower's attendance in the program.

(iv) For FYs 2012, 2013, and 2014, the Secretary calculates two loan repayment rates for a program, one with the 2YP and the other with the 2YP-A, so long as the 2YP-A represents more than 30 borrowers whose loans entered repayment. Provided that both loan repayment rates are calculated, the Secretary determines whether the program meets the minimum standard under paragraph (a)(1)(i) of this section by using the higher of the 2YP rate or the 2YP-A rate.

(2) Loans Paid in Full (LPF). (i) LPF are loans that have never been in default or, in the case of a Federal Consolidation Loan or a Direct Consolidation Loan, neither the consolidation loan nor the underlying loan or loans have ever been in default and that have been paid in full by a borrower. A loan that is paid through a Federal Consolidation loan, a Direct Consolidation loan, or under

another refinancing process provided for under the HEA, is not counted as paid-in-full for this purpose until the consolidation loan or other financial instrument is paid in full by the borrower.

(ii) The OOPB of LPF in the numerator of the ratio is the total amount of OOPB for these loans.

(3) Payments-Made Loans (PML). (i) PML are loans that have never been in default or, in the case of a Federal Consolidation Loan or a Direct Consolidation Loan, neither the consolidation loan nor the underlying loan or loans have ever been in default, where--

(A)(1) Payments made by a borrower during the most recently completed FY reduce the outstanding balance of a loan, including the outstanding balance of a Federal Consolidation Loan or Direct Consolidation Loan, to an amount that is less than the outstanding balance of the loan at the beginning of that FY. The outstanding balance of a loan includes any unpaid accrued interest that has not been capitalized; or

(2) If the program is a post-baccalaureate certificate, master's degree, doctoral degree, or first-professional degree program, the total outstanding balance of a Federal or Direct Consolidation Loan at the end of the most recently completed FY is less than or equal to the total outstanding balance of the consolidation loan at the beginning of the FY. The outstanding balance of the consolidation loan includes any unpaid accrued interest that has not been capitalized;

(B) A borrower is in the process of qualifying for Public Service Loan Forgiveness under 34 CFR 685.219(c) and submits an employment certification to the Secretary that demonstrates the borrower is engaged in qualifying employment and the borrower made qualifying payments on the loan during the most recently completed FY; or

(C)(1) Except as provided under paragraph (b)(3)(i)(C)(2) of this section, a borrower in the income-based repayment plan (IBR), income contingent repayment plan (ICR), or any other repayment plan makes scheduled payments on the loan during the most recently completed FY for an amount that is equal to or less than the interest that accrues on the loan during the FY. The Secretary limits the dollar amount of these interest-only or negative amortization loans in the numerator of the ratio to no more than 3 percent of the total amount of OOPB in the denominator of the ratio, based on available data on a program's borrowers who are making scheduled payments under these repayment plans.

(2) Until the Secretary determines that there is sufficiently complete data on which of the program's borrowers have scheduled payments that are equal to or less than accruing interest, the Secretary will include in the numerator 3 percent of the OOPB in the denominator.

(3) Notwithstanding paragraph (b)(3)(i)(C)(1) of this section, with regard to applying the percent limitation on the dollar amount of the interest-only or negative amortization loans, the Secretary may adjust the limitation by publishing a notice in the **Federal Register**. The adjusted limitation may not be lower than the percent limitation specified in paragraph (b)(3)(i)(C)(1) of this section or higher than the estimated percentage of all outstanding Federal student loan dollars that are interest-only or negative amortization loans.

(ii) The OOPB of PML in the numerator of the ratio is the total amount of OOPB for the loans described in paragraph (b)(3)(i) of this section.

(4) Exclusions. For the most recently completed FY, the OOPB of the following loans is excluded from both the numerator and the denominator of the ratio:

(i) Loans that were in an in-school deferment status during any part of the FY.

(ii) Loans that were in a military-related deferment status during any part of the FY.

(iii) Loans that were discharged as a result of the death of the borrower under 34 CFR 682.402(b) or 34 CFR 685.212(a).

(iv) Loans that were assigned or transferred to the Secretary that are being considered for discharge as a result of the total and permanent disability of the borrower, or were discharged by the Secretary on that basis under 34 CFR 682.402(c) or 34 CFR 685.212(b).

(c) Debt-to-earnings ratios. **(1) General.** For each FY, the Secretary calculates the debt-to-earnings ratios using the following formulas:

(i) Discretionary income rate = Annual loan payment / (Mean or Median Annual Earnings – (1.5 * Poverty Guideline)).

(ii) Earnings rate = Annual loan payment / Mean or Median Annual Earnings.

(2) Annual loan payment. The Secretary determines the annual loan payment for a program by--

(i) Calculating the median loan debt of the program by--

(A) For each student who completed the program during the 2YP, the 2YP-R, the 4YP, or the 4YP-R, determining the lesser of--

(1) The amount of loan debt the student incurred, as determined under paragraph (c)(4) of this section; or

(2) If tuition and fee information is provided by the institution, the total amount of tuition and fees the institution charged the student for enrollment in all programs at the institution; and

(B) Using the lower amount obtained under paragraph (c)(2)(i)(A) of this section for each student in the calculation of the median loan debt for the program; and

- (ii) Using the median loan debt for the program and the current annual interest rate on Federal Direct Unsubsidized Loans to calculate the annual loan payment based on--
- (A) A 10-year repayment schedule for a program that leads to an undergraduate or post-baccalaureate certificate or to an associate's degree;
- (B) A 15-year repayment schedule for a program that leads to a bachelor's or master's degree; or
- (C) A 20-year repayment schedule for a program that leads to a doctoral or first-professional degree.
- (3) Annual earnings. The Secretary obtains from the Social Security Administration (SSA), or another Federal agency, the most currently available mean and median annual earnings of the students who completed the program during the 2YP, the 2YP-R, the 4YP, or the 4YP-R. The Secretary calculates the debt-to-earnings ratios using the higher of the mean or median annual earnings.
- (4) Loan debt. In determining the loan debt for a student, the Secretary--
- (i) Includes FFEL and Direct loans (except for parent PLUS or TEACH Grant-related loans) owed by the student for attendance in a program, and as reported under §668.6(a)(1)(i)(C)(2), any private education loans or debt obligations arising from institutional financing plans;
- (ii) Attributes all the loan debt incurred by the student for attendance in programs at the institution to the highest credentialed program subsequently completed by the student at the institution; and
- (iii) Does not include any loan debt incurred by the student for attendance in programs at other institutions. However, the Secretary may include loan debt incurred by the student for attending other institutions if the institution and the other institutions are under common ownership or control, as determined by the Secretary in accordance with 34 CFR 600.31.
- (5) Exclusions. For the FY the Secretary calculates the debt-to-earnings ratios for a program, a student in the applicable two- or four-year period that completed the program is excluded from the ratio calculations if the Secretary determines that--
- (i) One or more of the student's loans were in a military-related deferment status at any time during the calendar year for which the Secretary obtains earnings information under paragraph (c)(3) of this section;
- (ii) The student died;
- (iii) One or more of the student's loans were assigned or transferred to the Secretary and are being considered for discharge as a result of the total and permanent disability of the student, or were discharged by the Secretary on that basis under 34 CFR 682.402(c) or 34 CFR 685.212(b); or
- (iv) The student was enrolled in any other eligible program at the institution or at another institution during the calendar year for which the Secretary obtains earnings information under paragraph (c)(3) of this section.
- (d) Small numbers. (1) The Secretary calculates the debt measures for a program with a small number of borrowers or completers by using the 4YP or the 4YP-R, as applicable, if--
- (i) For the loan repayment rate, the corresponding 2YP or the 2YP-R represents 30 or fewer borrowers whose loans entered repayment after any of those loans are excluded under paragraph (b)(4) of this section; or
- (ii) For the debt-to-earnings ratios, the corresponding 2YP or the 2YP-R represents 30 or fewer students who completed the program after any of those students are excluded under paragraph (c)(5) of this section.
- (2) In lieu of the minimum standards in paragraph (a)(1) of this section, the program satisfies the debt measures if--
- (i)(A) The 4YP or the 4YP-R represents, after any exclusions under paragraph (b)(4) or (c)(5) of this section, 30 or fewer borrowers whose loans entered repayment or 30 or fewer students who completed the program; or
- (B) SSA did not provide the mean and median earnings for the program as provided under paragraph (c)(3) of this section; or
- (ii) The median loan debt calculated under paragraph (c)(2)(i) of this section is zero.
- (e) Draft debt measures and data corrections. For each FY beginning with FY 2012, the Secretary issues draft results of the debt measures for each program offered by an institution. As provided under this paragraph, the institution may correct the data used to calculate the draft results before the Secretary issues final debt measures under paragraph (f) of this section.
- (1) Pre-draft corrections process for the debt-to-earnings ratios. (i) Before issuing the draft results of the debt-to-earnings ratios for a program, the Secretary provides to an institution a list of the students who will be included in the applicable two- or four-year period for calculating the ratios. No later than 30 days after the date the Secretary provides the list to the institution, in accordance with procedures established by the Secretary, the institution may--
- (A) Provide evidence showing that a student should be included on or removed from the list; or
- (B) Correct or update the identity information provided for a student on the list, such as name, social security number, or date of birth.
- (ii) After the 30 day correction period, the institution may no longer challenge whether students should be included on the list or update the identity information of those students.

(iii) If the information provided by the institution under paragraph (e)(1)(i) of this section is accurate, the updated information is used to create a final list of students that the Secretary submits to SSA. The Secretary calculates the draft debt-to-earnings ratios based on the mean and median earnings provided by SSA for the students on the final list.

(iv) An institution may not challenge the accuracy of the mean or median annual earnings the Secretary obtained from SSA to calculate the draft debt-to-earnings ratios for the program.

(2) Post-draft corrections process for the debt measures. No later than 45 days after the Secretary issues the draft results of the debt-to-earnings ratios for a program and no later than 45 days after the Secretary issues the draft results of the loan repayment rate for a program, respectively, in accordance with procedures established by the Secretary, an institution--

(i) May challenge the accuracy of the loan data for a borrower that was used to calculate the draft loan repayment rate, or the median loan debt for the program that was used for the numerator of the draft debt-to-earnings ratios, by submitting evidence showing that the borrower loan data or the program median loan debt is inaccurate; and

(ii) May challenge the accuracy of the list of borrowers included in the applicable two- or four-year period used to calculate the draft loan repayment rate by--

(A) Submitting evidence showing that a borrower should be included on or removed from the list; or

(B) Correcting or updating the identity information provided for a borrower on the list, such as name, social security number, or date of birth.

(3) Recalculated results. (i) Debt measures. In general, if the information provided by an institution under paragraph (e)(2) of this section is accurate, the Secretary uses the corrected information to recalculate the debt measures for the program.

(ii) Debt-to-earnings ratios. For a failing program, if SSA is unable to include in its calculation of the mean and median earnings for the program one or more students on the list finalized under paragraph (e)(1)(iii) of this section, the Secretary adjusts the median loan debt by removing the highest loan debt associated with the number of students SSA is unable to include in its calculation. For example, if SSA is unable to include three students in its calculation, the Secretary removes the loan debt for the same number of students on the list that had the highest loan debt. The Secretary recalculates the debt-to-earnings ratios for the program based on the adjusted median loan debt.

(f) Final debt measures. The Secretary notifies an institution of any draft results that are not challenged, or are recalculated or unsuccessfully challenged under paragraph (e) of this section. These results become the final debt measures for the program.

(g) Alternative earnings. (1) General. An institution may demonstrate that a failing program, as defined under paragraph (h) of this section, would meet a debt-to-earnings standard by recalculating the debt-to-earnings ratios using the median loan debt for the program as determined under paragraph (c) of this section, and alternative earnings from: a State-sponsored data system; an institutional survey conducted in accordance with NCES standards; or, for FYs 2012, 2013, and 2014, the Bureau of Labor Statistics (BLS).

(2) State data. For final debt-to-earnings ratios calculated by the Secretary for FY 2012 and any subsequent FY, an institution may use State data to recalculate those ratios for a failing program only if the institution--

(i) Obtains earnings data from State-sponsored data systems for more than 50 percent of the students in the applicable two- or four-year period, or a comparable two- or four-year period, and that number of students is more than 30;

(ii) Uses the actual, State-derived mean or median earnings of the students in the applicable two- or four-year period under paragraph (g)(2)(i) of this section; and

(iii) Demonstrates that it accurately used the actual State-derived data to recalculate the ratios.

(3) Survey data. For final debt-to-earnings ratios calculated by the Secretary for FY 2012 and any subsequent FY, an institution may use survey data to recalculate those ratios for a failing program only if the institution--

(i) Uses reported earnings obtained from an institutional survey conducted of the students in the applicable two- or four-year period, or a comparable two- or four-year period, and the survey data is for more than 30 students. The institution may use the mean or median annual earnings derived from the survey data;

(ii) Submits a copy of the survey and certifies that it was conducted in accordance with the statistical standards and procedures established by NCES and available at <http://nces.ed.gov>; and

(iii) Submits an examination-level attestation by an independent public accountant or independent governmental auditor, as appropriate, that the survey was conducted in accordance with the specified NCES standards and procedures. The attestation must be conducted in accordance with the general, field work, and reporting standards for attestation engagements contained in the GAO's Government Auditing Standards, and with procedures for attestations contained in guides developed by and available from the Department of Education's Office of Inspector General.

(4) BLS data. For the final debt-to-earnings ratios calculated by the Secretary for FYs 2012, 2013, and 2014, an institution may use BLS earnings data to recalculate those ratios for a failing program only if the institution--

- (i) Identifies and provides documentation of the occupation by SOC code, or combination of SOC codes, in which more than 50 percent of the students in the 2YP or 4YP were placed or found employment, and that number of students is more than 30. The institution may use placement records it maintains to satisfy accrediting agency or State requirements if those records indicate the occupation in which the student was placed. Otherwise, the institution must submit employment records or other documentation showing the SOC code or codes in which the students typically found employment;
- (ii) Uses the most current BLS earnings data for the identified SOC code to calculate the debt-to-earnings ratio. If more than one SOC code is identified under paragraph (g)(4)(i) of this section, the institution must calculate the weighted average earnings of those SOC codes based on BLS employment data or institutional placement data. In either case, the institution must use BLS earnings at no higher than the 25th percentile; and
- (iii) Submits, upon request, all the placement, employment, and other records maintained by the institution for the program under paragraph (g)(4)(i) of this section that the institution examined to determine whether those records identified the SOC codes for the students who were placed or found employment.
- (5) *Alternative earnings process.* (i) In accordance with procedures established by the Secretary, the institution must--
- (A) Notify the Secretary of its intent to use alternative earnings no later than 14 days after the date the institution is notified of its final debt measures under paragraph (f) of this section; and
- (B) Submit all supporting documentation related to recalculating the debt-to-earnings ratios using alternative earnings no later than 60 days after the date the institution is notified of its final debt measures under paragraph (f) of this section.
- (ii) Pending the Secretary's review of the institution's submission, the institution is not subject to the requirements arising from the program's failure to satisfy the debt measures, provided the submission was complete, timely, and accurate.
- (iii)(A) If the Secretary denies the institution's submission, the Secretary notifies the institution of the reasons for the denial and the debt measures under paragraph (f) of this section become the final measures for the FY; or
- (B) If the Secretary approves the institution's submission, the recalculated debt-to-earnings ratios become final for that FY.
- (6) *Dissemination.* After the Secretary calculates the final debt measures, including the recalculated debt-to-earnings ratios under this section, and provides those debt measures to an institution--
- (i) In accordance with §668.6(b)(1)(v), the institution must disclose for each of its programs, the final loan repayment rate under paragraph (b) of this section, and final debt-to-earnings ratio under paragraph (c)(1)(ii) of this section; and
- (ii) The Secretary may disseminate the final debt measures and information about, or related to, the debt measures to the public in any time, manner, and form, including publishing information that will allow the public to ascertain how well programs perform under the debt measures and other appropriate objective metrics.
- (h) *Failing program.* Except for the small numbers provisions under paragraph (d) of this section, starting with the debt measures calculated for FY 2012, a program fails for a FY if its final debt measures do not meet any of the minimum standards in paragraph (a)(1)(i) or (a)(1)(ii) of this section.
- (i) *Ineligible program.* Except as provided under paragraph (k) of this section, starting with the debt measures calculated for FY 2012, a failing program becomes ineligible if it does not meet any of the minimum standards in paragraph (a)(1) of this section for three out of the four most recent FYs. The Secretary notifies the institution that the program is ineligible on this basis, and the institution may no longer disburse title IV, HEA program funds to students enrolled in that program except as permitted using the procedures in §668.26(d).
- (j) *Debt warnings.* Whenever the Secretary notifies an institution under paragraph (h) of this section of a failing program, the institution must warn in a timely manner currently enrolled and prospective students of the consequences of that failure.
- (1) *First year failure.* (i) For a failing program that does not meet the minimum standards in paragraph (a)(1) of this section for a single FY, the institution must provide to each enrolled and prospective student a warning prepared in plain language and presented in an easy to understand format that--
- (A) Explains the debt measures and shows the amount by which the program did not meet the minimum standards; and
- (B) Describes any actions the institution plans to take to improve the program's performance under the debt measures.
- (ii) The warning must be delivered orally or in writing directly to the student in accordance with the procedures established by the institution. Delivering the debt warning directly to the student includes communicating with the student face-to-face or telephonically, communicating with the student along with other affected students as part of a group presentation, and sending the warning to the student's e-mail address.
- (iii) If an institution opts to deliver the warning orally to a student, it must maintain documentation of how that information was provided, including any materials the institution used to deliver that warning and any documentation of the student's presence at the time of the warning.
- (iv) An institution must continue to provide the debt warning until it is notified by the Secretary that the failing program now satisfies one of the minimum standards in paragraph (a)(1) of this section.

(2) Second year failure. (i) For a failing program that does not meet the minimum standards in paragraph (a)(1) of this section for two consecutive FYs or for two out of the three most recently completed FYs, the institution must provide the debt warning under paragraph (j)(1) of this section in writing in an easy to understand format and include in that warning--

(A) A plain language explanation of the actions the institution plans to take in response to the second failure. If the institution plans to discontinue the program, it must provide the timeline for doing so, and the options available to the student;

(B) A plain language explanation of the risks associated with enrolling or continuing in the program, including the potential consequences for, and options available to, the student if the program becomes ineligible for title IV, HEA program funds;

(C) A plain language explanation of the resources available, including <http://www.collegenavigator.gov>, that the student may use to research other educational options and compare program costs; and

(D) A clear and conspicuous statement that a student who enrolls or continues in the program should expect to have difficulty repaying his or her student loans.

(ii) An institution must continue to provide this warning to enrolled and prospective students until the program has met one of the minimum standards for two of the last three FYs.

(3) Timely warnings. An institution must provide the warnings described in this paragraph to--

(i) An enrolled student, as soon as administratively feasible but no later than 30 days after the date the Secretary notifies the institution that the program failed; and

(ii) A prospective student at the time the student first contacts the institution requesting information about the program. If the prospective student intends to use title IV, HEA program funds to attend the program--

(A) The institution may not enroll the student until three days after the debt warnings are first provided to the student under this paragraph; and

(B) If more than 30 days pass from the date the debt warnings are first provided to the student under this paragraph and the date the student seeks to enroll in the program, the institution must provide the debt warnings again and may not enroll the student until three days after the debt warnings are most recently provided to the student under this paragraph.

(4) Web site and promotional materials. For the second-year debt warning in paragraph (j)(2) of this section, an institution must prominently display the debt warning on the program home page of its Web site and include the debt warning in all promotional materials it makes available to prospective students. These debt warnings may be provided in conjunction with the disclosures required under §668.6(b)(2).

(5) Voluntarily discontinued failing program. An institution that voluntarily discontinues a failing program under paragraph (l)(1) of this section, must notify enrolled students at the same time that it provides the written notice to the Secretary that it relinquishes the program's title IV, HEA program eligibility.

(6) Alternative language. To the extent practicable, the institution must provide alternatives to English-language warnings for those students for whom English is not their first language.

(k) Transition year. For programs that become ineligible under paragraph (i) of this section based on final debt measures for FYs 2012, 2013, and 2014, the Secretary caps the number of those ineligible programs by--

(1) Sorting all programs by category of institution (public, private nonprofit, and proprietary) and then by loan repayment rate, from the lowest rate to the highest rate; and

(2) For each category of institution, beginning with the ineligible program with the lowest loan repayment rate, identifying the ineligible programs that account for a combined number of students who completed the programs during FY 2014 that do not exceed 5 percent of the total number of students who completed programs in that category. For example, the Secretary does not designate as ineligible a program, or two or more programs that have the same loan repayment rate, if the total number of students who completed that program or programs would exceed the 5 percent cap for an institutional category.

(l) Restrictions for ineligible and voluntarily discontinued failing programs. (1) General. An ineligible program, or a failing program that an institution voluntarily discontinues, remains ineligible until the institution reestablishes the eligibility of that program under the provisions in 34 CFR 600.20(d). For this purpose, an institution voluntarily discontinues a failing program on the date the institution provides written notice to the Secretary that it relinquishes the title IV, HEA program eligibility of that program.

(2) Periods of ineligibility. (i) Voluntarily discontinued failing programs. An institution may not seek under 34 CFR 600.20(d) to reestablish the eligibility of a failing program that it voluntarily discontinued until--

(A) The end of the second FY following the FY the program was voluntarily discontinued if the institution voluntarily discontinued the program at any time after the program is determined to be a failing program, but no later than 90 days after the date the Secretary notified the institution that it must provide the second year debt warnings under paragraph (j)(2) of this section; or

(B) The end of the third FY following the FY the program was voluntarily discontinued if the institution voluntarily discontinued the program more than 90 days after the date the Secretary notified the institution that it must provide the second year debt warnings under paragraph (j)(2) of this section.

(ii) *Ineligible programs.* An institution may not seek under 34 CFR 600.20(d) to reestablish the eligibility of an ineligible program, or to establish the eligibility of a program that is substantially similar to the ineligible program, until the end of the third FY following the FY the program became ineligible. A program is substantially similar to the ineligible program if it has the same credential level and the same first four digits of the CIP code as that of the ineligible program.

§ 668.8 Eligible program.

(a) *General.* An eligible program is an educational program that—

- (1) Is provided by a participating institution; and
- (2) Satisfies the other relevant requirements contained in this section.

(b) *Definitions.* For purposes of this section—

(1) The Secretary considers the "equivalent of an associate degree" to be—

- (i) An associate degree; or
- (ii) The successful completion of at least a two-year program that is acceptable for full credit toward a bachelor's degree and qualifies a student for admission into the third year of a bachelor's degree program;

(2) A week is a consecutive seven-day period; and

(3)(i) The Secretary considers that an institution provides one week of instructional time in an academic program during any week the institution provides at least one day of regularly scheduled instruction or examinations, or, after the last scheduled day of classes for a term or a payment period, at least one day of study for final examinations.

(ii) Instructional time does not include any vacation periods, homework, or periods of orientation or counseling.

(c) *Institution of higher education.* An eligible program provided by an institution of higher education must—

- (1) Lead to an associate, bachelor's, professional, or graduate degree;
- (2) Be at least a two-academic-year program that is acceptable for full credit toward a bachelor's degree; or
- (3) Be at least a one-academic-year training program that leads to a certificate, ~~degree~~, or other nondegree recognized educational credential, and ~~that~~ prepares a students for gainful employment in a recognized occupation.

(d) *Proprietary institution of higher education and postsecondary vocational institution.* An eligible program provided by a proprietary institution of higher education or postsecondary vocational institution—

(1)(i) Must require a minimum of 15 weeks of instruction, beginning on the first day of classes and ending on the last day of classes or examinations;

(ii) Must be at least 600 clock hours, 16 semester or trimester hours, or 24 quarter hours;

(iii) Must provide undergraduate training that prepares a student for gainful employment in a recognized occupation; and

(iv) May admit as regular students persons who have not completed the equivalent of an associate degree;

(2) Must—

(i) Require a minimum of 10 weeks of instruction, beginning on the first day of classes and ending on the last day of classes or examinations;

(ii) Be at least 300 clock hours, 8 semester or trimester hours, or 12 quarter hours;

(iii) Provide training that prepares a student for gainful employment in a recognized occupation as provided under §668.6; and

(iv)(A) Be a graduate or professional program; or

(B) Admit as regular students only persons who have completed the equivalent of an associate degree;

(3) For purposes of the FFEL and Direct Loan programs only, must—

(i) Require a minimum of 10 weeks of instruction, beginning on the first day of classes and ending on the last day of classes or examinations;

(ii) Be at least 300 clock hours but less than 600 clock hours;

(iii) Provide undergraduate training that prepares a student for gainful employment in a recognized occupation as provided under § 668.6;

(iv) Admit as regular students some persons who have not completed the equivalent of an associate degree; and

(v) Satisfy the requirements of paragraph (e) of this section; or

(4) For purposes of a proprietary institution of higher education only, is a program leading to a baccalaureate degree in liberal arts, as defined in 34 CFR 600.5(e), that—

- (i) Is provided by an institution that is accredited by a recognized regional accrediting agency or association, and has continuously held such accreditation since October 1, 2007, or earlier; and
- (ii) The institution has provided continuously since January 1, 2009.

Gainful Employment – FAQ

These Frequently Asked Questions provide information and operational guidance on the requirements of the new gainful employment regulations. Institutions must review the final regulations as published in the Federal Register on October 29, 2010, to ensure that they are in compliance with all of the GE Program requirements.

The listing of Frequently Asked Questions will be updated periodically and include the date of the update. **New and/or updated questions and answers will be marked NEW and appear in red font.** If you have questions that have not been addressed, please submit them to the GE Questions mailbox at GE-Questions@ed.gov.

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General		
Date	Question	Answer
May 12, 2011	G-Q1: I have a lot of questions about the gainful employment requirements and am not sure what to do.	G-A1: Institutions should review the preamble and the final regulations published in the Federal Register on October 29, 2010. These FAQs, which will be updated regularly, provide additional guidance. In addition, the Department will be conducting a series of Webinars on the gainful employment requirements. The first webinars are scheduled for May 25 and 26 [see ANN-11-11]. Questions can be sent to ge-questions@ed.gov .
May 12, 2011	G-Q2: Are non-Title IV eligible educational programs subject to the gainful employment disclosure and reporting requirements?	G-A2: No, only Title IV eligible programs are subject to the statutory and regulatory gainful employment requirements. However, all students enrolled in a Title IV-eligible program that leads to gainful employment in a recognized occupation – a GE Program – must be included in the disclosure and reporting requirements even if the institution does not participate in a loan program. This is true whether the student is a Title IV aid recipient or not.
May 27, 2011	G-Q3: My teacher certification program does not award a degree or certificate, but instead consists of a series of courses that prepares students to receive a State professional teaching credential or certification. Would my program be considered a GE Program?	G-A3: No, the program as described is not a GE Program. On May 20, we posted Gainful Employment Electronic Announcement #3 that provides specific information on this question. Electronic Announcement #3 supersedes the information related to teacher certification programs at all types of institutions provided in the April 20, 2011 Dear Colleague Letter GEN-11-10 . Gainful Employment Electronic Announcement #3 advises institutions that a teacher certification that consists of a collection of course work that is required for a student to receive a State professional teaching credential or certification but does NOT lead to the awarding of a degree or certificate by the institution is not a GE Program. However, a teacher certification program that does lead to the awarding of a certificate or other non-degree (for a for-profit institution, also a degree) credential is a GE Program, and the institution must comply with all of the GE Program regulatory requirements.
May 27, 2011	G-Q4: The regulations talk about CIP and SOC codes. What are these and where can I find these codes?	G-A4: The Classification of Instructional Programs (CIP) provides a taxonomic scheme that supports the accurate tracking and reporting of fields of study and program completions activity. Institutions report credentials awarded by CIP codes when completing the IPEDS Completion Survey. Institutions are also required to list individual programs by CIP on their Application for Approval to Participate in Federal Student Financial Aid Programs (E-App). A listing of CIP codes is available at: http://nces.ed.gov/ipeds/cip2010 . There is also a list of CIP codes available when completing the E-App. Standard Occupational Classification (SOC) codes are published by the Department of Labor and are available at http://www.bls.gov/soc . There is a crosswalk between CIP and SOC codes that can be found at: http://www.onetonline.org/crosswalk .
August 19, 2011	G-Q5: Since the gainful employment metrics will not be calculated until 2012, must my institution still report information by October 1, 2011?	G-A5: Yes. The effective dates for the October 29, 2010 regulations remain as follows: <ul style="list-style-type: none"> - July 1, 2011 for notification of new programs and disclosures. - October 1, 2011 for reporting information about students enrolled in GE Programs. While the regulations provide that the deadline for institutions to report GE Program information for the 2006-2007 through 2009-2010 award years is October 1, 2011, the August 2 Federal Register notice provides that the Department will continue to accept information from these earlier award years through November 15, 2011, the same date as the reporting date for the 2010-2011 award year. The Department will continue to accept the

General		
Date	Question	Answer
		information into NSLDS without penalties or sanctions to the institutions until November 15 in order to provide institutions with greater flexibility during this first reporting year.
June 8, 2011	G-Q6 I would like to end Title IV participation for one of my GE Programs. How do I do that? Do I have to provide the disclosures if I end Title IV participation? What about the reporting in October?	<p>G-A6: As noted in FAQ G-A2, the GE Program regulations only apply to educational programs that are Title IV eligible.</p> <p>Disclosures – If an institution ends an educational program’s Title IV eligibility before July 1, 2011, it is not required to provide the gainful employment disclosures on the educational program’s website. If the educational program’s Title IV eligibility ends on or after July 1, 2011, it must provide the required disclosures from July 1 until at least the end date of the program’s Title IV eligibility.</p> <p>Reporting – If an institution ends an educational program’s Title IV eligibility before October 1, 2011, it is not required to report by October 1, 2011. If the educational program’s Title IV eligibility ends on or after October 1, 2011, it should report the required information for all award years covered by the regulation.</p> <p>To remove an educational program’s Title IV eligibility, the institution must notify the Department by accessing its E-App at http://www.eligcert.ed.gov/ and entering an end date for the program the institution wishes to have Title IV eligibility discontinued. If the program does not appear on the institution’s ECAR, the institution must add the program following the instructions in Electronic Announcement #5. After adding the program, or if the program was previously added and appears on the institution’s ECAR, the institution must identify in Question 69 the program, the end date, and whether the program is no longer being offered or will be offered without Title IV eligibility. After completing all updates, the institution must follow the instructions for submitting the updated application.</p>
June 8, 2011	G-Q7: Do I need to report information on students in a GE program if only a few students were enrolled in the program during the award year? Do I need to disclose information even if the number of students who completed the program is very small?	<p>G-A7: Reporting – All domestic schools must report to the Department on all students in a GE Program regardless of the number of students enrolled, unless the school does not have a Social Security Number for the student. Foreign schools must report on all Title IV recipients and all other U.S. citizens (or U.S. nationals) enrolled in a GE Program if there were 10 or more students enrolled in the GE Program for the award year.</p> <p>Disclosures – For all schools, if the number of students who completed a GE Program during the award year was less than ten (10), for privacy reasons, the school should not disclose to the public</p> <ul style="list-style-type: none"> - Median debt amounts (Title IV debt, private educational loan debt, and debt from institutional financing) - On-time completion rate <p>Schools must disclose all of the following, regardless of the number of students who were enrolled in or completed the program:</p> <ul style="list-style-type: none"> - The occupations (by names and SOC codes) that the program prepares completers to enter - Tuition/fees charged to complete the program in normal time; typical costs for books and supplies (unless those costs are included as part of tuition and fees); and costs of room and board, if applicable - Placement rates if aligned with the requirements of the accreditor or State
June 15, 2011	G-Q8: How do I treat students without Social Security Numbers for GE Program reporting and the GE Program disclosure	G-A8: Students for whom the institution does not have a Social Security Number, in any institutional record, should not be included in the required GE Program reporting. Nor should information about those students be

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	requirements?	included when calculating median debt and completion rates for GE Program disclosures.
June 30, 2011	G-Q9: Are English as a Second Language (ESL) or English for Speakers of Other Languages (ESOL) programs gainful employment programs? If so, what CIP code and SOC codes do I assign to these programs?	<p>G-A9: To be a Title IV eligible program, an ESL or ESOL program must lead to a certificate or other credential being awarded by the institution. As such, the ESL or ESOL program is a gainful employment program, subject to all of the gainful employment regulations and other requirements.</p> <p>While the selection of the proper CIP code for an educational program is the responsibility of each institution, it is recommended that institutions use 23.0101 [English and Literature, General] for ESL and ESOL programs. Institutions should <u>not</u> use CIP code 32.0901 for these programs because that code belongs to a group of CIP codes reserved for non-academic recreational programs.</p> <p>The SOC codes that an institution should use when complying with the gainful employment disclosure requirements for ESL and ESOL programs should be the SOC codes that align with the employment of the students who complete the program.</p>
July 6, 2011	G-Q10: Our institution would like to reassign the CIP code on some of our GE Programs. How do we do this? How do we handle the reporting for the GE Program when it was under a different CIP code than the new updated CIP code?	<p>G-A10: An institution may update their GE program CIP code by submitting an updated CIP on their E-App. Updating a CIP code for an existing GE Program does not create a new GE Program. Reporting for all award years should use the new updated CIP code and not the CIP code that was assigned to the program in the past.</p> <p>Note that, procedures for reporting new educational programs that prepare students for gainful employment in a recognized occupation may be found in our June 1, 2011 Electronic Announcement #5.</p>
July 22, 2011	G-Q11: Can the Department guide us on how to calculate tuition and fees for disclosure purposes when students are charged on a term by term basis? Is the calculation the same for tuition and fees reporting?	<p>G-A11: Disclosures - Institutions must disclose for each of their GE Programs the total tuition and fees for the program. The amount disclosed must be the amount that will likely be charged to students for completing the program within normal time. For example, if the normal time for a student to complete a GE Program is four semesters over two years and the tuition and fees are \$1,000 for each semester, the amount to be disclosed is \$4,000. When tuition and fees may change over time, institutions should disclose the tuition and fees using either the current rate or an estimated amount. In either instance, the institution must include a disclaimer noting that the amounts may change. Fees include any fees and expenses that must be paid to the institution as a condition of enrollment or attendance.</p> <p>Reporting – Institutions have the option of reporting the actual total tuition and fees charged to each student for whom they are reporting. If the institution chooses to report tuition and fees, the amount is the total charged the student for the entire program, not just the amount charged for an award year. If a student took longer than normal time to complete a program and thus paid more, it would be the total for that student, including the additional tuition and fees that student paid.</p>
August 9, 2011	G-Q12: Some students enrolled in a GE Program are still in high school. Should these students be included in the NSLDS GE reporting? Should they be included in the calculations for GE Program disclosures?	<p>G-A12: All "regular students" enrolled in a GE Program must be reported and included in the GE Program's disclosures. Therefore, if a high school student is enrolled as a "regular student" in the GE Program, the institution must include the student in the NSLDS GE reporting. Similarly, this student must also be included in the disclosure requirements (e.g., median loan debt, on-time completion rates.). However, high school students who are not enrolled as regular students should not be reported, nor should they be included in disclosure rates. The regulations at 34 CFR 600.2 define a regular student as a person who is enrolled or accepted for enrollment at an institution for the purpose of obtaining a degree, certificate, or other recognized educational credential</p>

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		offered by that institution.
August 12, 2011	G-Q13: For gainful employment reporting and disclosure purposes, when should an institution consider the student to have completed the GE Program?	G-A13: Consistent with longstanding Title IV student aid policy, a student is considered to have completed an educational program when the student has satisfied all of the academic requirements of the program, regardless of whether the degree, certificate, or other institutional credential has been awarded to the student.
August 12, 2011	G-Q14: Can the Department provide more guidance on institutional financing plan?	<p>G-A14: Institutions are required to report the total amount owed by a student from institutional financing plans for attendance in a GE program. Unlike Title IV loan debt or private loan debt where institutions report the total amount the student received for attendance in the GE Program, the amount reported for institutional financing plans is the amount owed by the student as of the day the student completed or withdrew from the GE program. This difference in treatment also applies to the calculation of loan debt for GE Program disclosure purposes.</p> <p>Any loan, extension of credit, payment plan, or other financing mechanism that was provided by the institution or a related party for attendance in the GE Program, and that otherwise is not reported as a private education loan, that results in a debt a student must repay to the institution or the related party, after withdrawing from or completing the GE Program is considered part of an institutional financing plan. Also, any charge that is attributable to the student's attendance in the GE Program that a student owes to the institution after withdrawing from or completing the GE Program should also be included in the amounts reported and disclosed under an institutional financing plan. This may include unpaid library fees, parking tickets, or other outstanding obligation due to the institution after a student withdraws from or completes a GE program.</p> <p>Note that if the aggregate amount owed by the student to the institution upon completion or withdrawal is \$200 or less, that amount need not be reported or used in the disclosure calculation.</p> <p>Finally, over awards and other Title IV student aid owed to the institution by the student, including as a result of a Return of Title IV (R2T4) calculation, are not amounts owed under an institutional financing plan and should not be reported or disclosed. Nor should amounts owed by students to the institution under the Federal Perkins Loan Program be reported or disclosed.</p>
September 20, 2011	G-Q15: Gainful Employment Electronic Announcement #19 stated that preparatory courses of study are not GE Programs. It also reminded institutions that students enrolled in such programs are only eligible for Direct Loans. What are the applicable requirements for determining the enrollment status for students enrolled in those programs?	G-A15: As noted in Electronic Announcement #19 , all preparatory courses of study, including post-baccalaureate courses of study, are considered to be at the undergraduate level for purposes of eligibility for the Direct Loan Program. Therefore, the minimum half-time enrollment status necessary to receive a Direct Loan for a preparatory course of study is based on the minimum standards for undergraduate students in the definition of "full-time student" in §668.2 of the Student Assistance General Provisions regulations.
October 17, 2011	G-Q16: I am confused about whether a program that is at least two years in length and is fully transferrable to a four year degree program is a GE Program. Does it matter whether the two year program leads to a certificate or other credential	<p>G-A16: The short answer is that only programs that are at a non-profit or public institution and are at least two academic years in length and that <u>are specifically designed to be a transfer program</u> and that <u>do not</u> lead to a certificate or other credential awarded by the institution are Title IV-eligible non-GE Programs.</p> <p>Under the HEA, an eligible Title IV program must lead to a degree, certificate, or other credential awarded by the institution. There is, however, an exception for a program that is at least two-academic years in length and</p>

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	awarded by the institution?	that is acceptable for full credit toward a bachelor's degree. This exception is provided to allow students who are enrolled in non-credential transfer programs (generally offered by community colleges) to be eligible for Title IV aid as they prepare to transfer to a four-year degree program. These programs, while Title IV eligible under the exception, are not GE Programs since they are designed to lead to transfer and not to direct employment. Programs that are not designed solely for transfer purposes and that lead to a credential (usually a certificate or diploma) awarded by the institution are not included in the above exception. For example, a two-year program offered by a community college that is designed to provide students with the transfer credit hours that will be acceptable by a four-year college for transfer to a bachelor's degree program is a non-GE Title IV eligible program. However, a two-year program that awards a certificate of its own does not fall under the transfer program exception. As such, that program is Title IV eligible only because it must lead to gainful employment in a recognized occupation (a GE Program). The program is a GE Program even if the credits earned in the program are transferrable to a four-year bachelor's program.

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May 12, 2011	D-Q1: Our institution has two programs with the same 6-digit CIP code and Credential Level but with different specializations and different program names. They each have a home page on our website. Should we disclose the median debt separately by specialization or should we combine the students in the two programs and report as one program?	D-A1: As noted in Dear Colleague Letter GEN-11-10 , a GE Program is identified by the combination of the first 6 digits of the institution's OPEID, the program's 6 digit CIP code, and the program's Credential Level. Therefore, these two programs are to be treated as one program for reporting and disclosure purposes under 34 CFR 668.6. The combined median debt levels, disclosed separately by Title IV loans, private loans, and institutional financing plans, must be disclosed on the home pages of each specialization. We remind institutions that they should carefully review each of their educational programs to ensure that the appropriate CIP code has been assigned. The full listing of CIP codes is available at http://nces.ed.gov/ipeds/cip2010 .
June 17, 2011	D-Q2: The regulations say that institutions must use the disclosure template provided by the Department. Will the Department's template be available in time for me to post the information by the July 1, 2011 deadline? If not, what should I do? Do I have to immediately switch to the Department's template once it is released?	D-A2: The Department has developed a disclosure template and is currently reviewing the public comments that were received by June 13, 2011, the closing date for the initial public comment period. The initial design of the template can still be viewed at the Department's Web site http://edicsweb.ed.gov/ by selecting the Browse Pending Collections link and scrolling to and then clicking on the listing (04561) 1845-0107 v2. Until the template is available, institutions must comply with the disclosure requirements independently. Once the Secretary's disclosure template is available, institutions are expected to use it within a reasonable time.
July 22, 2011	D-Q3: The gainful employment disclosure regulations require that all promotional materials for a program include the required information specified in the regulations at 34 CFR 668.8(b)(1). How does that requirement apply to postcards,	D-A3: If the invitation, advertisement, or solicitation mentions or otherwise refers to a specific GE Program or programs, the disclosure information must be included whenever feasible. If providing the information is not feasible because of the size or format of the invitation, advertisement, or solicitation, the institution may display the URL or provide a live link to the webpage where the required information is located, with a clear explanation of the information that is available at that webpage. For promotional materials that advertise more than one GE Program, institutions have the option of (1) providing one link on the promotional material where prospective

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	invitations, flyers, billboard and transit advertising, radio, television, web and similar advertising and solicitations?	<p>students can be redirected to a list of the web links for all of the GE Programs webpages, or (2) providing a direct link for each program on the promotional material. This single webpage is in addition to the disclosure information placed on each programs web page.</p> <p>An example of a compliant disclosure under this guidance could include the following text: "For more information about our graduation rates, the median debt of students who completed the program, and other important information, please visit our website at, http://www.XYZcollege.edu/ABCprogram/disclosure.</p>
May 12, 2011	D-Q4: An institution must disclose to prospective students information about each GE Program no later than July 1, 2011 for the most recently completed award year. What should be disclosed when June 30, 2011 is the last day of the most recently completed award	D-A4: Institutions may use information from the 2009-2010 award year for the disclosures that are required by July 1, 2011. However, within a reasonable amount of time once 2010-2011 information is available, institutions must update their disclosure information. Similarly, institutions must update their disclosures within a reasonable amount of time after the end of subsequent award years.
May 12, 2011	D-Q5: How do I calculate the median loan debt for purposes of gainful employment disclosures?	<p>D-A5: The median is the middle value in a distribution of values, above and below which lie an equal number of values. To calculate the median loan debt for a program, an institution would follow these steps.</p> <p>Step 1: Determine which students completed the GE Program in the most recently completed award year. As noted in the response to D-Q4, an institution may use information from the 2009-2010 award year for disclosures that must be included on the GE Program's website homepage by July 1, 2011, but are expected to update that information with 2010-2011 award year information in a reasonable amount of time.</p> <p>Step 2: Arrange each student's debt in ascending order, including students with zero debt.</p> <p>Step 3: Identify the middle value since the median is the middle value in the distribution of all values. If there is an even number of values in the distribution and thus there is no middle value, calculate the mean (average) of the two values at the halfway point.</p> <p>Example A: The following are the loan debt values for nine (9) students in the 2009-2010 award year listed in ascending order:</p> <ol style="list-style-type: none"> 1. \$0 2. \$0 3. \$1000 4. \$1750 5. \$2343 6. \$4709 7. \$6881

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		<p>8. \$6881</p> <p>9. \$9995</p> <p>Since this distribution includes an odd number of values, the median loan debt is \$2343 because the fifth value is the "middle" number when these debts are ranked in ascending order</p> <p>Example B: The following are the loan debt values for twelve (12) students in the 2009-2010 award year listed in ascending order:</p> <p>1. \$0</p> <p>2. \$0</p> <p>3. \$500</p> <p>4. \$1674</p> <p>5. \$2126</p> <p>6. \$3000</p> <p>7. \$4000</p> <p>8. \$4000</p> <p>9. \$6524</p> <p>10. \$8326</p> <p>11. \$8591</p> <p>12. \$10000</p> <p>Since this distribution includes an even number of values, to determine the median loan debt for these twelve students the institution must calculate the mean of the sixth and seventh values ($\\$3000 + \\$4000 = \\$7000$; $\\$7000 \div 2 = \\3500). The median loan debt for this cohort of twelve students is \$3500.</p>
May 12, 2011	D-Q6: What loans need to be included in the three calculations of the GE Program's median loan debt?	<p>D-A6: For the purposes of the disclosure of median Title IV loan debt, all loans provided under the Federal Family Education Loan (FFEL) Program and the William D. Ford Federal Direct Loan (Direct Loan) Program are to be included in the calculation of Title IV median loan debt, except for Parent PLUS loans and TEACH grants that may have been converted to Unsubsidized Direct Loans. Federal Perkins Loans are not to be included.</p> <p>For the median loan debt of private loans, the Truth-in-Lending regulations at 12 CFR 226.46(b)(5) provide the definition of a private education loan. Examples of private education loans include, but are not limited to, loans made expressly for educational expenses by financial institutions, credit unions, institutions of higher education</p>

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		<p>or their affiliates, and States and localities.</p> <p>For the median of institutional financing plan debt, include any loan, extension of credit, payment plan, or other financing mechanism that would otherwise not be considered a private education loan but that results in a debt obligation that a student must pay to an institution after completing the program.</p>
May 20, 2011	D-Q7: When calculating on-time completion rates for disclosure purposes, how do we determine "normal time"?	<p>D-A7: The regulations at 34 CFR 668.6(c) refer to 34 CFR 668.41(a) for a definition of "normal time". Normal time is defined as the amount of time necessary for a student to complete all requirements for the degree or certificate as provided in the institution's catalog or other promotional materials. This is typically four years for a bachelor's degree program in a standard term-based institution, two years for an associate degree program in a standard term-based institution, and the scheduled time for certificate programs as provided in the institution's publications.</p> <p>For clock hour programs, it is the time, measured in days or weeks, provided in the institution's catalog or other promotional materials stating how long it takes a student to complete the program. For example, an institution's materials may state that the normal time to complete a 1500 clock hour program is 50 weeks.</p> <p>Note that in all instances, "normal time" is not 150% of the published time nor is it the timeframe used in the calculation of completion rates for Student Right to Know disclosures.</p>
June 8, 2011	D-Q8: What placement rate do we disclose if our institution is not required by our accrediting agency or State to calculate a placement rate?	<p>D-A8 If there is no requirement by the State or an accreditor to calculate a placement rate for either the institution as a whole or for the specific GE Program, the institution does not need to disclose a placement rate. The National Center for Education Statistics (NCES) is currently developing a methodology that will be used to calculate placement rates for GE Programs. When the NCES methodology becomes available, institutions must use it to calculate a GE Program's placement rate. We do not expect the NCES methodology to be available this year.</p>
June 8, 2011	D-Q9: Our institution is required to calculate placement rates for both our State and for our accrediting agency, must we include both rates in our disclosures?	<p>D-A9: Yes, the institution must report both rates. The regulations at 34 CFR 668.6(b)(1)(iv) provide that if the institution is required by its accrediting agency or State to calculate a placement rate, it must disclose the rate on a program basis and identify the accrediting agency or State agency under whose requirements the rate was calculated.</p>
June 15, 2011	D-Q10: In some instances existing CIP codes do not crosswalk to one or more SOC Codes. Can we expect updates to this area? May we select a SOC Code that may not crosswalk to the selected CIP code?	<p>The last update to the CIP/SOC crosswalk was completed in 2010 and can be found at http://www.onetonline.org/crosswalk/.</p> <p>At a minimum, institutions are required to disclose the SOC codes that correspond to the selected CIP codes on the O*NET Crosswalk website. For CIP codes that do not crosswalk to one or more SOC codes, institutions can add SOC codes that align significantly and substantively with the program learning outcomes provided that the institution has evidence that graduates of the program found employment in these fields.</p>
June 15, 2011	D-Q11: How do I calculate an on-time completion rate for the gainful employment program (GE Program) disclosures required by the October 29, 2010 regulations?	<p>D-A11: The regulations at 34 CFR 668.6(c) explain how an institution calculates an on-time completion rate for GE Programs. The formula is as follows:</p> <p>Divide the number of students who completed the GE Program during the most recently completed award year within normal time by the total number of students who completed the GE Program in the most recently completed award year and multiply the result by 100. Example: During the 2009-2010 award year 100 students</p>

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		completed the GE Program but only 75 of them completed in normal time. Divide 75 by 100 to get .75. Then multiply .75 times 100 to get 75. Thus for this program, 75% is the completion rate.
June 15, 2011	D-Q12: If a student took an approved leave of absence, may I only use the student's actual enrollment time to determine if this student completed within the normal time for the GE Program?	D-A12: No. Leaves of absence are to be included when determining whether a student completed a GE Program within normal time. For example, if the normal time to compete a GE Program is 2 years and a student took 2.5 years to complete because of a 6 month leave of absence, the student would NOT be one that can be included as having completed the GE Program within normal time when calculating the GE Program's completion rate. Thus, students who do not complete the GE Program in normal time because of a leave of absence (or any other reason) are to be included in the denominator of the completion rate fraction but not in the numerator.
June 15, 2011	D-Q13: Should median debt that must be disclosed as required by the October 29, 2010 regulations include loan amounts that exceeded a student's institutional charges?	D-A13: Yes, when calculating the median Title IV debt and private educational loan debt for a GE Program's disclosure information, the total amount that each student received for attendance in the GE Program, without regard to how much went to institutional charges, is to be included. For debt from institutional financing plans, the amount to be used in the calculation is the amount the student has outstanding upon leaving the program. For example, a student may have received a loan totaling \$10,000 for attendance in a GE Program where \$6,000 went to pay institutional charges and \$4,000 was provided to the student to meet other educational expenses (e.g., books and supplies, living expenses). When calculating the median loan debt for the disclosures, this student would be considered to have \$10,000 in loan debt.
June 30, 2011	D-Q14: For disclosure purposes, when calculating the median loan debt for a GE Program how do I take into account the fact that some completers also completed a higher credentialed program?	D-A14: So that the gainful employment program disclosure information can be most useful for prospective students, institutions should disclose the median loan debt amounts incurred by GE Program completers for their attendance in that GE Program. Alternatively, an institution may exclude from the calculation of median loan debt students who subsequently completed a higher credentialed program at the same institution. However, when calculating the median loan debt for the higher credentialed program, the institution must include the loan debt incurred by completers for their attendance in the lower credential program.
July 13, 2011	D-Q15: When I determine whether a student who completed a GE Program did so in normal time, do I account for the time the student may have been enrolled at my institution but in another educational program? Does it matter if that other educational program was a GE Program?	D-A15: When determining whether a student completed the GE Program in normal time, the institution must use the date of the student's first enrollment in any program at the institution (even if the prior program was not a GE Program), unless the student had completed the earlier program. For example, consider a student who had been enrolled in a one-year certificate program but did not complete that program before transferring into a two-year certificate program at the same institution. When determining if the student completed the two-year program in normal time, the institution must begin with the date the student began the one-year program.
July 13, 2011	D-Q16: When I determine whether a student who completed a GE Program at my institution did so in normal time, do I account for the time the student was enrolled at another institution? Does it matter whether my institution accepted all or any of the credits earned by the student at the other institution?	D-A16 Generally, when determining whether a student who was previously enrolled in an educational program at a different institution completed the GE Program in normal time, you do not include the time the student was enrolled at the other institution, regardless of whether credits were transferred. For example, consider a student who had been enrolled in a one-year certificate program at another institution before transferring into a two-year certificate program at your institution. When determining if the student completed the two-year program at your institution in normal time, you do not include the time the student was enrolled at the other institution and begin with the date the student began the two-year program at your

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		institution.
July 22, 2011	D-Q17: When disclosing information about our GE Programs, can my institution include all the information on one central webpage?	D-A17: No. Disclosure information about a GE Program must be on the home page of the specific GE Program as well as in any promotional materials made available to prospective students. Institutions must provide a prominent and direct link on any other webpage containing general, academic, or admissions information about the program, to the GE Program's webpage that contains all the required information. Please see D-Q3 for more about disclosures on promotional materials.

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September 27, 2011	R-Q1: When will the file layout for the reporting requirements be available?	R-A1: The NSLDS File Layout is now available and can be accessed under "Resources" on the Gainful Employment Information Page. If your institution chooses to use the submittal template, it is available https://www.fsadownload.ed.gov/NSLDSGainEmp.htm . In order to provide institutions with greater flexibility during this first reporting year we will continue to accept the information into NSLDS without penalties or sanctions to the institutions until November 15, 2011.
May 12, 2011	R-Q2: If institutions are only required to report on Title IV eligible programs, why does the Department's draft file layout included with Dear Colleague Letter GEN-11-10 ask if the educational program is a GE Program?	R-A2: Although schools are only required to report on students who were enrolled in GE Programs, reporting on non-GE Programs is optional. For some schools, it may be easier for them to report on all students.
July 6, 2011	R-Q3: My program only began its Title IV eligibility in 2009. Does my institution have to report for years when the program was not Title IV eligible?	R-A3: No, the institution need only report for award years when the educational program was Title IV eligible. If a program became eligible in the middle of an award year, the institution must report on all students enrolled in the program at any time in the award year. Please see G-Q2 and G-Q6 for related information.
July 22, 2011	R-Q4: Our GE Program is a postgraduate certificate program for students who have earned a graduate degree. What Credential Level applies to such a program?	R-A4: GE Postgraduate certificate programs should be reported as "04- Post-Baccalaureate Certificate". Note that the Credential Levels for gainful employment are different than what is used in IPEDS or PEPS.
July 26, 2011	R-Q5: When will NSLDS be ready to accept Gainful Employment information?	R-A5: NSLDS will be ready to accept GE information on September 26, 2011. This will include the receipt of batch files, the use of the online screens, and spreadsheet uploads.
July 26, 2011	R-Q6: Must all Gainful Employment information submitted by an institution for an award year be sent in one file or can an institution submit one award year's data split among multiple files?	R-A6: Institutions may submit GE information to NSLDS however the institution chooses. This includes submitting information for an award year in one file or in multiple files. Institutions may also submit information from multiple award years in one file.

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July 26, 2011	R-Q7: Field Code 14 asks whether the student received a FFEL or Direct Loan at any time during the student's enrollment in the program. Does "received" mean that a loan was awarded or that funds were disbursed to the student?	R-A7: Setting this field to 'Y' indicates that funds were disbursed either directly to the student or were applied to the student's account at the institution.
August 3, 2011	R-Q8: Credential Level 07 is First-Professional Degree. What degrees count as a first-professional degree?	R-A8: A First-Professional Degree is one that signifies both completion of the academic requirements for beginning practice in a given profession and a level of professional skill beyond that normally required for a bachelor's degree. Professional licensure is also generally required. First-Professional degrees are Pharmacy (Pharm.D.), Dentistry (D.D.S. or D.M.D.), Veterinary Medicine (D.V.M.), Chiropractic (D.C. or D.C.M.), Law (L.L.B. or J.D.), Medicine (M.D.), Optometry (O.D.), Osteopathic Medicine (D.O.), Podiatry (D.P.M., D.P., or Pod.D.), and Theology (M.Div., or M.H.L.).
August 5, 2011	R-Q9: How does an institution report if a student withdrew from a GE Program and then reenrolled in the same GE Program within the same award year?	R-A9: Two records would be reported for a student who began enrollment in a GE Program, withdrew from that program and then reenrolled in that same GE Program all within the same award year (some institutions refer to this as a student who "stopped out"). The first record would report the student's first enrollment, including a "W" for Withdraw in Field 17 and the withdrawal date in Field 18. The second record would include the date the student began the second enrollment in Field 16.
August 5, 2011	R-Q10: If my institution currently has a TG Mailbox to send and receive information using EDconnect, can we use the same TG Mailbox for GE Program reporting?	R-A10: Yes, institutions may choose which TG Mailbox they want to use for GE Program reporting. However, the institution must go into NSLDS using the GE Reporting List option and select the TG Mailbox it will use for GE reporting.
August 5, 2011	R-Q11: If a third party servicer is used to report our school's enrollment data, can I use the same TG Mailbox to report GE information?	R-A11: The TG Mailbox associated with the servicer could be used for GE Program reporting if you have contracted with the same servicer to provide GE reporting on your behalf. Please contact your servicer to determine which TG Mailbox they would like you to use for GE Program reporting. As a reminder, when using a servicer to report to NSLDS, there must be at least one user at your institution with NSLDS online access to designate which TG Mailbox your institution will use for GE Program reporting and to make corrections to information initially reported by the servicer.
August 9, 2011	R-Q12: In Gainful Employment Electronic Announcement #15, the Department says that it will continue to accept GE information into NSLDS until November 15, 2011. Does that mean that I do not have to report until November 15, 2011?	R-A12: While the regulations provide that the deadline for institutions to report GE Program information for the 2006-2007 through 2009-2010 award years is October 1, 2011, the August 2 Federal Register notice provides that the Department will continue to accept information from these earlier award years through November 15, 2011, the same date as the reporting date for the 2010-2011 award year. The Department will continue to accept the information into NSLDS without penalties or sanctions to the institutions until November 15 in order to provide institutions with greater flexibility during this first reporting year.
August 19, 2011	R-Q13: How should an institution report students who are enrolled in a summer term that crosses award years?	R-A13: Since the student was enrolled in both award years, the institution should report the student separately in both award years' submissions. The 'Program Attendance Status' field for such a student would be 'E' (Enrolled) in the first award year's submission and either 'E' (Enrolled), 'W' (Withdraw), or 'C' (Completed) for the subsequent award year's submission, whichever is the appropriate status for the student in that award year. Note that reporting students in GE Programs in both award years for a summer crossover term does not change

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Date	Question	Answer
		how institutions award Title IV aid for a crossover payment period.
August 19, 2011	R-Q14: How should an institution report a student who is not technically enrolled on June 30 in an award year, but has not withdrawn from the program because the student is expecting to return in the fall?	R-A14: As with regular SSCR enrollment reporting to NSLDS, students are to be considered as in school and continuously enrolled during holiday and vacation periods, as well as during the summer between academic years (even if not enrolled in a summer session), as long as the institution has no reason to believe that the student will not return following the holiday, vacation, or summer period. For example, the 'Program Attendance Status' field for such a student would be 'E' (Enrolled) and not 'W' (Withdrawn) at the end of the spring term if the student is expected to re-enroll for the fall term. If the student does not return as expected, the 'Program Attendance Status' field must be changed to 'W' (Withdrawn) and the 'Program Attendance End Date' should be completed with the last date of attendance.
August 19, 2011	R-Q15: What happens if a school submits a duplicate record for a student for the same award year?	R-A15: If the record is an exact duplicate, NSLDS will accept the second record with no error reported back to the institution. However, if any of the data from the earlier record is changed, NSLDS will accept the subsequent record.
August 19, 2011	R-Q16: If an institution submits a record for a student and then found that the wrong award year, CIP code, or Credential Level was provided, how does the institution correct the record?	R-A16: NSLDS will treat a record with a different award year, CIP Code, or Credential Level as a new enrollment for the student. Therefore, if the institution wants to simply correct one or more of these three fields, it must deactivate the original record using the NSLDS online deactivation process and submit a new record with the correct information. These are the only three fields where a new record must be created. Other field changes will update the existing record for the student.
November 2, 2011	R-Q17: Could the Department provide more guidance on when information must be reported about a student's enrollment in another program (GE Reporting Fields 22 to 28)?	R-A17: The NSLDS Users Guide instructs institutions to complete fields 22 to 28 only when the student withdrew from or completed the GE Program that is described in the reporting record. The institution provides the information if, at the time it is completing the GE Program reporting, the student has enrolled in another program at the same institution. Similarly, the institution provides as much information as it has if it is aware that the student enrolled in another institution after that student withdrew from or completed the GE Program at the reporting institution. A value of 'N' may be provided if the information is not readily available. Institutions should follow the instructions in the NSLDS Gainful Employment User Guide.
September 1, 2011	R-Q18: My institution needs to correct the CIP code of a program listed on my ECAR. Do I need to do that before I do my gainful employment reporting this fall? For the upcoming GE reporting, should my institution report using the old CIP code listed on the ECAR or the new one?	R-A18: The Department is aware that a number of institutions need to update one or more of the CIP Codes that were reported to the Department and are included on the institution's ECAR. This is particularly important because of the decennial update to the Classification of Instructional Programs which occurred in 2010. Although institutions are encouraged to update CIP codes of the programs included on the institution's ECAR, it is not necessary that those updates occur prior to reporting GE Program information into NSLDS this fall. When reporting GE Program information to NSLDS, institutions should use the updated CIP Codes for all students, including those who were enrolled in the program in years when the program had an older CIP code.
September 6, 2011	R-Q19: May an institution use a third-party to prepare, submit, or otherwise meet the GE reporting requirements?	R-A19: Yes, as with most Title IV requirements, an institution may use a third-party to meet its GE reporting requirements. However, the 'third-party servicer' requirements of 34 CFR 668.25 would apply where both the third-party servicer and the institution are responsible for ensuring that information is reported timely and accurately. Failure to do so could result in liabilities applying to both the servicer and the institution. Additionally, under the regulations, the third-party servicer must follow the audit submission requirements of the regulations.

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Date	Question	Answer
September 20, 2011	R-Q20: We know that some students who were enrolled during the award years that we are required to report on (2006-2007 through 2010-2011) began their GE Program before the start of the 2006-2007 award year. In some instances we may know the exact date when the student began the program but not in all instances. What do we enter in Field #15, the Program Attendance Begin Date, when the student's begin date was prior to July 1, 2006?	R-A20: Institutions are encouraged to enter the actual date that students began attendance in a GE Program. If an institution is not able to provide that date, it may enter the begin date of the 2006-2007 award year: 20060701.
September 20, 2011	R-Q21: Are there certain data fields that I do not fill out if the student is still enrolled in the program at the end of the award year I am reporting on? For example, if a student borrowed \$10,000 in private loans in 2007-2008 and \$5,000 in 2008-2009, do I report \$15,000 in the 2008-2009 record which is the award year when the student completed the program?	R-A21: The total loans received by the student for all years of the student's enrollment in the GE Program are reported in the record for the award year when the student completed or withdrew from the program. In the example above, no loan information should be reported for the 2007-2008 award year and all of the \$15,000 should be reported for the 2008-2009 award year. The loan fields should be left blank (not zero) for the 2007-2008 award year because the student is still enrolled at the end of that award year.
September 20, 2011	R-Q22: What Credential Level is used for diploma programs?	R-A22: Institutions should use "01-Undergraduate Certificate" as the Credential Level when reporting a student's enrollment in a diploma programs.
September 27, 2011	R-Q23: My institution submitted a batch GE file but never received an error file in response. What is the status of my batch file? Was it successfully loaded into NSLDS?	R-A23: No, if the institution never received a "GE Response File" (returned to the institution even if the submission had no errors), the institution's batch file never processed and therefore, the GE data was not loaded into NSLDS. If the institution's batch file was received and processed, the institution would have received a GE Response Error/Acknowledgement file into their SAIG mailbox within 36 hours of submitting the batch file. The reason why the batch file was not processed may have been because of problems with the header or trailer records, an incorrect message class was used by the institution, or some other issue. If you have not received anything from the department or NSLDS within 36 hours, please contact the NSLDS Customer Support Center at 1-800-999-8219.
September 27, 2011	R-Q24: Can you explain the difference between the "Program Attendance Begin Date" and the "Program Attendance Begin Date for this Award Year"?	R-A24: The "Program Attendance Begin Date" and the "Program Attendance Begin Date for this Award Year" may differ because the student may have started the GE Program in an earlier award year. For example, consider a student who began a GE Program on May 15, 2008 (enrolled in the 2007-2008 award year) and continued to be enrolled in that GE Program until he completed the GE Program on June 23, 2009 (enrolled in the 2008-2009 award year). The institution will report the following: For the 2007-2008 award year reporting – "Program Attendance Begin Date" is May 15, 2008

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Date	Question	Answer
		<p>"Program Attendance Begin Date for this Award Year" is May 15, 2008</p> <p>For the 2008-2009 award year reporting–</p> <p>"Program Attendance Begin Date" is May 5, 2008</p> <p>"Program Attendance Begin Date for this Award Year" is July 1, 2008</p>
November 7, 2011	R-Q25: After reporting GE Program data, NSLDS rejected a student's record because of a conflict with a Social Security Number. What do I do?	<p>R-A25: An institution may have received an error message if the SSN submitted for the student is already in NSLDS but for a different person (different name and/or date of birth). Upon receiving this error message, the institution should verify that the GE Program information that was submitted to NSLDS is correct based upon institutional records. Institutions may need to check with the NSLDS data providers, (FFEL Program guaranty agencies and the Department's loan servicers), on the SSN information initially reported to NSLDS to verify if the SSN previously reported is correct.</p> <p>An SSN Conflict Page is also available for institutions to use in order to remedy any conflict. For more information on how to utilize this function, please visit The NSLDS GE User Guide, September 22, 2011, Version 4.0. Institutions that need more time to resolve any SSN conflicts should continue to work to resolve the conflicts. Doing so beyond November 15 will not result in penalties or sanctions imposed for missing the November 15 reporting date.</p>
October 4, 2011	R-Q26: How should we report the amount of private loans and institutional financing for a student who was enrolled in more than one educational program at the institution?	<p>R-A26: As provided in the NSLDS Gainful Employment User Guide, institutions must report amounts of private student loans and institutional financing for students who, during the award year, had either withdrawn or completed the GE Program.</p> <p>If the student was enrolled in more than one educational program, the institution has two options for attributing the private loan or institutional financing amounts – attribute the amounts evenly among the GE Programs or use the actual amounts applied to each GE program.</p> <p>Under the first option, if all of the programs the student was enrolled in were GE Programs, the institution may simply divide the total amount received (or owed for institutional financing) by the number of GE Programs and use the result for reporting. Note that under this option amounts are not attributed to a non-GE Program. For example, if a student took out \$10,000 in private loans for enrollment in two GE Programs, \$5,000 is attributed to each of the two GE Programs. However, if one of the educational programs was not a GE Program, the full \$10,000 is attributed to the one GE Program.</p> <p>Under the second option, if the institution can document the actual amount of private loans or institutional financing that that was used to cover educational costs for each program, it may attribute that amount to each program. For example, if a student took out \$20,000 in private loans while enrolled at the institution and the institution has documentation that \$12,000 of that amount was used to cover educational costs for a non-GE Program, only the remaining \$8,000 is attributed to the GE Program. Institutions choosing this option must maintain the documentation so that it is available upon request.</p> <p>As provided in the NSLDS Gainful Employment User Guide, institutions do NOT report the amount of Title IV Loan Debt. Those amounts are determined by the Department from NSLDS data.</p>

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Date	Question	Answer
October 27, 2011	R-Q27: The GE reporting instructions say that we must report on any student who was enrolled in a GE Program during the award year. Should we report on students who enrolled but never actually attended any classes in the GE Program? What about students who enrolled and began attendance, but then withdrew within a time period where our institution cancels all enrollment and does not charge the student?	R-A27: For purposes of GE Program reporting, a student is considered to have been enrolled during the award year only if the student was a regular student and actually began attendance in that GE Program. Also, a student who began attendance must be reported even if, because the student withdrew within a certain timeframe, the institution cancels all enrollment and does not charge the student.
October 28, 2011	R-Q28: The GE reporting materials say that reporting Tuition and Fees (Field # 21) is optional. Why should we report tuition and fees charged for students who completed one of our GE programs?	<p>R-A28: The Department generally calculates the median loan debt for the program based on the total loan debt of the students who completed the GE Program. However, if a school reports the amount of tuition and fees charged the student, the Department uses the lesser of the loan debt incurred for the program or the tuition and fees assessed the student for the program. For example, consider a student who incurred \$10,000 in loan debt for completing a GE Program for which the student was assessed \$8,000 in tuition and fee charges. If the \$8,000 tuition and fees amount is reported, only \$8,000 is used to calculate the median loan debt for the GE Program. If the tuition and fees amount was not reported, \$10,000 is used.</p> <p>The median loan debt is used to determine the annual loan payment for the Debt-to-Earnings (D/E) ratio. In simple terms, the D/E ratio = Annual Loan Payment / Annual Earnings of program graduates. So, if some of the reported charges are lower than total loan debt, the median loan debt is likely to be lower. A lower median loan debt results in a lower annual loan payment and therefore a lower debt-to-earnings ratio.</p> <p>The effects of lowering the annual payment are illustrated in the following example.</p> <p style="padding-left: 40px;">(A) If a school chooses NOT to report tuition and fees, the annual loan payment for students completing a GE program is \$3,300.</p> <p style="padding-left: 40px;">(B) If the same school reports tuition and fees, the annual loan payment for that program is \$2,900.</p> <p>In both cases, program graduates have annual earnings of \$25,000. The D/E ratios would be:</p> <p style="padding-left: 40px;">For (A), $\\$3,300 / \\$25,000 = 13.2\%$.</p> <p style="padding-left: 40px;">For (B), $\\$2,900 / \\$25,000 = 11.6\%$</p> <p>Under the regulations in §668.7, a GE programs fails the D/E ratio if the annual loan payment is more than 12% of annual earnings.</p>
November 4, 2011	R-Q29: My institution will not be able to submit all GE Reporting Data by the November 15, 2011 deadline. May we get an extension?	R-A29: The Department will NOT be granting extensions to the required reporting date of November 15, 2011. The requirement for GE reporting was finalized in the October 29, 2010 regulations – more than one year ago. Additionally, information and instructions, including two different webinars on reporting have been available for several months. An institution that does not submit all required information by November 15, 2011 should do so as promptly as possible. Our Program Compliance teams will determine, on an individual institutional basis, what, if any, sanctions may be imposed on an institution for its non-compliance with the November 15, 2011

Reporting		
Date	Question	Answer
		reporting date. Of course, one of the factors the team will consider is how promptly the information was reported.

New Programs		
Date	Question	Answer
August 5, 2011	NP-Q1: What is the process for notifying the Department that my institution will be starting a new GE Program?	NP-A1: Electronic Announcement #16 explains the process and what documentation institutions need to provide for reporting a new GE Program. That announcement instructs institutions to use the Department's E-App web process.
May 20, 2011	NP-Q2: My institution cannot submit the notification for a new GE Program 90 days before the planned first day of class. We will not have the program approved by our governing board by then. What do we do?	NP-A2: The regulations at 600.20(d)(1)(ii)(C) say that if an institution does not provide timely notice it must wait for Departmental approval before disbursing Title IV funds to students enrolled in the new GE Program. We consider timely notice to be a materially complete application with all required information, documents and approvals. If the institution cannot provide a materially complete application at least 90 days in advance – regardless of the reason – it will have to wait for the Department to approve the program before disbursing Title IV funds.
July 6, 2011	NP-Q3: I previously submitted an E-App which is still under review and locked. We now want to add new GE Programs. I cannot submit the required information on my E-App, because of the pending application. What should I do?	NP-A3: If the institution needs to add a new GE Program while a prior application is under review by the Department, the institution should contact the School Participation Team and request that their update access be turned on so that the new GE Program can be added to the current application. Unless the application is in the final review stages, adding the new GE Program to the current application should be possible.
September 1, 2011	NP-Q4: If my institution needs to update the CIP Code of a gainful employment program, does such a change trigger the gainful employment program regulations related to new programs outlined in Electronic Announcement #16?	NP-A4: Updating or correcting the CIP Code of an existing gainful employment program would not trigger the new program requirements outlined in Electronic Announcement #16.
October 17, 2011	NP-Q5: Whom should I contact about my ECAR and Program Participation Agreement with the Department?	NP-A5: Regional contact information for your institution's School Participation Team is available at http://www.eligcert.ed.gov/ .

Debt Management		
Date	Question	Answer
August 12, 2011	DM-Q1: Who is responsible for calculating the debt measures – repayment rate and	DM-A1: The Department of Education will calculate institutions' gainful employment repayment rates and debt-to-earnings ratios. To calculate these debt measures, the Department will use data that institutions have

Debt Management		
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	debt-to-income ratios?	reported to the Department under 34 CFR 668.6, information included in NSLDS about Title IV loans, and median incomes obtained from the Social Security Administration.

Resources

Federal Registers		
Date	Title	Abstract
October 29, 2010	Federal Register Vol. 75, No. 209 Program Integrity Issues; Final Rule	The Secretary is improving integrity in the programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA), by amending the regulations for Institutional Eligibility Under the HEA, the Secretary's Recognition of Accrediting Agencies, the Secretary's Recognition Procedures for State Agencies, the Student Assistance General Provisions, the Federal Family Education Loan (FFEL) Program, the William D. Ford Federal Direct Loan Program, the Teacher Education Assistance for College and Higher Education (TEACH) Grant Program in part 686, the Federal Pell Grant Program, and the Academic Competitiveness Grant (AGC) and National Science and Mathematics Access to Retain Talent Grant (National Smart Grant) Programs.
October 29, 2010	Federal Register Vol. 75, No. 209 Program Integrity: Gainful Employment –New Programs; Final Rule	The Secretary amends the regulations for Institutional Eligibility Under the Higher Education Act of 1965, as amended (HEA), to establish a process under which an institution applies for approval to offer an educational program that leads to gainful employment in a recognized occupation.
June 13, 2011	Federal Register Vol. 76, No. 113 Program Integrity: Gainful Employment –Debt Measures; Final Rule	The Secretary amends the Student Assistance General Provisions regulations to improve disclosure of relevant information and to establish minimal 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 the student financial assistance programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA).
August 2, 2011	Federal Register Vol. 76, No. 148 Gainful Employment Reporting Date for the 2010-2011 Award Year and Continued Collection of Gainful Employment Information for Prior Award Years; Notice	The Secretary announces the deadline date for the receipt of information from institutions for programs that prepare students for gainful employment in a recognized occupation that are eligible to participate in the Federal student assistance programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA), for the 2010-2011 award year. The Secretary also announces the continued collection of gainful employment program information for prior award years. Deadline Date: November 15, 2011.
September 27, 2011	Federal Register Vol. 76, No. 174 NPRM Adding New Educational Programs	The Secretary proposes to amend the regulations for Institutional Eligibility under the Higher Education Act of 1965, as amended (HEA), to streamline the application and approval process for new educational programs that qualify for student financial assistance under title IV of the HEA.

Resources		
Date	Title	Abstract

Resources		
Date	Title	Abstract
	NCES Statistical Standards	This website contains the 2002 revised statistical standards and guidelines for the National Center for Education Statistics (NCES), the principal statistical agency within the U.S. Department of Education. Our primary goal is to provide high quality, reliable, useful, and informative statistical information to public policy decision makers and to the general public. Thus, much of the standards and guidelines are geared towards fulfilling that goal. In particular, the standards and guidelines that follow are intended for use by NCES staff and contractors to guide them in their data collection, analysis, and dissemination activities. These standards and guidelines are also intended to present a clear statement for data users regarding how data should be collected in NCES surveys, and the limits of acceptable applications and use. Beyond these immediate uses, we hope that other organizations involved in similar public endeavors will find the contents of some of these standards and guidelines useful in their work as well. To that end, Chart A displays the organizational chart for NCES in an effort to help those less familiar with NCES understand some of the relationships that are present in many of the internal review processes that are described in the standards and guidelines. All users of these standards and guidelines should be cognizant of the fact that the contents of this website are continually being reviewed for technological and statistical advances.
September 22 , 2011	NSLDS Gainful Employment User Guide	<p>The National Student Loan Data System (NSLDS) Gainful Employment (GE) User Guide includes a table of contents, three chapters, and an appendix. Each of the chapters and the appendix are described below. This guide assumes reader familiarity with basic computer terminology and concepts.</p> <ul style="list-style-type: none"> • Chapter 1: GE Compliance, Guidelines, and Administrative Functions — Presents an overview of GE Reporting: compliance rules, reporting guidelines, and administrative functions and responsibilities. • Chapter 2: GE Reporting Processing—Describes the batch reporting process: matching/updating/returning student records, and completing error files. • Chapter 3: GE Reporting Online: the NSLDS Web Site— Provides step-by-step instructions for using the Web site, including how to log on, navigate the site, report and update student GE details. • Appendix A: GE Reporting File Record Layouts—Provides the 2 record layouts for GE Reporting files and error files, as well as error codes and explanations.
	Press Statements	
	Meetings on Gainful Employment	
	Analysis and Additional Data	

Dear Colleague Letters and Electronic Announcements		
Date	Title	Abstract
April 20, 2011	DCL ID: GEN-11-10	This letter provides guidance on new requirements for institutions that offer educational programs that prepare students for gainful employment in a recognized occupation
May 12, 2011	Gainful Employment Electronic Announcement #1 - Posting of Electronic Announcements Related to Gainful Employment Programs	<p>To support our efforts to ensure that all institutions that participate in the Title IV student assistance programs have easy access to the most current information on the new gainful employment regulatory requirements and the Department's implementation plans, we have established on our Information for Financial Aid Professionals (IFAP) website a special Gainful Employment Information Page where we will post communications and other information related to the gainful employment requirements.</p> <p>The Gainful Employment Information Page will include, in addition to links to the regulations and to other resources, a section for Dear Colleague Letters and Electronic Announcements, of which this is Gainful Employment Electronic Announcement #1, and a listing of Frequently Asked Questions with Answers.</p>
May 20, 2011	Gainful Employment Electronic Announcement #3 Correction of Dear Colleague Letter GEN-11-10 regarding Teacher Certification Programs	On April 20, 2011 the Department posted Dear Colleague Letter GEN-11-10 providing institutions with guidance on the new gainful employment program regulatory requirements. This Electronic Announcement corrects the information provided in the Dear Colleague Letter related to teacher certification programs at all types of institutions.
June 1, 2011	Gainful Employment Electronic Announcement #5 - Procedures for Reporting New Educational Programs That Prepare Students for Gainful Employment in a Recognized Occupation	<p>On April 20, 2011, the Department issued Dear Colleague Letter GEN-11-10 which provided guidance on several of the regulatory requirements related to an institution's educational programs that "lead to gainful employment in a recognized occupation" (GE Programs). Final regulations related to new GE Programs were published in the Federal Register on October 29, 2010 (75 FR 66665). These regulations are generally effective on July 1, 2011. GEN-11-10 included information on the new regulatory requirements related to the addition of a new GE Program by an institution. The purpose of this Electronic Announcement is to provide operational guidance on the implementation of those requirements.</p> <p>The new regulations provide that an institution that intends to add a new GE Program to its list of Title IV-eligible programs must notify the Department of that intent at least 90 days prior to the first day of class of the proposed program.</p>
June 2, 2011	Gainful Employment Electronic Announcement #6 - Unofficial Draft Regulations on Metrics for Gainful Employment Programs	The Secretary is making available a pre-publication copy of the final regulations on the metrics for determining the eligibility of an educational program that leads to gainful employment in a recognized occupation. These final regulations have been transmitted to the Federal Register and will be published in the coming days. The draft may be accessed at http://www.ed.gov/news/press-releases/gainful-

Dear Colleague Letters and Electronic Announcements		
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		employment-regulations.
June 3, 2011	Gainful Employment Electronic Announcement #7 - Updated NSLDS Gainful Employment User Guide	An update to the NSLDS Gainful Employment User Guide is now available on the NSLDS User Documentation page on the Information for Financial Aid Professionals (IFAP) Web site. Upon further review of the gainful employment batch reporting process, we have determined that we are not able to offer the XML format as an option for the initial year of reporting, and have therefore removed the XML record layout from the user guide.
June 14, 2011	Gainful Employment Electronic Announcement #8 - Final Regulations on Gainful Employment Debt Measures	On June 13, 2011, the Federal Register published final regulations on Program Integrity: Gainful Employment - Debt Measures . Although these regulations go into effect July 1, 2012, the regulations published October 29, 2010 retain their effective date of July 1, 2011.
June 24, 2011	Gainful Employment Electronic Announcement #11 - Determining Whether an Educational Program is a Gainful Employment Program	GEN-11-10 identified both proprietary institutions and postsecondary vocational institutions together in the description of what educational programs are and are not GE Programs. However, as noted below, any educational program that leads to a certificate or other non-degree credential awarded by a public or private non-profit institution, regardless of the length of the program, is a GE Program. Since publication of GEN-11-10 we have been asked by several institutions to make a determination as to whether one or more of their educational programs is a GE Program. To assist institutions in making such determinations themselves, we are providing below a brief summary of the information included in GEN-11-10 and a series of Questions that an institution can answer to determine if a particular educational program is a GE Program.
June 8, 2011	Gainful Employment Electronic Announcement #12: Certificates Awarded as Part of a Degree Program	In Gainful Employment Electronic Announcement #11 , we provided information on how an institution can determine whether an educational program is a Gainful Employment Program (GE Program). The information below provides guidance on the status of a degree program where a student may, in addition to earning the degree, also receive a certificate.
June 15, 2011	Gainful Employment Electronic Announcement #13 - New SAIG Message Classes for Reporting Gainful Employment Data	In a July 15, 2011 electronic announcement posted on the Information for Financial Aid Professionals (IFAP) Web site, we informed schools that on July 22, 2011 we will send the message class "MESSAGTB" via the Student Aid Internet Gateway (SAIG) to all user mailboxes. This new message class table will include four new message classes that will be used in the reporting process for gainful employment. Please refer to the July 15th electronic announcement for complete information about these new message classes.
June 15, 2011	Upcoming SAIG Message Class File Update	On July 22, 2011, we will send the message class "MESSAGTB" via the Student Aid Internet Gateway (SAIG) to all user mailboxes. The EDconnect transmission software will automatically request, download, and import this new message class

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		<p>table with a user's next connection to the SAIG network. Once the MESSAGTB file has been imported, the new message class table will be used from that point forward.</p> <p>Message Classes</p> <p>We will add message classes for the National Student Loan Data System (NSLDS).</p>
July 28, 2011	Gainful Employment Electronic Announcement #14 - NSLDS Gainful Employment Submittal Template	<p>One of the methods that schools can use to report required gainful employment data to the U.S. Department of Education (the Department) is using the National Student Loan Data System (NSLDS) Professional Access Web site. When the online reporting option is implemented on September 26, 2011, schools may use the NSLDS Gainful Employment Submittal Template to assist with the online reporting process. While the capability to upload gainful employment information will not be available for several more weeks, the Gainful Employment Submittal Template and instructions allow a school to begin the process of preparing spreadsheets that, in September, can be uploaded to NSLDS using NSLDS Professional Access.</p> <p>Designed to be used with the Microsoft Office Excel spreadsheet application, the template provides schools with the option to upload and submit to NSLDS up to 50 records/rows of gainful employment data at a time. After the school adds gainful employment information to the template spreadsheet, the school then uploads and transfers the data to the NSLDS Professional Access Web site, after confirming the data is correct and should be saved to NSLDS.</p>
August 2, 2011	Gainful Employment Electronic Announcement #15 - Gainful Employment Reporting Dates	<p>Final regulations published in the Federal Register on October 29, 2010 require institutions that participate in the student financial assistance programs to report certain information about students who enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). The regulations provide that the Secretary establishes the deadline dates for the reporting by institutions of GE Program information.</p> <p>Today, August 2, 2011, we published a Federal Register notice announcing that November 15, 2011 is the deadline date for the reporting of GE Program information for students who were enrolled during the 2010-2011 award year.</p> <p>While the regulations provide that the deadline for institutions to report GE Program information for the 2006-2007 through 2009-2010 award years is October 1, 2011, the August 2 Federal Register notice provides that the Department will continue to accept information from these earlier award years through November 15, 2011, the same date as the reporting date for the 2010-2011 award year.</p> <p>We believe that the reporting flexibility provided in the notice will assist institutions as they prepare for this first round of GE Program reporting.</p>

Dear Colleague Letters and Electronic Announcements		
Date	Title	Abstract
August 3, 2011	<u>Gainful Employment Electronic Announcement #16 – Updated Procedures for Reporting New Educational Programs That Prepare Students for Gainful Employment in a Recognized Occupation</u>	<p>An update to the Procedures for institutional notification to the Department of new GE Programs using Federal Student Aid's (FSA's) Application for Approval to Participate in the Federal Student Financial Aid Programs (E-App) is attached to this Electronic Announcement.</p> <p>These procedures, originally included with Gainful Employment Electronic Announcement #5, have been updated to reflect an E-App system update effective July 31, 2011. Institutions should now use these updated Procedures for Institutional Notification to the Department of New GE Programs to report new GE Programs.</p> <p>NOTE: The <u>Notice Format for Intent to Offer an Educational Program</u> provided with Gainful Employment Electronic Announcement #5 has not changed and is provided here again for your convenience.</p>
August 4, 2011	<u>Gainful Employment Electronic Announcement #17 - Updated NSLDS Gainful Employment User Guide (August 4, 2011)</u>	<p>We are pleased to announce the availability of an update to the <u>NSLDS Gainful Employment User Guide</u>, now available on the NSLDS User Documentation page on the Information for Financial Aid Professionals (IFAP) Web site. Institutions should use information in the updated guide to prepare their systems to submit required gainful employment information to the U.S. Department of Education (the Department).</p> <p>Information on the <u>NSLDS Professional Access</u> online reporting option for gainful employment information is now included in Chapter 3 of the user guide, including step-by-step instructions for system set up, navigating the Web site, and submitting gainful employment information. This reporting option will be available September 26, 2011.</p> <p>In addition, detailed instructions are provided in the updated guide, to assist institutions with setting up the Student Aid Internet Gateway (SAIG) mailbox that will be used for gainful employment batch reporting. This set-up functionality for batch reporting is available now on the NSLDS Professional Access Web site, under the Enroll Tab.</p>
August 9, 2011	<u>Gainful Employment Electronic Announcement #18 – Submitting An Explanation of Missing/Incomplete Gainful Employment Data</u>	<p>The purpose of this announcement is to provide institutions with more information on how to submit the explanation if there was an unusual situation (such as a natural disaster) that prevents an institution from providing all of the required information.</p>
August 31, 2011	<u>Subject: Gainful Employment Electronic Announcement #19 - Preparatory Courses of Study Not Considered Gainful Employment Programs</u>	<p>We have been asked to provide further information on whether courses of study that are designed to provide students with coursework necessary for enrollment in a degree or certificate program are gainful employment programs for purposes of the regulations published on October 29, 2010 and June 13, 2011. The following provides that requested information as well as more general information on the types and amounts of Title IV aid students enrolled in such courses of study may</p>

Dear Colleague Letters and Electronic Announcements		
Date	Title	Abstract
		receive.
September 22, 2011	Gainful Employment Electronic Announcement #22 - Updated NSLDS Gainful Employment User Guide (September 22, 2011)	We are pleased to announce the availability of an update to the NSLDS Gainful Employment User Guide , now available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site. The guide can also be downloaded from the "Resources" section of the Gainful Employment Information Page . Institutions should use information in the updated guide to prepare their systems to submit required gainful employment information to the U.S. Department of Education (the Department).
September 22, 2011	NSLDS Newsletter #34	To further assist institutions to prepare for gainful employment reporting via NSLDS and to supplement the NSLDS Gainful Employment User Guide, NSLDS Newsletter #34 is now available on the IFAP Web site. This newsletter discusses new gainful employment reporting functionalities of NSLDS, including the NSLDS Professional Access Web site. This newsletter also provides helpful tips on gainful employment reporting using the various NSLDS reporting options, including the NSLDS GE Submittal Template.
September 26, 2011	Gainful Employment Electronic Announcement #23 - Gainful Employment Reporting Functionality Now Available on NSLDS	We are pleased to announce that online reporting functionality for gainful employment is now available on the National Student Loan Data System (NSLDS), including the NSLDS Professional Access Web site. Detailed information about the use of NSLDS for reporting gainful employment data is provided in the NSLDS Gainful Employment User Guide , available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site, as well as from the "Resources" section of the Gainful Employment Information Page . Institutions should use information in the guide, most recently updated on September 22, 2011, to submit required gainful employment information to the U.S. Department of Education (the Department).
September 26, 2011	FS-2011-06 Reminder of Gainful Employment Electronic Announcement #18 – Submitting An Explanation of Missing/Incomplete Gainful Employment Data	Final regulations published in the Federal Register on October 29, 2010 require institutions—including foreign institutions—that participate in the student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, to report certain information about students who are enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). For foreign public and nonprofit institutions, GE programs include all Title IV, HEA-eligible programs that are non-degree educational programs, including all certificate and diploma educational programs. All Title IV-eligible educational programs offered by foreign for-profit medical, veterinary, and nursing schools are GE programs, including any degree programs.
September 28,	Gainful Employment Electronic Announcement #24 - NPRM:	On September 27, 2011, we published in the Federal Register a Notice of Proposed Rulemaking (NPRM) that proposes changes to the regulations to streamline the

Dear Colleague Letters and Electronic Announcements		
Date	Title	Abstract
2011	Application and Approval Process for New Programs	<p>application and approval process for new educational programs that qualify for student financial assistance under title IV of the HEA. A PDF copy of the NPRM is attached to this announcement. It is also available directly on the IFAP website under Federal Registers.</p> <p>The deadline for submitting comments to this NPRM is November 14, 2011. Please carefully review the information in the NPRM for the procedures to be used for the submission and review of comments.</p>
September 28, 2011	Gainful Employment Electronic Announcement #25 - Disclosures by Educational Program	This electronic announcement provides information on how institutions disclose information for gainful employment programs when the institution offers more than one educational program with the same CIP Code and Credential Level.
October 13, 2011	Gainful Employment Electronic Announcement #26 – Updated NSLDS Gainful Employment Submittal Template	Designed to be used with the Microsoft Office Excel spreadsheet application, the template provides schools with the option to upload and submit to NSLDS up to 50 records/rows of gainful employment data at a time. After the school adds gainful employment information to the template spreadsheet, the school then uploads and transfers the data to the NSLDS Professional Access Web site, after confirming the data is correct and should be saved to NSLDS.
October 25, 2011	Gainful Employment Electronic Announcement #27 - Reminder of Gainful Employment Reporting Date of November 15, 2011	<p>We would like to remind the community of the upcoming reporting date for gainful employment information. As noted in Gainful Employment Electronic Announcement #15, institutions have until November 15, 2011 to meet the GE Program reporting requirements without any adverse action taken by the Department.</p> <p>If your institution has not yet submitted gainful employment data, we encourage you to report the required information as soon as possible, to ensure there is adequate time to complete any necessary corrections in advance of November 15, 2011.</p>



Publication Date: April 20, 2011

DCL ID: GEN-11-10

Subject: Implementation of Regulatory Requirements Related to Gainful Employment Programs

Summary: This letter provides guidance on new requirements for institutions that offer educational programs that prepare students for gainful employment in a recognized occupation.

Dear Colleague:

Final regulations published in the Federal Register on October 29, 2010, [75 FR 66665 and FR 66832], by the U.S. Department of Education (the Department), require institutions that participate in the student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, as amended (the HEA), to report certain information about students who enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). Those regulations also provide that institutions must disclose to prospective students certain information about their GE Programs. Finally, the new regulations require an institution to notify the U.S. Secretary of Education (the Secretary) if it wishes to add additional GE Programs to its list of Title IV-eligible programs. All of these requirements are effective July 1, 2011.

This letter does not discuss issues related to the eligibility of GE Programs proposed in the Notice of Proposed Rulemaking (NPRM) that was published in the Federal Register on July 26, 2010. The Department is in the process of finalizing those regulations.

This letter provides information on the statutory definition of a GE Program. It also provides preliminary information on the process that will be used by institutions to meet the GE Program reporting requirements. Finally, this letter provides initial guidance on certain aspects of the disclosure requirements and on the notification requirements when an institution proposes to add a new GE Program. Note that this letter provides summary information and operational guidance on the requirements of the new gainful employment regulations. Institutions must review the final regulations as published in the Federal Register on October 29, 2010, to ensure that they are in compliance with all of the GE Program requirements.

Designation of a Gainful Employment Program

In order to be eligible for funding under the Title IV programs, an educational program must lead to a degree (associate, bachelor's, graduate, or professional) or prepare students for "gainful employment in a recognized occupation." In addition, virtually all programs - degree and nondegree - offered by proprietary institutions must prepare students for "gainful employment in a recognized occupation."

Collectively, we refer to these programs, all nondegree educational programs offered by public and nonprofit institutions and virtually all academic programs offered by proprietary institutions, as "GE Programs." Many institutions that participate in the Title IV student assistance programs, even those that are public or nonprofit and that predominantly offer degrees, will likely have one or more GE Programs. In fact, fewer than 1,000 out of the approximately 6,000 institutions that are currently participating in the Title IV programs have no GE Programs. Therefore, all institutions must be aware of the new regulatory requirements and the information in this letter to ensure that they will be in compliance with the new gainful employment regulations.

The following provides specific information, presented separately for different types of institutions, on the educational programs that are considered to be GE Programs and, therefore, subject to the new rules relating to reporting, disclosures, and the addition of new GE programs.

Domestic Proprietary Institutions and Domestic Postsecondary Vocational Institutions

- Gainful Employment Programs - The following educational programs offered by these institutions are GE Programs subject to the new regulations -
 - Undergraduate and graduate degree programs.
 - Certificate programs. Certificate programs include undergraduate certificate programs, post-baccalaureate certificate programs, graduate certificate programs, and postgraduate certificate programs.
 - Teacher certification programs, including both programs that result in a certificate awarded by the institution and those where the institution itself does not provide a certificate but which consist of a collection of course work necessary for the student to receive a State professional teaching credential or certification.
 - Approved "Comprehensive Transition Programs" for students with intellectual disabilities.
- Not Gainful Employment Programs - The following educational programs offered by these institutions are not subject to the new GE Program regulations -
 - Programs that lead to a baccalaureate degree in liberal arts if the institution has been accredited by a regional accrediting agency since October 2007 and the institution has offered the program since January 2009.

- Preparatory courses of study that provide course work necessary for enrollment in an eligible program.

Domestic Public and Domestic Nonprofit Institutions

- Gainful Employment Programs - The following educational programs offered by these institutions are GE Programs subject to the new regulations -
 - Nondegree programs, including all certificate programs. Certificate programs include undergraduate certificate programs, postbaccalaureate certificate programs, graduate certificate programs, and postgraduate certificate programs. Note that awarding students one or more certificates as part of a degree program does not create GE programs based upon the awarding of the certificate(s).
 - Teacher certification programs, including both programs that result in a certificate awarded by the institution and those where the institution itself does not provide a certificate but which consist of a collection of course work necessary for the student to receive a State professional teaching credential or certification.
 - Approved "Comprehensive Transition Programs" for students with intellectual disabilities.
- Not Gainful Employment Programs - The following educational programs offered by these institutions are not subject to the new GE Program regulations -
 - Programs that lead to a degree, including associate's degrees, bachelor's degrees, graduate degrees, and professional degrees.
 - Programs that are at least two years in length that are fully transferable to a bachelor's degree program.
 - Preparatory courses of study that provide course work necessary for enrollment in an eligible program.

Foreign Proprietary Institutions

- Gainful Employment Programs - The only programs at foreign proprietary institutions that are eligible for the HEA Loan Programs are degree programs in medicine, nursing, and veterinary science. These programs offered at these institutions are GE Programs subject to the new requirements.
- Not Gainful Employment Programs - None.

Foreign Public and Nonprofit Institutions

- Gainful Employment Programs — Same as domestic public and domestic nonprofit institutions, as provided above.
- Not Gainful Employment Programs — Same as domestic public and domestic nonprofit institutions, as provided above.

Reporting Requirements

Summary

The October 29, 2010, regulations that go into effect on July 1, 2011, include a provision, at 34 CFR 668.6(a), that requires institutions to report certain information about students who were enrolled in each GE Program during an award year [see 75 FR 66948]. Under the regulations, the first reports must be submitted to the Department no later than October 1, 2011, and must include information on students who were enrolled in a GE Program during the 2006-2007 award year, the 2007-2008 award year, the 2008-2009 award year, and the 2009-2010 award year. For the 2006-2007 award year, institutions must report the information to the extent that it is available. If an institution is unable to provide some of the information required for any award year, it must provide an explanation to the Department of why the missing information is not available.

Students to Include

Institutions must report to the Secretary certain information about all of its students who enrolled in GE Programs, regardless of whether a student received Title IV student aid. However, institutions should not report students for whom the institution does not have a Social Security Number (SSN).

Foreign institutions need only include on their required gainful employment reports students who are U.S. citizens or Title IV eligible noncitizens. These students should be reported whether or not the student received Title IV aid. Additionally, foreign institutions need not report on a GE Program if the number of reportable students who were enrolled in that program during the award year was ten or fewer.

Process and Technology to be Used

Institutions will use the existing Enrollment Reporting Process to submit the GE Program information to the Department. This is the reporting system currently used by schools to submit enrollment information to the National Student Loan Data System (NSLDS).

The Enrollment Reporting data format will be modified to include the additional data items needed for gainful employment reporting. Additional information will be provided after the Department finalizes the GE Program reporting process.

Information to Be Reported

The Department is still finalizing the complete list of GE Program data items that institutions will report, but a preliminary list is attached to this letter. An updated list will be provided after the development of the gainful employment reporting process is finalized.

Disclosure Requirements

Summary

The October 29, 2010, regulations that go into effect on July 1, 2011, include a provision, at 34 CFR 668.6(b), that requires institutions to disclose, for each of their GE Programs, certain information about the programs to prospective students. The institution must include the information required in promotional materials it makes available to prospective students and on its Web site. The regulations also provide that the institution must "Use the disclosure form issued by the Secretary to provide the information ... when that form is available" (34 CFR 668.6(b)(2)(iv)). These disclosures must begin no later than July 1, 2011. Institutions are responsible for meeting these disclosure requirements using their own form until the Department releases its form.

Information to Disclose

The following is a summary of the information that must be disclosed by an institution for each of its GE Programs. Institutions must review the final regulations as published in the Federal Register to ensure that they are in compliance with this and all other gainful employment requirements.

- The name and U.S. Department of Labor's Standard Occupational Classification (SOC) code of the occupations that the program prepares students to enter, along with links to occupational profiles on the U.S. Department of Labor's O*NET Web site or its successor site.
- The on-time graduation rate for students completing the program.
- The tuition and fees the institution charges a student for completing the program within normal time.
- The typical costs for books and supplies (unless those costs are included as part of tuition and fees), and the cost of room and board, if applicable.
- The job placement rate for students completing the program.
- The median loan debt incurred by students who completed the program (separately by Title IV loans and by other educational debt to include both private educational loans and institutional financing) as provided by the Secretary.
- Other information the Secretary provided to the institution about the program.

Median Loan Debt

As noted, one of the informational items that must be disclosed to prospective students is the median loan debt incurred by students who completed the GE Program. In anticipation of the receipt of student-level information from the institutions and to provide consistency among institutions, the regulation provides that these median amounts will be provided to the institution by the Secretary for the institution's disclosure to prospective students. However, since the first disclosures under the new regulation must be made no later than July 1, 2011, and the first reporting by institutions is not required until October 1, 2011, an institution must include in its disclosures its own calculation of median debt - separately showing Title IV debt and other educational debt - until such time as the Department provides that loan debt information. The loan debt information disclosed by institutions should be consistent with the information the institutions report to the Department.

Disclosure Form

As noted, the regulations provide that the institution must use the disclosure form issued by the Secretary, when available. This form will be provided to institutions through an online Web-application that institutions will be required to use to disclose information about their GE Programs. This application will allow institutions to create a Web page containing the required disclosure information. Similar to the net price calculator template developed by the Department, the institution will enter each GE Program's required data into the online form, resulting in an 'html' file that the institution will post to the Web site home page for that program.

Using this process, an institution will first enter (or upload) data into the Web-based application for each of its GE Programs. Some of the information entered (such as the OPEID of the institution and CIP code for the program) will be used to look up and import data from Department databases for use in the output disclosure Web page. Additional institutional program-level data will be entered by the institution and included on the output page. Access to the Web-application and a more detailed description of the data elements required to be entered will be made available at a later date.

New Programs

Summary

The October 29, 2010 regulations that go into effect on July 1, 2011 require an institution to notify the Secretary when it intends to add a new GE Program. 34 CFR 600.10(c) and 600.20(c) and (d). The notification must describe the institution's determination that the new program will meet employment market needs. It must describe how the program was reviewed or approved by, or developed in conjunction with, external groups and its accrediting agency. The notification must also include the date classes will start for that program.

An institution that provided notice of a new GE Program at least 90 days before the first day of class of that new program may begin offering the additional program without receiving Departmental approval unless the Department requests, at least 30 days prior to

the date the program is scheduled to begin, additional information or otherwise informs the institution to delay the start of the additional program.

Consistent with regulations in effect prior to these final regulations, in 34 CFR 668.13(c)(4), the Secretary requires institutions that are on provisional certification to have the Secretary's approval before beginning any new program.

Effective Date:

The provisions for reporting new GE programs go into effect on July 1, 2011. Therefore, institutions must notify the Department by July 1 of any new GE program where the first day of class will be on or after July 1, 2011, and before October 1, 2011. For new GE programs where the first day of class will begin on or after October 1, 2011, institutions must provide notification to the Department at least 90 days prior to the first day of class. All notifications to the Department must include information to support the institution's determination of the need for the program, as required by the regulation at 34 CFR 600.20(d)(2).

The requirement for an institution to obtain approval for a new GE program when additional information is requested by the Department at least 30 days before the first day of class will also take effect on July 1, 2011.

For more gainful employment information and updates, please regularly visit <http://ifap.ed.gov/GainfulEmploymentInfo/>.

For questions on the contents of this letter, please send an e-mail to ge-questions@ed.gov.

Thank you for your continued cooperation.

Sincerely,

David A. Bergeron

Deputy Assistant Secretary for Policy, Planning and Innovation

Office of Postsecondary Education

U.S. Department of Education

Attachments/Enclosures:

[GEN-11-10: Gainful Employment Reporting Draft Data Elements List](#)

Attachment to GEN-11-10 Gainful Employment Reporting

IMPORTANT NOTE: Each student record includes student specific information for any student who was enrolled at any time during the reporting award year (Data Element #1) in any of an institution's educational programs. An institution's unique educational program is identified by the first six numbers of the institution's OPEID (Data Element #7); the program's CIP Code (Data Element #11), and the program's Credential Level (Data Element #12). A student who was enrolled in more than one program during the award year must be reported separately for each of those programs, as would a student who 'stopped out' and reentered the same program during the same award year.

Data Element Number	Data Element	Description	Length
1	Award Year	Award year student was enrolled at any time in the educational program being reported on. All award years begin on July 1 and end the following June 30. Award year is identified as the four digits of the first calendar year and the four digits of the second calendar year of the award range. (Example: the award year for July 1, 2008 - June 30, 2009, would be identified as 20082009.	8
2	Student SSN	Student 's Social Security Number	9
3	Student First Name	Student's First Name	35
4	Student Middle Name	Student 's Middle Name or Middle Initial, if available	35
5	Student Last Name	Student's Last Name	35
6	Student DOB	Student's Date of Birth (MMDDYYYY) If Date of Birth not available, enter '01011901'	8
7	Institution's OPEID	Eight-digit OPEID, as included on the institution's Department of Education's eCAR. First six digits identify the institution. Last two digits identify the specific location where the student attended the educational program being reported on.	8
8	Institution Name	Institution's Name. Official name of the institution as included on the institution's Department of Education's eCAR.	65
<i>The next five fields describe the institution's educational program that the student (identified in fields 2 – 6) was enrolled in during the award year.</i>			
Data Element Number	Data Element	Description	Length
9	GE Program Indicator	'Y' if the program being reported is a Gainful Employment educational program. Otherwise – 'N'	1
10	Program Name	Name of the educational program, as determined by the institution, in which the student was enrolled during the award year.	80
11	CIP Code	Classification of Instructional Program (CIP) Code for the educational program in which the student was enrolled during the award year.	6

Data Element Number	Data Element	Description	Length
12	Credential Level	Level of degree/certificate/credential for the educational program in which the student was enrolled during the award year. 01= UNDERGRADUATE CERTIFICATE 02= ASSOCIATE'S DEGREE 03= BACHELOR'S DEGREE 04= POST BACCALAUREATE CERTIFICATE 05= MASTER'S DEGREE 06= DOCTORAL DEGREE 07= FIRST-PROFESSIONAL DEGREE	2
13	Medical or Dental Internship or Residency.	Required if Field #12 is '07'. 'Y' if student is or will be required to complete a medical or dental internship or residency after completing the educational program. Otherwise – 'N'	1
14	FFEL or Direct Loans	'Y' if student received FFEL or Direct Loans at any time (not just during this award year) for attendance in the educational program. Otherwise - 'N'. Parent PLUS loans, TEACH Grants, and Perkins loans are not included.	1
15	Program Attendance Begin Date	Date the student began enrollment in the educational program. Report date even if enrollment began prior to the beginning of the award year. (MMDDYYYY)	8
16	Program Attendance Begin Date for This Award Year	Date in this award year that the student began enrollment in the educational program. Report beginning date of the award year if enrollment began prior to the start of the award year. (MMDDYYYY)	8
17	Program Attendance Status	'C' – If student completed the educational program at any time during the award year. 'W' – If student withdrew from the educational program at any time during the award year. 'E' – If student was enrolled in the educational program on the last day of the award year .	1
<i>The following data elements are to be reported only if the student completed or withdrew from the educational program (Data Element Field #17 is 'C' or 'W').</i>			
18	Program Attendance End Date	The effective date of the student's completion or withdrawal from the educational program during the award year. (MMDDYYYY)	8
19	Private Loans Amount	Gross (amount student will be responsible for repaying) amount of private educational loans received by the student at any time for attendance in the educational program (not just for this award year). Report whole dollars only, no dollar signs, commas, or decimal points. If student did not receive any private educational loans, enter all zeros.	6

Data Element Number	Data Element	Description	Length
20	Institutional Financing Amount	Total amount owed by student from institutional financing plans for attendance in the educational program as of day the student completed or withdrew from the educational program. Report whole dollars only, no dollar signs, commas, or decimal points. If student did not receive any institutional financing, enter all zeros.	6
21	Field Reserved	To Be Determined	6
22	Enrolled in Another Program	'S' – If student enrolled in any other educational program at the same institution - same six digit OPEID. 'D' - If known, student enrolled in another educational program at a different institution - different six digit OPEID. 'D' does not apply to students enrolling in another program at a different location of the same institution. 'N' if neither of the above	1
23	CIP Code of Other Program	Required if response to Data Element Field #22 is 'S' or if response is 'D' and new program CIP code is known.	6
24	Credential Level of Other Program	Required if response to Data Element Field #22 is 'S' or if response is 'D' and new program Credential Level is known. 01= UNDERGRADUATE CERTIFICATE 02= ASSOCIATE'S DEGREE 03= BACHELOR'S DEGREE 04= POST BACCALAUREATE CERTIFICATE 05= MASTER'S DEGREE 06= DOCTORAL DEGREE 07= FIRST-PROFESSIONAL DEGREE	2
25	Program Name of Other Program	Required if response to Data Element Field #22 is 'S' or if response is 'D' and other program's Program Name is known.	80
26	GE Program Indicator of Other Program	Required if response to Data Element Field #22 is 'S' or if response is 'D' and other program's GE Program Indicator is known. 'Y' if the program being reported in Field #22 is a Gainful Employment Education Program Otherwise – 'N'	1
27	OPEID of Other Program Institution	Required if response to Data Element Field #22 is 'D'.	6
28	School Name for Other Program	Required if response to Data Element Field #22 is 'D'.	65



Posted Date: May 12, 2011

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Gainful Employment Electronic Announcement #1 - Posting of Electronic Announcements Related to Gainful Employment Programs

On October 29, 2010, we published final regulations in the [Federal Register](#), that included new requirements for institutions that offer Title IV student aid to students enrolled in educational programs that lead to gainful employment in a recognized occupation (GE Programs). [Dear Colleague Letter GEN-11-10](#) dated April 20, 2011, provided institutions with guidance on the new gainful employment regulatory requirements.

To support our efforts to ensure that all institutions that participate in the Title IV student assistance programs have easy access to the most current information on the new gainful employment regulatory requirements and the Department's implementation plans, we have established on our Information for Financial Aid Professionals (IFAP) website a special Gainful Employment Information Page where we will post communications and other information related to the gainful employment requirements.

The Gainful Employment Information Page will include, in addition to links to the regulations and to other resources, a section for Dear Colleague Letters and Electronic Announcements, of which this is Gainful Employment Electronic Announcement #1, and a listing of Frequently Asked Questions with Answers.

The Gainful Employment Information Page can be accessed either by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page or by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/>.

We hope this special information page is useful and provides easy accessibility to important gainful employment information.



Posted Date: May 20, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #3 Correction of Dear Colleague Letter GEN-11-10 regarding Teacher Certification Programs

On April 20, 2011 the Department posted [Dear Colleague Letter GEN-11-10](#) providing institutions with guidance on the new gainful employment program regulatory requirements. This Electronic Announcement corrects the information provided in the Dear Colleague Letter related to teacher certification programs at all types of institutions.

The following paragraph appears on Page 2 and Page 3 of GEN-11-10 in the sections that specify what educational programs are considered to be GE Programs.

"Teacher certification programs, including both programs that result in a certificate awarded by the institution and those where the institution itself does not provide a certificate but which consist of a collection of course work necessary for the student to receive a State professional teaching credential or certification."

The entire paragraph above is replaced with the following:

"Teacher certification programs that result in a certificate awarded by the institution."

Therefore, teacher certification programs where the institution itself does not provide a certificate but which consist of a collection of course work necessary for the student to receive a State professional teaching credential or certification are NOT gainful employment programs and therefore NOT subject to the GE Programs' disclosure and reporting requirements.

Information and updates related to Gainful Employment will be posted on the Gainful Employment Information Page. This page can be accessed either by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page or by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/>.



Posted Date: May 23, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #4 - NSLDS Gainful Employment User Guide

We are pleased to announce the availability of the [NSLDS Gainful Employment User Guide](#). Institutions may use information from the user guide, available on the NSLDS User Documentation page on the Information for Financial Aid Professionals (IFAP) Web site, to submit required gainful employment information to the U.S. Department of Education (the Department). As discussed in [Dear Colleague Letter GEN-11-10](#), final regulations published in the [Federal Register](#) on October 29, 2010 require institutions participating in the student financial assistance programs to report, by October 1, 2011 and once a year thereafter, certain information to the Department about students who are enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs).

For a description of the gainful employment reporting requirements, refer to GEN-11-10.

The NSLDS Gainful Employment User Guide includes an overview of GE reporting requirements, a description of the Student Aid Internet Gateway (SAIG) batch reporting process that will be used, and the three record layouts for GE reporting (fixed width format, comma separated values format, and XML format).

Note: An online reporting option will also be available later this year. Please monitor the [IFAP Web site](#) for forthcoming communications about the availability of this enhancement to the [NSLDS Professional Access](#) Web site.

SAIG Message Classes

As described in the user guide, the following SAIG message classes will be used in the reporting process for gainful employment:

Message Class	Description
GESFLEIN	Gainful Employment Submittal-Fixed Width Format
GESCDEIN	Gainful Employment Submittal-Comma Separated Values Format
GESXMLIN	Gainful Employment Submittal- XML Format
GERFLEOP	Gainful Employment Response- Fixed Width Format
GERCDEOP	Gainful Employment Response- Comma Separated Values Format
GERXMLOP	Gainful Employment Response- XML Format

Please monitor the [IFAP Web site](#) for an upcoming announcement about the addition of these message classes to the SAIG message class table.

Contact Information

If you have questions about gainful employment, please send an e-mail to ge-questions@ed.gov.



Posted Date: June 1, 2011

Author: Robin Minor, Chief Compliance Officer, Federal Student Aid

Gainful Employment Electronic Announcement #5 - Procedures for Reporting New Educational Programs That Prepare Students for Gainful Employment in a Recognized Occupation

On April 20, 2011, the Department issued [Dear Colleague Letter GEN-11-10](#) which provided guidance on several of the regulatory requirements related to an institution's educational programs that "lead to gainful employment in a recognized occupation" (GE Programs). Final regulations related to new GE Programs were published in the Federal Register on October 29, 2010 (75 FR 66665). These regulations are generally effective on July 1, 2011. GEN-11-10 included information on the new regulatory requirements related to the addition of a new GE Program by an institution. The purpose of this Electronic Announcement is to provide operational guidance on the implementation of those requirements.

The new regulations provide that an institution that intends to add a new GE Program to its list of Title IV-eligible programs must notify the Department of that intent at least 90 days prior to the first day of class of the proposed program.

Following are the specific timelines for reporting new GE Programs:

- For new GE Programs where the first day of class will begin **on or after July 1, 2011 and before October 1, 2011**, notification must be provided no later than July 1, 2011. If the institution does not provide the required notification by July 1, 2011, it must wait for Departmental approval before disbursing funds to students enrolled in the new GE Program. The institution must also inform students that the program has not been approved by the Department to be eligible for federal student aid.
- For new GE Programs where the first day of class will begin **on or after October 1, 2011**, institutions must provide notification to the Department at least 90 days prior to the first day of class. If the institution does not give notice at least 90 days before the first day of class, it must wait for Departmental approval before disbursing funds to students enrolled in the new GE Program and must inform students that the institution has not received the Department's approval for the program to be eligible for federal student aid.

The required notification to the Department by an institution of a new GE Program must include sufficient information to demonstrate that the program meets the requirements of an eligible program, as provided in the regulations at 34 CFR 668.8. As required by the new regulations at 34 CFR 600.20(d)(2), the institution must provide the Department with information to support its determination of the need for the program. As specified in the new regulations at 34 CFR 600.20(d)(2), an institution must describe how the institution determined the need for the program and how the program was designed to meet local market needs, or for an online program, regional or national market needs. This description must contain any wage analysis the institution may have performed, including any consideration of Bureau of Labor Statistics (BLS) data related to the program. The institution must also describe how the program was reviewed or approved by, or developed in conjunction with, business advisory committees, program integrity boards, public or private oversight or regulatory agencies, and businesses that would likely employ graduates of the program. In addition, the institution must submit documentation that the program has been approved by its accrediting agency or is otherwise included in the institution's accreditation by its accrediting agency, or comparable documentation if the institution is a public postsecondary vocational institution approved by a recognized State agency for the approval of public postsecondary vocational education.

Attached to this Electronic Announcement are –

- [The text of 34 CFR 600.20\(d\)\(2\) for your reference.](#)
- [The procedures for institutional notification to the Department of new GE Programs using Federal Student Aid's \(FSA's\) Application for Approval to Participate in the Federal Student Financial Aid Programs \(E-App\), and](#)
- [Notice Format for Intent to Offer an Educational Program.](#)

NOTE: Nothing in the new regulatory requirements, GEN-11-10, or this electronic announcement supersedes the requirement that a provisionally certified institution must wait for Departmental approval before disbursing Title IV funds to students enrolled in any new program nor does it modify the requirement that an institution that has been notified by the Department that it must wait for approval before disbursing Title IV funds to students enrolled in a new program.

Contact Information

If you have any questions about this information, you may contact the School Participation Team (SPT) for your state. The telephone numbers for the SPTs can be found at www.elicert.ed.gov.

Information and updates related to Gainful Employment will be posted on the Gainful Employment Information Page. This page can be accessed either by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page or by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/>.

Text of 34 CFR 600.20(d)(2)

(d) Notice and application. (1) Notice and application procedures. (i) To satisfy the requirements of paragraphs (a), (b), and (c) of this section, an institution must notify the Secretary of its intent to offer an additional educational program, or provide an application to expand its eligibility, in a format prescribed by the Secretary and provide all the information and documentation requested by the Secretary to make a determination of its eligibility and certification.

(ii)(A) An institution that notifies the Secretary of its intent to offer an educational program under paragraph (c)(3) of this section must ensure that the Secretary receives the notice described in paragraph (d)(2) of this section at least 90 days before the first day of class of the educational program.

(B) An institution that submits a notice in accordance with paragraph (d)(1)(ii)(A) of this section is not required to obtain approval to offer the additional educational program unless the Secretary alerts the institution at least 30 days before the first day of class that the program must be approved for title IV, HEA program purposes. If the Secretary alerts the institution that the additional educational program must be approved, the Secretary will treat the notice provided about the additional educational program as an application for that program.

(C) If an institution does not provide timely notice in accordance with paragraph (d)(1)(ii)(A) of this section, the institution must obtain approval of the additional educational program from the Secretary for title IV, HEA program purposes.

(D) If an additional educational program is required to be approved by the Secretary for title IV, HEA program purposes under paragraph (d)(1)(ii)(B) or (C) of this section, the Secretary may grant approval, or request further information prior to making a determination of whether to approve or deny the additional educational program.

(E) When reviewing an application under paragraph (d)(1)(ii)(B) of this section, the Secretary will take into consideration the following:

(1) The institution's demonstrated financial responsibility and administrative capability in operating its existing programs.

(2) Whether the additional educational program is one of several new programs that will replace similar programs currently provided by the institution, as opposed to supplementing or expanding the current programs provided by the institution.

(3) Whether the number of additional educational programs being added is inconsistent with the institution's historic program offerings, growth, and operations.

(4) Whether the process and determination by the institution to offer an additional educational program that leads to gainful employment in a recognized occupation is sufficient.

(F)(1) If the Secretary denies an application from an institution to offer an additional educational program, the denial will be based on the factors described in paragraphs (d)(1)(ii)(E)(2), (3), and (4) of this section, and the Secretary will explain in the denial how the institution failed to demonstrate that the program is likely to lead to gainful employment in a recognized occupation.

(2) If the Secretary denies the institution's application to add an additional educational program, the Secretary will permit the institution to respond to the reasons for the denial and request reconsideration of the denial.

(2) Notice format. An institution that notifies the Secretary of its intent to offer an additional educational program under paragraph (c)(3) of this section must at a minimum—

(i) Describe in the notice how the institution determined the need for the program and how the program was designed to meet local market needs, or for an online program, regional or national market needs. This description must contain any wage analysis the institution may have performed, including any consideration of Bureau of Labor Statistics data related to the program;

(ii) Describe in the notice how the program was reviewed or approved by, or developed in conjunction with, business advisory committees, program integrity boards, public or private oversight or regulatory agencies, and businesses that would likely employ graduates of the program;

(iii) Submit documentation that the program has been approved by its accrediting agency or is otherwise included in the institution's accreditation by its accrediting agency, or comparable documentation if the institution is a public postsecondary vocational institution approved by a recognized State agency for the approval of public postsecondary vocational education in lieu of accreditation; and

(iv) Provide the date of the first day of class of the new program.

Procedures for Institutional Notification to the Department of New GE Programs Attachment to Gainful Employment Electronic Announcement #5

Following are procedures for institutional notification to the Department of new GE Programs using Federal Student Aid's (FSA's) Application for Approval to Participate in the Federal Student Financial Aid Programs (E-App).

- **New Non-Degree GE Programs** at all institutions must be reported. Please follow the steps described below for reporting new Non-Degree GE Programs:
 - Open the institution's E-App at www.eligcert.ed.gov.
 - Section A, Question 1, select **Update Information** and select "Nondegree/Vocational Program."
 - Section E, Questions 26 and 27, complete as appropriate to report new non-degree programs. Note: In Question 27 the **Date First Provided** can be a future date.
 - Section K, Question 69, enter the following - "This application includes notification of new gainful employment program(s). The required documentation will be mailed with the signature page."
 - Section L, enter requested information, print and sign.
 - Submit the application electronically following the instructions in the E-App.
 - Mail the following to the address provided in the E-App:
 - Signature page,
 - Current letter of accreditation and any attachments
 - Current valid state license or other authorization, and
 - Written notice of intent to offer an educational program (see attached Notice Format for Intent to Offer an Educational Program).
- **New Degree GE Programs** at proprietary institutions must now be reported. Please follow the steps described below for reporting new Degree GE Programs:
 - Open the institution's E-App at www.eligcert.ed.gov.
 - Section A, Question 1, select **Other** and specify "Reporting New Gainful Employment Degree Programs."
 - Section E, Question 26, check all that apply.
 - Section E, Question 26, check box "g." Box "g" must be checked even if the institution does not offer non-degree programs and regardless of the degree level of the degree programs offered.
 - Section E, Question 27b, click the link: **Click here to add an undergraduate non-degree program**. Use this link for degree programs as well as for non-degree programs. Note: The **Date First Provided** can be a future date.
 - Enter the details for any new **non-degree** undergraduate programs which fall under Question 26g.
 - Enter details about all **degree** programs for which you are providing notification. Indicate the type of degree (Associate, Bachelor, Master, Doctoral, or specific professional degree) as part of the program name in the **Name of Program** field.
 - Section K, Question 69, enter the following - "This application includes notification of new gainful employment program(s). Details for new degree programs are provided in Question 27b as directed by the Department. The required documentation will be mailed with the signature page."
 - Section L, enter requested information, print and sign.
 - Submit the application electronically following the instructions in the E-App.
 - Mail the following to the address provided in the E-App:
 - Signature page,
 - Current letter of accreditation and any attachments,
 - Current valid state license or other authorization, and
 - Written notice of intent to offer an educational program (see attached Notice Format for Intent to Offer an Educational Program).

Contact Information

If you have any questions about this information, you may contact the School Participation Team (SPT) for your state. The telephone numbers for the SPTs can be found at www.eligcert.ed.gov.

Notice Format for Intent to Offer an Educational Program Gainful Employment Electronic Announcement #5

Gainful Employment Electronic Announcement #5 dated June 1, 2011 and posted on www.ifap.ed.gov explains the process for institutional notification to the Department of new educational programs that prepare students for gainful employment in a recognized occupation (GE Programs). An institution's notification to the Department of its intent to offer a new GE Program must include information to support the institution's determination of the need for the program, as required by the regulations at 34 CFR 600.20(d)(2). Descriptions and documentation provided by an institution can cover more than one new GE Program, if the same, or similar, process was used by the institution to determine the need for the program, and should be provided as follows:

1. Institution Name
2. OPEID
3. Program Name(s) and Program CIP Code(s) supported by this documentation
4. Narrative description of how the institution determined the need for the program. For example, describe what need this program will address and how the institution became aware of that need. If the program is replacing a current program(s), identify the current program(s) that is being replaced by the new program(s) and provide details describing the benefits of the new program(s). If the program will be offered in connection with, or in response to, an initiative by a governmental entity, provide details of that initiative. The institution must retain documents that support this description for review or submission to the Department upon request.
5. Narrative description of how the program was designed to meet local market needs, or for an online program, regional or national market needs. For example, indicate if Bureau of Labor Statistics data or State labor data systems information was used, and/or if State, regional, or local workforce agencies were consulted. Include how the course content, program length, academic level, admission requirements, and prerequisites were decided; including information received from potential employers about course content; and information regarding the target students and employers. The institution must retain copies of documents and its analysis for review and submission to the Department upon request.
6. Narrative description of any wage analysis the institution may have performed, including any consideration of Bureau of Labor Statistics wage data related to the new program. The institution must retain copies of analysis documents for review and submission to the Department upon request.
7. Narrative description of how the program was reviewed or approved by, or developed in conjunction with, one or more of the following:
 - Business advisory committees
 - Program integrity boards
 - Public or private oversight or regulatory agencies (not including the state licensing /authorization agency and accrediting agency)
 - Businesses that would likely employ graduates of the programFor example, describe the steps taken to develop the program, identify when and with whom discussions were held, provide relevant details of any proposals or correspondence generated, and/or describe any process used to evaluate the program. The institution must retain, for review and submission to the Department upon request, copies of meeting minutes, correspondence, proposals, or other documentation to support the development, review, and/or approval of the program.
8. Date of the first day of class. Include both:
 - The first day the program was or will be offered by the institution, and
 - The day you would like to begin disbursing Title IV funds to students enrolled in the program.



Posted Date: June 2, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #6 - Unofficial Draft Regulations on Metrics for Gainful Employment Programs

The Secretary is making available a pre-publication copy of the final regulations on the metrics for determining the eligibility of an educational program that leads to gainful employment in a recognized occupation. These final regulations have been transmitted to the Federal Register and will be published in the coming days. The draft may be accessed at <http://www.ed.gov/news/press-releases/gainful-employment-regulations>.



Posted Date: June 3, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #7 - Updated NSLDS Gainful Employment User Guide

An update to the [NSLDS Gainful Employment User Guide](#) is now available on the NSLDS User Documentation page on the Information for Financial Aid Professionals (IFAP) Web site. Upon further review of the gainful employment batch reporting process, we have determined that we are not able to offer the XML format as an option for the initial year of reporting, and have therefore removed the XML record layout from the user guide.

Working collaboratively with the community, we will continue to explore the option of gainful employment reporting using XML standards for the future.

In addition, based on the [final regulations that were released June 2, 2011](#) and will be published in the Federal Register soon, a new field for "Tuition and Fees" replaces the field previously designated as "Reserved for Future Use". Reporting of tuition and fees is optional.

Institutions should use information in the Updated NSLDS Gainful Employment User Guide to prepare their systems to submit required gainful employment information to the U.S. Department of Education (the Department). The two reporting formats that will be initially offered are fixed width format and comma separated values format. Record layouts for each of these formats remain in the user guide.

Reminder: An online reporting option will also be available later this summer, and information about this option will be included in a future release of the user guide. Monitor the [IFAP Web site](#) for forthcoming communications about the availability of this enhancement to the [NSLDS Professional Access](#) Web site.

Contact Information

If you have technical questions about the NSLDS Gainful Employment User Guide please send an e-mail to nsldsge@ed.gov.

If you have other questions about the gainful employment regulations, please send an e-mail to ge-questions@ed.gov.



Posted Date: June 14, 2011

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Gainful Employment Electronic Announcement #8 - Final Regulations on Gainful Employment Debt Measures

On June 13, 2011, the Federal Register published final regulations on [Program Integrity: Gainful Employment - Debt Measures](#). Although these regulations go into effect July 1, 2012, the regulations published October 29, 2010 retain their effective date of July 1, 2011.

Please note that we have identified two instances where internet links within the Federal Register document are incorrect. Specifically, on page 34435 of the document, the correct URL for the College Navigator site should be <http://www.collegenavigator.gov>. And, on page 34485 the correct URL for OMB Circular A-4 is http://www.whitehouse.gov/omb/circulars_a004_a-4/ (note that what appear to be spaces are single underscores).

Should you have further questions, please review the Gainful Employment Information Page at <http://ifap.ed.gov/GainfulEmploymentInfo/index.html> or send an e-mail to GE-Questions@ed.gov.

REMINDER

The deadline for new program notifications and disclosure of consumer information on GE Programs is July 1, 2011.

The deadline for reporting information about students who were enrolled in GE Programs is October 1, 2011.



Posted Date: June 24, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #11 - Determining Whether an Educational Program is a Gainful Employment Program

[Dear Colleague Letter GEN-11-10](#) posted to IFAP on April 20, 2011, included information about which educational programs at an institution are Gainful Employment Programs (GE Programs) under the Higher Education Act. If an educational program is a GE Program it is subject to the requirements for GE Programs as provided in the final regulations that were published on October 29, 2010, which are generally effective July 1, 2011, and the final regulations related to the metrics that were published on June 13, 2011.

Note that in [Gainful Employment Electronic Announcement #3](#) published on May 20, 2011, we provided a correction to information in GEN-11-10 related to teacher preparation programs.

GEN-11-10 identified both proprietary institutions and postsecondary vocational institutions together in the description of what educational programs are and are not GE Programs. However, as noted below, any educational program that leads to a certificate or other non-degree credential awarded by a public or private non-profit institution, regardless of the length of the program, is a GE Program.

Since publication of GEN-11-10 we have been asked by several institutions to make a determination as to whether one or more of their educational programs is a GE Program. To assist institutions in making such determinations themselves, we are providing below a brief summary of the information included in GEN-11-10 and a series of Questions that an institution can answer to determine if a particular educational program is a GE Program.

Summary:

- Virtually all educational programs offered by for-profit institutions are GE Programs.
- All educational programs that lead to a degree awarded by a public or private non-profit institution are not GE Programs.
- Virtually all non-degree educational programs awarded by a public or private non-profit institution are GE Programs.

Questions:

To determine if a particular educational program is a GE Program, the institution should answer the following questions about the educational program:

- Question 1 - Does the institution wish to have the educational program be, or remain, eligible for Title IV aid?
 NO - If the answer is no, the program is NOT eligible for Title IV aid and, therefore is not a GE Program.
 YES - If the answer is yes, continue to the next question.
- Question 2 - Does the coursework lead to a degree, certificate, or other credential awarded by the institution?
 NO - If the answer is no, the program is NOT eligible for Title IV aid and therefore is not a GE Program [See Note A below for three exceptions where the program is Title IV eligible but not a GE Program].
 YES - If the answer is yes, continue to the next question.
- Question 3 - Is the institution a for-profit (proprietary) institution?
 YES - If the answer is yes, the program is a GE Program [See Note B below for two exceptions where the program is not a GE Program].
 NO - If the answer is no, continue to the next question.
- Question 4 - Is the credential that is awarded by the public or private non-profit institution a degree - associates, bachelor's, graduate, or professional (e.g., MD, DDS, DVM, JD)?
 YES - If the answer is YES, the program is not a GE Program.
 NO - If the answer is no, the program is a GE Program.

Note A – There are three exceptions to the general rule that to be eligible for Title IV aid, a student must be a regular student - enrolled in a program that leads to a degree, certificate, or other credential awarded by the institution. While these three exceptions allow students to receive all or some types of Title IV aid, they do not create GE

Programs. The three exceptions, with regulatory citations, are -

1. A program of at least two years that is acceptable for full credit toward a bachelor's degree and qualifies the student for admission into the third year of a bachelor's degree program. Otherwise eligible students may receive funding from any of the Title IV student aid programs. [34 CFR 668.8(b)(1)(ii)]
2. Coursework necessary for the student to receive a State professional teaching credential or certification where the institution itself does not provide a certificate or other credential. Students must be enrolled at least half time and are eligible only for the FWS and Title IV loan programs. Note that similar courses of study that do result in a certificate or other non-degree credential being awarded by the institution are GE Programs. [34 CFR 668.32(a)(1)(iii)]
3. Preparatory courses of study that do not lead to a degree, certificate, or other credential awarded by the institution and that provide course work necessary for enrollment in an eligible program. Students are eligible for no longer than one-twelve-month period and only for the Direct Loan Program. [34 CFR 668.32(a)(1)(ii)]

Note B – The two exceptions to the general rule that all programs offered by for-profit institutions are GE Programs are -

1. Programs that lead to a baccalaureate degree in liberal arts if the institution has been accredited by a regional accrediting agency since October 1, 2007 and the institution has offered the program since January 1, 2009. Otherwise eligible students may receive funding from any of the Title IV student aid programs. [34 CFR 600.5(a)(5)(i)(B)]
2. Preparatory courses of study that provide course work necessary for enrollment in an eligible program. Students are eligible for no longer than one-twelve-month period and only for the Direct Loan Program. [34 CFR 668.32(a)(1)(ii)]

Information and updates related to Gainful Employment will be posted on the Gainful Employment Information Page. This page can be accessed either by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/index.html> or by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page.

We hope that the information provided in this Electronic Announcement is helpful to institutions as they evaluate each of their educational programs to determine whether the program is Title IV eligible, and if so, whether it is a GE Program.

Should you have further questions, please send an e-mail to GE-Questions@ed.gov.



Posted Date: July 8, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #12: Certificates Awarded as Part of a Degree Program

In [Gainful Employment Electronic Announcement #11](#), we provided information on how an institution can determine whether an educational program is a Gainful Employment Program (GE Program). The information below provides guidance on the status of a degree program where a student may, in addition to earning the degree, also receive a certificate.

- If students are enrolled in only the degree program and are not also enrolled in a separate certificate program, it is the degree program that should be evaluated using the guidance in Gainful Employment Electronic Announcement #11.
- If the institution also offers a separate certificate program, students enrolled in the degree program only should not be included in either the disclosures or reporting for the separate certificate program.
- If students are enrolled in a certificate program, even if the enrollment is concurrent with enrollment in the degree program, those students must be included in the certificate GE Program's reporting and disclosures, and also in the degree program's reporting and disclosures if the degree program is considered a G E program under Gainful Employment Electronic Announcement #11 .
- If a significant number of the students enrolled in the degree program are awarded only the certificate and not the degree, the students enrolled in the degree program must be included in the disclosures and reporting for a certificate GE Program. If the institution does not offer a separate certificate program, it must, for gainful employment purposes, treat the degree program as a gainful employment certificate program for which the institution must comply with the gainful employment regulatory requirements.

Information and updates related to Gainful Employment will be posted on the Gainful Employment Information Page. This page can be accessed either by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/index.html> or by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page.

Should you have further questions, please send an e-mail to GE-Questions@ed.gov.



Posted Date: July 15, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #13 - New SAIG Message Classes for Reporting Gainful Employment Data

In a July 15, 2011 electronic announcement posted on the Information for Financial Aid Professionals (IFAP) Web site, we informed schools that on July 22, 2011 we will send the message class "MESSAGTB" via the Student Aid Internet Gateway (SAIG) to all user mailboxes. This new message class table will include four new message classes that will be used in the reporting process for gainful employment.

Please refer to the [July 15th electronic announcement](#) for complete information about these new message classes.

Complete information about gainful employment is available on the IFAP Web site's [Gainful Employment Information page](#).



Posted Date: July 15, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Upcoming SAIG Message Class File Update

On July 22, 2011, we will send the message class "MESSAGTB" via the Student Aid Internet Gateway (SAIG) to all user mailboxes. The EDconnect transmission software will automatically request, download, and import this new message class table with a user's next connection to the SAIG network. Once the MESSAGTB file has been imported, the new message class table will be used from that point forward.

Message Classes

We will add message classes for the National Student Loan Data System (NSLDS).

NSLDS Message Classes

We will add new non-cyclical message classes for the NSLDS to the message class table. These message classes will be used for reports associated with exit counseling for Federal Family Education Loan (FFEL) and William D. Ford Federal Direct Loan (Direct Loan) borrowers, exit counseling for Teacher Education Assistance for College and Higher Education (TEACH) Grant recipients, and gainful employment.

FFEL and Direct Loan Exit Counseling - Exit counseling for FFEL and Direct Loan borrowers is currently available via the [NSLDS Student Access Web site](#). The following message classes are related to enhancements to the loan exit counseling reporting process which will be available later this year. Please monitor the [Information for Financial Aid Professionals \(IFAP\) Web site](#) for forthcoming communications about the availability of these enhancements.

The message classes for loan exit counseling summary reports are as follows:

Message Class	Description
EXSMFFOP	Loan Exit Counseling Summary Rpt Fixed Length
EXSMCMOP	Loan Exit Counseling Summary Rpt Comma Delim
EXSMFMOP	Loan Exit Counseling Summary Rpt Pre-Format

TEACH Grant Exit Counseling - Exit counseling for TEACH Grant recipients will be available after the implementation planned for the end of July 2011. Please monitor the [IFAP Web site](#) for forthcoming communications about the availability of this new exit counseling product.

The message classes for TEACH Grant exit counseling reports are as follows:

Message Class	Description
EXTHFFOP	TEACH Grant Exit Rpt DL Format Fixed Length
EXTHCMOP	TEACH Grant Exit Rpt DL Format Comma Delimit
EXTHFMOP	TEACH Grant Exit Report Pre-Formatted
EXNTFFOP	TEACH Grant Exit Rpt NSLDS Fixed Length
EXNTCMOP	TEACH Grant Exit Rpt NSLDS Comma Delimited
EXTSFFOP	TEACH Grant Exit Summary Rpt Fixed Length
EXTSCMOP	TEACH Grant Exit Summary Rpt Comma Delimited
EXTSFMOP	TEACH Grant Exit Summary Rpt Pre-Formatted

Note: In [a March 12, 2010 Electronic Announcement on the IFAP Web site](#), we announced the availability of message classes EXTHFFOP, EXTHCMOP, and EXTHFMOP for TEACH Grant exit counseling reports. These message classes have now been updated with new descriptions.

Gainful Employment - In [a May 23, 2011 Electronic Announcement on the IFAP Web site](#), we announced the availability of an NSLDS Gainful Employment User Guide. In that communication, we listed the SAIG message classes that would be used in the reporting process for gainful employment and explained that we would inform the community of their addition to the message class table.

Complete information about gainful employment is available on the IFAP Web site's [Gainful Employment Information page](#).

The message classes for gainful employment reports are as follows:

Message Class	Description
GESFLEIN	Gainful Employment Submittal - Fixed width
GESCDEIN	Gainful Employment Submittal - Comma Separated Value (CSV)
GERFLEOP	Gainful Employment Response - Fixed width
GERCDEOP	Gainful Employment Response - Comma Separated Value (CSV)

Note: In the [May 23rd Electronic Announcement](#) we included message classes for reports in XML format. In a subsequent [June 3, 2011 Electronic Announcement](#), we explained that we are not able to offer the XML format as an option for the initial year of gainful employment reporting. Accordingly, we removed the XML record layout from the user guide, and the message classes will not be added to the message class table at this time.

Update, Import, and Installation Information

The message class table update will be transparent to users except for an Import dialog box, which will appear on a user's screen and display the progress of the import as the file is importing.

The new message class table file will also be available on the [Federal Student Aid Download \(FSAdownload\) Web site](#) in the "Software and Associated Documents" section.

Using Multiple Networked PCs

If a user has performed a network installation of EDconnect, the new message class table will import into the EDconnect database on the user's network drive. Individual workstations will all have access to the new message class table after it has been imported.

Using Multiple Stand-Alone PCs

If using the current version of EDconnect (version 7.2), the message class table will automatically download and update EDconnect on each PC that initiates a transmission.

Contact Information

If you have any questions about the information contained in this document, contact CPS/SAIG Technical Support at 800/330-5947 (TDD/TTY 800/511-5806), or by e-mail at CPSSAIG@ed.gov.



Posted Date: July 28, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #14 - NSLDS Gainful Employment Submittal Template

One of the methods that schools can use to report required gainful employment data to the U.S. Department of Education (the Department) is using the [National Student Loan Data System \(NSLDS\) Professional Access](#) Web site. When the online reporting option is implemented on September 26, 2011, schools may use the NSLDS Gainful Employment Submittal Template to assist with the online reporting process. While the capability to upload gainful employment information will not be available for several more weeks, the Gainful Employment Submittal Template and instructions allow a school to begin the process of preparing spreadsheets that, in September, can be uploaded to NSLDS using NSLDS Professional Access.

Designed to be used with the Microsoft Office Excel spreadsheet application, the template provides schools with the option to upload and submit to NSLDS up to 50 records/rows of gainful employment data at a time. After the school adds gainful employment information to the template spreadsheet, the school then uploads and transfers the data to the NSLDS Professional Access Web site, after confirming the data is correct and should be saved to NSLDS.

The NSLDS Gainful Employment Submittal Template in Excel 97-2003 Workbook format, cover letter, and download instructions will be posted in the next several days on the [Federal Student Aid Download \(FSAdownload\)](#) Web site, under the [Software and Associated Documents](#) link.

For an overview of gainful employment functionality on NSLDS and important reminders about gainful employment reporting requirements, refer to the [NSLDS Gainful Employment User Guide](#), posted on the Information for Financial Aid Professionals (IFAP) Web site. As noted in the user guide, information on the NSLDS Professional Access online reporting option for gainful employment data will be included in a future update to the guide.

Contact Information

If you have questions about downloading or using the NSLDS Gainful Employment Submittal Template, please send an e-mail to nsldsge@ed.gov.

If you have other questions about the gainful employment regulations, please send an e-mail to ge-questions@ed.gov.



Posted Date: August 2, 2011

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Gainful Employment Electronic Announcement #15 - Gainful Employment Reporting Dates

Final regulations published in the [Federal Register](#) on October 29, 2010 require institutions that participate in the student financial assistance programs to report certain information about students who enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). The regulations provide that the Secretary establishes the deadline dates for the reporting by institutions of GE Program information.

Today, August 2, 2011, we published a [Federal Register](#) notice announcing that November 15, 2011 is the deadline date for the reporting of GE Program information for students who were enrolled during the [2010-2011 award year](#).

While the regulations provide that the deadline for institutions to report GE Program information for the [2006-2007 through 2009-2010 award years](#) is October 1, 2011, the [August 2 Federal Register notice](#) provides that the Department will continue to accept information from these earlier award years through November 15, 2011, the same date as the reporting date for the 2010-2011 award year.

We believe that the reporting flexibility provided in the notice will assist institutions as they prepare for this first round of GE Program reporting.

Should you have further questions, please send an e-mail to GE-Questions@ed.gov.



Posted Date: August 3, 2011

Author: Robin Minor, Chief Compliance Officer, Federal Student Aid

Gainful Employment Electronic Announcement #16 – Updated Procedures for Reporting New Educational Programs That Prepare Students for Gainful Employment in a Recognized Occupation

An update to the Procedures for institutional notification to the Department of new GE Programs using Federal Student Aid's (FSA's) Application for Approval to Participate in the Federal Student Financial Aid Programs (E-App) is attached to this Electronic Announcement.

These procedures, originally included with Gainful Employment Electronic Announcement #5, have been updated to reflect an E-App system update effective July 31, 2011. Institutions should now use these updated Procedures for Institutional Notification to the Department of New GE Programs to report new GE Programs.

NOTE: The [Notice Format for Intent to Offer an Educational Program](#) provided with Gainful Employment Electronic Announcement #5 has not changed and is provided here again for your convenience.

Contact Information

If you have any questions about this information, you may contact the School Participation Team (SPT) for your state. The telephone numbers for the SPTs can be found at www.eligcert.ed.gov.

Information and updates related to Gainful Employment will be posted on the Gainful Employment Information Page. This page can be accessed either by clicking on the words "Information Page" in the Gainful Employment box on the right hand side of the IFAP home page or by going directly to <http://ifap.ed.gov/GainfulEmploymentInfo/>.

Attachments/Enclosures:

[Procedures for Institutional Notification to the Department of New GE Programs using Federal Student Aid's \(FSA's\) Application for Approval to Participate in the Federal Student Financial Aid Programs \(E-App\)](#)

**Procedures for Institutional Notification to the Department of New GE Programs Attachment to Gainful Employment
Electronic Announcement #16**

Following are procedures for institutional notification to the Department of new GE Programs using Federal Student Aid's (FSA's) Application for Approval to Participate in the Federal Student Financial Aid Programs (E-App).

New **Non-Degree GE Programs** at all institutions, and new **Degree GE Programs** at proprietary institutions, must be reported. Please follow the steps described below for reporting new GE Programs:

- Open the institution's E-App at www.eligcert.ed.gov.
- Section A, Question 1, select **Update Information** and select "Nondegree/Vocational Program," and/or "Degree Program" as appropriate.
- Section E, Questions 26 and 27, complete as appropriate to report new GE Programs. Note: In Question 27 the **Date First Provided** can be a future date.
 - When entering details about **degree** programs for which you are providing notification, please indicate the type of degree (Associate, Bachelor, Master, Doctoral, or specific professional degree) as part of the program name in the **Name of Program** field.
- Section K, Question 69, enter the following - "This application includes notification of new gainful employment program(s). The required documentation will be mailed with the signature page."
- Section L, enter requested information, print and sign.
- Submit the application electronically following the instructions in the E-App.
- Mail the following to the address provided in the E-App:
 - Signature page,
 - Current letter of accreditation and any attachments
 - Current valid state license or other authorization, and
 - Written notice of intent to offer an educational program

Contact Information

If you have any questions about this information, you may contact the School Participation Team (SPT) for your state. The telephone numbers for the SPTs can be found at www.eligcert.ed.gov.



Posted Date: August 4, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #17 - Updated NSLDS Gainful Employment User Guide (August 4, 2011)

We are pleased to announce the availability of an update to the [NSLDS Gainful Employment User Guide](#), now available on the NSLDS User Documentation page on the Information for Financial Aid Professionals (IFAP) Web site. Institutions should use information in the updated guide to prepare their systems to submit required gainful employment information to the U.S. Department of Education (the Department).

Information on the [NSLDS Professional Access](#) online reporting option for gainful employment information is now included in Chapter 3 of the user guide, including step-by-step instructions for system set up, navigating the Web site, and submitting gainful employment information. This reporting option will be available September 26, 2011.

In addition, detailed instructions are provided in the updated guide, to assist institutions with setting up the Student Aid Internet Gateway (SAIG) mailbox that will be used for gainful employment batch reporting. This set-up functionality for batch reporting is available now on the NSLDS Professional Access Web site, under the Enroll Tab.

Information is provided in the updated guide about the option to upload and submit gainful employment data to NSLDS using the NSLDS Gainful Employment Submittal Template, designed to be used with the Microsoft Office Excel spreadsheet application. For more information about this template, refer to [Gainful Employment Electronic Announcement #14](#) that was posted to the IFAP Web site on July 28, 2011.

Important Note: While the regulations provide that the deadline for institutions to report GE Program information for the 2006-2007 through 2009-2010 award years is October 1, 2011, the [August 2 Federal Register notice](#) provides that the Department will continue to accept information from these earlier award years through November 15, 2011, the same date as the reporting date for the 2010-2011 award year. The Department will continue to accept the information into NSLDS without penalties or sanctions to the institutions until November 15 in order to provide institutions with greater flexibility during this first reporting year.

Contact Information

If you have technical questions about the NSLDS Gainful Employment User Guide, please send an e-mail to nsldsge@ed.gov.

If you have other questions about the gainful employment regulations, please send an e-mail to ge-questions@ed.gov.



Posted Date: August 9, 2011

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Gainful Employment Electronic Announcement #18 –Submitting An Explanation of Missing/Incomplete Gainful Employment Data

Final regulations published in the Federal Register on October 29, 2010 require institutions that participate in the student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, to report certain information about students who are enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). These requirements became effective July 1, 2011.

Institutions must submit the first report of gainful employment information to the Department this fall. The regulations provide that in the rare instance that an institution is unable to provide the required information, the institution must provide an explanation as to why complete information will not be provided.

The purpose of this announcement is to provide institutions with more information on how to submit the explanation if there was an unusual situation (such as a natural disaster) that prevents an institution from providing all of the required information.

What are the Circumstances that Require Submission of Missing or Incomplete Explanations?

As noted above, the regulations provide that an institution that is not able to report the required information about students who were enrolled in any of the institution's GE Programs must provide an explanation of the reason(s) why the information cannot be reported. The following is a list of circumstances that require such an explanation:

1. The institution has no GE Programs.
2. The GE Program was Title IV eligible in the 2010-2011 award year, but was not Title IV eligible in one or more of the award years between 2006-2007 and 2010-2011.
3. The institution is a foreign school and will not be reporting for a GE Program because there were fewer than 10 students enrolled in the program in the relevant award year. Note: Domestic institutions must report for all GE Programs, regardless of the number of students who were enrolled.
4. The institution is unable to report for one or more of the required award years (2006-2007 through 2010-2011).
5. The institution is unable to report for one or more of its GE Programs.
6. The institution is unable to report for one or more of the students who were enrolled in a GE Program.
7. The institution is unable to report all of the information required for each student who was enrolled in a GE Program in the required award years (2006-2007 through 2010-2011).
8. Any other circumstance where the institution is unable to meet the regulatory reporting requirements by the established timelines for reporting.

How Does an Institution Submit Explanations of Missing or Incomplete Information?

The required explanation(s) of missing or incomplete GE Program information must be submitted by an institution in an e-mail sent to GE-Missing-Data@ed.gov.

What Should the E-mail Include?

Subject Line of e-mail - To ensure a timely review of each explanation, we request that the "subject" line of the e-mail include the first 6 digits of the institution's OPEID and the institution's name. For example, if North South University's six digit OPEID is "012345", the subject line would read 012345-North South University.

Body of e-mail – At the top of the body of the e-mail, please provide the name, phone number, and e-mail address of a contact person at the institution. This is the person we will contact if we have any questions on the missing or incomplete data explanation provided.

Following the contact information, the e-mail should provide the explanation of why the information will not be provided or will be incomplete. Be certain to indicate the award year and the specific GE Program identifiers (the institution's name of the GE Program and the GE Program's six-digit CIP code and its two-digit credential level code). (See NSLDS User's Guide, page 45). For example, "We are unable to submit data for the ABC Program 191234-01 for the 2006-2007 Award Year because . . ."

Please do not attach any documents to the e-mail. Upon review of the explanation, Department staff will be contact the institution if additional information is needed.

How will the Department Acknowledge Receipt of the E-mail?

An auto-response message will be returned acknowledging receipt of the e-mail. This auto-response e-mail is not an approval. Submissions will be evaluated and institutions will either be asked for additional information or will receive an approval or denial of the explanation. This e-mail will be directed to the person identified in the email as the contact person.

What Must Be Excluded from the E-Mail?

The e-mail message to GE-Missing-Data@ed.gov must **not** include the following:

- Students' personally identifiable information – (e.g., Name, Social Security Number or other identifying number, or Date of Birth)
- File attachments (e.g., a Word or PDF document or Excel spreadsheet)
- Questions about gainful employment regulations or policy. If the institution has questions about gainful employment requirements, please send an e-mail to ge-questions@ed.gov.
- Technical questions about gainful employment reporting. If the institution has technical questions about using the National Student Loan Data System (NSLDS) to report gainful employment information, please send an e-mail to nsldsge@ed.gov.

When Must Explanations of Missing or Incomplete Information be Submitted?

Consistent with the regulatory reporting dates, institutions must submit any missing or incomplete information explanations no later than October 1, 2011.

Important Note: GE Electronic Announcement #15 explained that the Department will continue to accept GE Program information from institutions through November 15, 2011. However, as noted above, explanations of missing or incomplete GE Program information must be submitted by October 1, 2011.

For Additional Gainful Employment Information:

Complete information about gainful employment is available on the Information for Financial Aid Professionals Web site's [Gainful Employment Information page](#).



Posted Date: August 31, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #19 - Preparatory Courses of Study Not Considered Gainful Employment Programs

We have been asked to provide further information on whether courses of study that are designed to provide students with coursework necessary for enrollment in a degree or certificate program are gainful employment programs for purposes of the regulations published on October 29, 2010 and June 13, 2011. The following provides that requested information as well as more general information on the types and amounts of Title IV aid students enrolled in such courses of study may receive.

Background

Generally, to receive Federal student assistance from programs authorized under Title IV of the Higher Education Act of 1965, as amended (HEA), a student must be enrolled in an educational program that leads to a degree, certificate, or other credential awarded by the institution. However, one exception to this statutory requirement is provided in section 484(b)(2)(A) of the HEA where an otherwise eligible student at a public, private nonprofit, or proprietary institution of higher education may receive Direct Loan Program funding for one period of 12 consecutive months during which the student is enrolled in a course of study that the student's institution determines is necessary for the student to enroll in a program leading to a degree or certificate offered by either the same institution or by another institution. Note that such courses of study may or may not lead to a certificate. Further, the course of study must be made up of courses that are prerequisites required for admission to a degree or certificate program and not coursework that is part of the degree or certificate program in which the student seeks to enroll. Throughout the remainder of this Electronic Announcement, we will refer to such a course of study as a "preparatory course of study".

Gainful Employment Programs

[Dear Colleague Letter GEN-11-10](#) posted to our IFAP website on April 20, 2011, stated that a preparatory course of study was not a Gainful Employment Program. However, DCL GEN-11-10 also stated that all educational programs that lead to the awarding of a certificate by the institution were Gainful Employment Programs. Similarly, Gainful Employment Electronic Announcement #11, posted to IFAP on June 24, 2011, effectively reiterated the guidance in DCL GEN-11-10. Thus, neither DCL GEN-11-10 nor the June 24, Electronic Announcement was clear on the status of a certificate program that meets the requirements of a preparatory course of study. The following provides the needed clarity.

Regardless of whether the preparatory course of study leads to a certificate awarded by the institution or is simply a set of courses, the preparatory course of study is not a gainful employment program, since it does not prepare a student for employment in a recognized occupation.

Title IV Program Eligibility and Time Limitations

Pursuant to the statutory exception noted above, a student enrolled in a preparatory course of study is only eligible for funding from the Direct Loan Program and for no more than 12 consecutive months. If the student is enrolled in a preparatory course of study that exceeds 12 consecutive months, the student ceases to be eligible for Direct Loans after the 12-month period.

Direct Loan Annual Loan Limits

A preparatory course of study is considered to be at the undergraduate level, and the annual loan limits for a student enrolled in a preparatory course of study are the same as the limits for an undergraduate student even if the coursework is at the graduate level. A student enrolled in a preparatory course of study is never eligible for a Graduate/Professional PLUS Loan; however, if the student is a dependent student, the student's parent may borrow a Parent PLUS Loan.

For a preparatory course of study necessary for enrollment in an undergraduate degree or certificate program the annual loan limit is the same as for a student who has not completed the first year of an undergraduate program, regardless of how many years of undergraduate study the student has completed. That is, the "base" annual loan limit for Direct Subsidized and Direct Unsubsidized Loans combined is \$2,625. Dependent students are eligible for an additional \$2,000 in Direct Unsubsidized Loan funds. Independent students and dependent undergraduates whose parents cannot get a Direct PLUS Loan are eligible to borrow up to an additional \$6,000 in Direct Unsubsidized Loan funds.

For a preparatory course of study necessary for enrollment in a graduate or professional program the annual loan limit is the same as for an undergraduate student who has completed the first two years of undergraduate study. That is, the "base" annual loan limit for Direct Subsidized and Direct Unsubsidized Loans combined is \$5,500. Dependent students are eligible for an additional \$2,000 in Direct Unsubsidized Loan funds. Independent students and dependent undergraduates whose parents cannot get Direct PLUS Loans may borrow up to an additional \$7,000 in Direct Unsubsidized Loan funds.

Since a student may complete an academic year in less than twelve calendar months, a student may receive more than one annual loan limit during the consecutive 12-month period.

Example

A university offers a certificate in postbaccalaureate prehealth specialized studies to serve the academic needs of students who have bachelor's degrees and plan to enroll in a health professions program. In addition to coursework necessary for meeting the prerequisites required for enrollment in the health professions program, the certificate program also includes coursework for strengthening a student's academic preparation for a health professional school curriculum. The course of study requires a student to complete a minimum amount of undergraduate prehealth and elective coursework over a two-year period. For purposes of the Title IV, HEA student assistance programs, this course of study is not a gainful employment program, and a student enrolled in the course of study is only eligible for aid through the Direct Loan Program, up to the annual loan limits described above, during the first consecutive twelve months of enrollment in the program. Further, the only coursework that is eligible is the coursework that the university determines is necessary for a student to enroll in a program leading to a degree or certificate. Coursework not determined necessary that is taken by a student for the purpose of strengthening his or her academic preparation for a health professional school curriculum is not eligible.

If you have any questions, please submit them to the GE Questions mailbox at GE-Questions@ed.gov.



Posted Date: September 22, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #22 - Updated NSLDS Gainful Employment User Guide (September 22, 2011) and NSLDS Newsletter #34 Now Available

We are pleased to announce the availability of an update to the [NSLDS Gainful Employment User Guide](#), now available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site. The guide can also be downloaded from the ["Resources" section of the Gainful Employment Information Page](#). Institutions should use information in the updated guide to prepare their systems to submit required gainful employment information to the U.S. Department of Education (the Department).

The updated NSLDS Gainful Employment User Guide provides additional information about the gainful employment reporting process, including an expanded comma separated value (CSV) file format description and the error codes that will be used in the GE Response Error/Acknowledgement File. Updated information on the [NSLDS Professional Access](#) online reporting option is also included in the user guide, including updated screenshots. This new functionality will be available to institutions on **September 26, 2011**.

To further assist institutions to prepare for gainful employment reporting via NSLDS and to supplement the NSLDS Gainful Employment User Guide, [NSLDS Newsletter #34](#) is now available on the IFAP Web site. This newsletter discusses new gainful employment reporting functionalities of NSLDS, including the NSLDS Professional Access Web site. This newsletter also provides helpful tips on gainful employment reporting using the various NSLDS reporting options, including the NSLDS GE Submittal Template.

Please refer to the updated NSLDS Gainful Employment User Guide and [NSLDS Newsletter #34](#) for the most current information about the NSLDS gainful employment reporting process.

As a reminder, in previous Gainful Employment Electronic Announcements we advised institutions that while the regulations provide that the deadline for institutions to report GE Program information is October 1, 2011, the Department will continue to accept information through November 15, 2011. This means that institutions have until November 15, 2011 to meet the GE Program reporting requirements without any adverse action taken by the Department.

Contact Information

If you have technical questions about the NSLDS Gainful Employment User Guide, please send an e-mail to nsls@ed.gov.

If you have other questions about the gainful employment regulations, please send an e-mail to ge-questions@ed.gov.

 START HERE GO FURTHER FEDERAL STUDENT AID		NSLDS Newsletter
Newsletter 34: New Gainful Employment Reporting Functionality on NSLDS		September 22, 2011
Summary	<p>This newsletter discusses new gainful employment reporting functionalities of the National Student Loan Data System (NSLDS), including the NSLDS Professional Access Web site. These new functionalities will be available to institutions beginning September 26, 2011. This newsletter also provides helpful tips on gainful employment reporting using the various NSLDS reporting options, including the NSLDS GE Submittal Template.</p> <p>On April 20, 2011, the Department published Dear Colleague Letter GEN-11-10, that provided guidance on the implementation of the new GE regulations, including the requirement that institutions report information for all of its students who were enrolled in a Title IV-eligible gainful employment program (GE Program). The information in this newsletter supplements the revised NSLDS Gainful Employment User Guide posted on the Information for Financial Aid Professionals (IFAP) Web site on September 22, 2011, that describes the process that institutions will use to report their GE Program information.</p> <p>Under the GE regulations, institutions must report on an Award Year basis. Initial reporting includes Award Years 2006-2007, 2007-2008, 2008-2009, 2009-2010, and 2010-2011. The Department provided guidance that it will accept these initial reports through November 15, 2011. However, we recommend that institutions submit their reports prior to that date so that any needed corrections can be submitted by November 15.</p>	
NSLDS Gainful Employment User Guide, Version 4.0	<p>An updated NSLDS Gainful Employment (GE) User Guide, Version 4.0, is now posted to the IFAP Web site. This version includes additional explanations, updated screen shots, and an expanded comma separated value (CSV) file format description. Version 4.0 includes the error codes that will be used in the GE Response Error/Acknowledgement File.</p> <p>Two changes have been made to the User Guide that relate to the file formats:</p> <ul style="list-style-type: none"> • Field Code 022, Enrolled in Another Program <p>Record Level Error 017, "Required field based on the value of another field on the record", has been added to this field. This error will indicate that a value is expected in this field if a Program Attendance Status (Field Code 017) of 'C' or 'W' has been reported with this record.</p> <p>Record Level Error 001, "Required Field" has been removed from this field.</p> <ul style="list-style-type: none"> • Title change for GE Error/Acknowledgement File <p>The file returned from NSLDS after a batch submittal file has been processed will be referenced as the GE Response Error/Acknowledgement File. The Header Text (Field Code 802) will now read "GE RESPONSE FILE". This change is consistent with the message class file description of Gainful Employment Response. Thus, a GE Response Error/Acknowledgement File is an acknowledgment that a batch file was submitted and processed by NSLDS. In addition to being an acknowledgment, the GE Response Error/Acknowledgement File will also include information on any errors that were discovered when NSLDS processed the submittal.</p>	
Ensure Access to NSLDS	<p>The NSLDS GE User Guide explains how an institution gains access to NSLDS using Federal Student Aid's Student Aid Internet Gateway (SAIG).</p> <p>When accessing the NSLDS Professional Access Web site, the main GE pages are listed under the Enroll tab. Ability to view these pages requires the institution to be registered for NSLDS online services for Enrollment Update capability. If the links shown below are not displayed when the user logs onto the NSLDS Professional Access Web site, the institution's Primary Destination Point Administrator (PDPA) will need to add this NSLDS online service via the SAIG Enrollment Web site (fsawebenroll.ed.gov).</p> <div style="border: 1px solid #ccc; padding: 5px; margin-top: 10px;">  <p>The screenshot shows the NSLDS Professional Access Web site interface. At the top left is the Department of Education logo and the text "START HERE GO FURTHER FEDERAL STUDENT AID". To the right is the text "National Student Loan Data System (NSLDS)". Below this is a navigation menu with buttons for "Menu", "Aid", "Enroll", "Org", "Report", and "Tran". Underneath the menu is a list of links: "Enrollment Summary", "Enrollment Add", "Enrollment Update", "Enrollment Reporting Schedule", "Exit Counseling Submittal", "GE List", "GE Reporting List", and "GE Submittal". At the bottom, it says "Logged on as: POLLYANNA SMYTH from NORTH SOUTH UNIVERSITY".</p> </div>	
Gainful Employment Batch Reporting SAIG TG Mailbox Designation	<p>Institutions that will be submitting their GE Program data as batch submittals will need to identify the SAIG TG Mailbox that will be used for batch reporting of GE information. Refer to the SAIG Enrollment Web site for an explanation of how to obtain and use an SAIG TG Mailbox. Log on to the NSLDS Professional Access Web site</p>	

and use the Enroll tab to select the Gainful Employment Reporting List page.

START HERE
GO FURTHER
FEDERAL STUDENT AID

National Student Loan Data System (NSLDS)

NSLDS

Menu | Aid | Enroll | Org | Report | Tran

Enrollment Summary | Enrollment Add | Enrollment Update | Enrollment Reporting Schedule | Exit Counseling Submittal | GE List | **GE Reporting List** | GE Submittal

Logged on as: POLLYANNA SMYTH from NORTH SOUTH UNIVERSITY

Name: NORTH SOUTH UNIVERSITY
Code: 06789900 Type: School

Gainful Employment Reporting List

Add Mailbox

i No records were found.

PRIVACY ACT OF 1974 (AS AMENDED)

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The SAIG TG Mailbox entered may be:

- Authorized for any NSLDS batch process, (e.g., enrollment reporting, eCDR)
OR
- Assigned to an individual NSLDS User ID
OR
- Assigned to a servicer the institution will be using to provide the data on its behalf.

Location Based Reporting:

Any of an institution's locations can report students who were enrolled in a GE Program at any other of the institution's locations as long as:

- The 6-digit OPEID is the same for each location; and
- Batch reporting is submitted from a SAIG TG Mailbox which has been set up on NSLDS.

Each location can also be set up with a separate SAIG TG Mailbox. However, each location will need to enter its' own SAIG TG Mailbox. For example:

OPEID	SAIG Mailbox
06789900	TGS0001
06789901	TG99886
06789902	TGC6541

Multiple Institutions or Servicer Reporting:

A single SAIG TG Mailbox can be designated by more than one institution for submission by a servicer of the institution. Note that if the institution uses a servicer, both the institution and the servicer must be in compliance with the third-party servicer regulations – [See FAQ R-Q19](#).

Each institution will need to enter the SAIG TG Mailbox number that will submit on their behalf. For example:

- Servicer Sue will use mailbox TGA1111 to submit data for institutions 01234500, 02345600, and 03456700.
- Each institution will need to enter Servicer Sue's mailbox on its GE Reporting List page.

When a servicer creates a batch submittal file that includes information from more than one institution (different six digit OPEIDs) the header should contain '99999999' as the OPEID in Field Code 806.

Institutions using servicers to submit their GE Program data are reminded that the institution is responsible for the accuracy of data submitted by the servicer on their behalf.

<p>Reporting Tips</p>	<p>TIP 1 - Four Ways to Report:</p> <p>NSLDS allows reporting of student data using the following methods:</p> <ul style="list-style-type: none"> • Batch fixed-length file, exchanged using the SAIG, • Batch CSV (Comma Separated Value, also known as comma delimited) file, exchanged using the SAIG, • Online direct entry one student at a time (no SAIG TG Mailbox set up needed), and • Online direct upload using the NSLDS Gainful Employment Submittal Template available on the Federal Student Aid (FSA) Download Web site (fsadownload.ed.gov). <p>An institution may use any or more than one of these methods for reporting GE information about a student. Institutions can use any method for submitting corrections, even if the student was originally reported using a different method.</p> <p>TIP 2 - Award Year Reporting:</p> <p>For each award year reported, institutions must report all students who were enrolled in any of its GE Programs during the Award Year. Students who have not completed their program by the end of the Award Year are to be reported as "Enrolled" (Value 'E' in Field Code 017) as of June 30th of the Award Year. Those same students will be reported again in the next award year, following the requirements of the NSLDS GE User Guide.</p> <p><i>For example:</i></p> <p>Linda Johnson began her enrollment in a GE Program on March 1, 2009, and continued to be enrolled in that GE Program until she completed it on September 15, 2009. Linda will be reported in the 2008-2009 award year with a Program Attendance Status (Field Code 017) of "E" and a Program Attendance End Date (Field Code 018) of either '20090630' or '00000000', at the school's option. Since she is still attending, fields 019 through 028 will not contain data.</p> <p>Since Linda was also enrolled during the next award year, she is included in the 2009-2010 award year report with a program attendance status of "C" and the required fields (Field Codes 018, 019, 020, and 021) will need to be reported with data.</p> <p>Institutions should review the NSLDS GE User Guide for the other fields that are to be considered when the student completes or withdraws from a program.</p> <p>TIP 3 - Zero vs. Leaving It Blank Using the Fixed-Width File Format</p> <p>Zero ("0") is a legitimate dollar amount for reporting Private Loan Amounts (Field Code 019) and Institutional Financing Amount (Field Code 020). If the student did not receive any private loans or institutional financing these fields should be filled with six zeros, not left blank. If the student did not complete or withdraw during the award year, these fields should be filled with six spaces and not left blank or filled with zeros or any other value even if the student received support from these sources during the award year.</p> <p>Zero ("0") is <u>not</u> a legitimate dollar amount for reporting Tuition and Fees Amount (Field Code 021). If a dollar amount is not provided, either because the student did not complete the GE Program during the Award Year of the institution chose not to provide the information, Field Code 021 should be filled with six spaces.</p> <p>Date fields must not be left blank. If a date is not required and it is not being reported, the date field should be populated with 0's.</p> <p>TIP 4 - Zero vs. Leaving It Blank Using the CSV File Format</p> <p>Zero ("0") is a legitimate dollar amount for reporting Private Loan Amounts (Field Code 019) and Institutional Financing Amount (Field Code 020). If the student did not receive any private loans or institutional financing these fields should be completed by inserting a single zero for this field, not left blank. If the student did not complete or withdraw during the award year, these fields should be completed by inserting a single space for this field, not left blank or filled with zeros or any other value even if the student received support from these sources during the award year.</p> <p>Zero ("0") is <u>not</u> a legitimate dollar amount for reporting Tuition and Fees Amount (Field Code 021). If a dollar amount is not provided, either because the student did not complete the GE Program during the Award Year or the institution chose not to provide the information, this field should be completed by inserting a single space for this field, not left blank.</p> <p>Date fields must not be left blank. If a date is not required and it is not being reported, the date field should be populated with 0's.</p> <p>TIP 5 - Formatting Fields When Using the Fixed-Width File Format</p> <p>Fixed-width files are required to have the full field length filled. When providing data that does not use the full</p>
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	<p>length, right justify and fill the field with leading zeros. For example, Field Code 019, private loan amount, is a 6 character field. If the student received \$2,500 in private loans for enrollment in the GE Program, the value in the field would be reported as '002500'. If the student who completed or withdrew from the GE Program during the award year did not receive any private loans, the value in the field would be reported as '000000'.</p> <p>TIP 6 - Formatting Fields When Using the CSV File Format</p> <p>CSV files are NOT required to have the full field length filled. When providing data that does not use the full length, simply place the comma after the last character in the field and continue with the following field. For example, Field Code 019, private loan amount, is a 6 character field. If the student received \$2,500 in private loans, the value in the field would be reported as '2500'. If the student who completed or withdrew from the GE Program during the award year did not receive any private loans, the value in the field would be reported as '0'.</p> <p>TIP 7 - GE Data Elements</p> <p>Avoid unnecessary errors by reviewing the NSLDS GE User Guide to ensure when it is appropriate to report data in a field.</p> <p>For example, Error Code 017 represents "Required field based on the value of another field on the record". For Program Attendance Status (Field Code 017), the values are:</p> <p>C = Completed the educational program <i>during</i> the award year.</p> <p>W = Withdrew from the educational program <i>during</i> the award year.</p> <p>E = Enrolled in the educational program <i>on the last day</i> of the award year (June 30).</p> <p>When C or W is reported, other data elements are required, such as the following field codes:</p> <table border="1" data-bbox="581 829 1445 1087"> <thead> <tr> <th>Field Code</th> <th>Description</th> </tr> </thead> <tbody> <tr> <td>018</td> <td>Program Attendance End Date</td> </tr> <tr> <td>019</td> <td>Private Loans Amount</td> </tr> <tr> <td>020</td> <td>Institutional Financing Amount</td> </tr> </tbody> </table> <p>Not reporting data in these fields will result in the error code "017". As noted, zero '0' is a valid code for Fields Codes 019 and 020.</p> <p>Note when a student is reported as C or W, other fields may need to be completed.</p> <p>TIP 8 - Formatting for Reporting Dates</p> <p>The format for reporting dates varies depending on the reporting format used. Ensure that the correct date format is used. Please review the NSLDS GE User Guide.</p>	Field Code	Description	018	Program Attendance End Date	019	Private Loans Amount	020	Institutional Financing Amount
Field Code	Description								
018	Program Attendance End Date								
019	Private Loans Amount								
020	Institutional Financing Amount								
<p>Review Loaded Data on the NSLDS Web Pages - Gainful Employment List</p>	<p>Once GE Program data is submitted by an institution (through any process) and accepted by NSLDS it will be viewable online, by the institution that submitted the information. Institutions can use the Gainful Employment List page to verify that submitted data has been accepted. As noted, data can be updated or deactivated if the records reported were in error.</p> <p>To review submitted data, access the GE List link from the Enroll Tab on the NSLDS Professional Access Web site.</p> <p>Users can sort the results by SSN or by Credential Level. Additionally, the page has an options box at the top that will allow users to filter their results by:</p> <ul style="list-style-type: none"> • School Code • Branch Code • Award Year • CIP Code • SSN 								

NSLDS Web Pages - Gainful Employment Details

The Gainful Employment Detail page for an individual student is accessed by selecting the numbered link to the left of the student name on the GE Employment List. The page displays the detailed information about the student and includes buttons for the school user to update or deactivate a record.

Use of the Update Feature

The GE Update Page is accessed by selecting the Update button from the GE Detail Page. Here, the NSLDS user can update GE data on NSLDS. Take advantage of this feature when a student record has a change to one of the data elements, or data was misreported.

Use of the Deactivate Feature

If a GE record has been submitted in error, institutions must deactivate the record using the GE Detail page

	<p>and selecting the Deactivate button. This will display the GE Deactivate Page allowing the NSLDS user to indicate that the record is not valid. Use this feature only when the record should not have been reported or when any of the following key data was reported incorrectly: SSN, Award Year, CIP Code, Credential Level. In those cases, the institution must then re-submit a correct record using any of the submittal processes.</p> <p>NSLDS stores history of all GE records that were submitted and accepted. Deactivated records are not deleted from the database, but are marked as not active. A deactivated record will not be used in any data calculations. The institution may view deactivated records by selecting the display of "Deactivated" records in the History criteria option.</p>
<p>NSLDS Web Pages - Gainful Employment Submittal</p>	<p>GE Program data can be uploaded directly to the NSLDS Professional Access Web site using the NSLDS GE Submittal Template. The template is found on fsadownload.ed.gov along with the NSLDS GE Submittal Template Download Guide. The template is an Excel 2003 file and can be opened and updated in later versions of the Excel software. Once the spreadsheet template has been downloaded by the institution, and GE data has been entered by the institution, the spreadsheet must be saved by the institution in a secure manner. Please ensure that when saving the file it is saved as an Excel 2003 file (.xls), and not a later file type.</p> <p>The GE Submittal page allows the NSLDS user to upload the GE spreadsheet data, fifty (50) records at a time. Using the spreadsheet for upload will allow direct entry into the database without having to format the data in CSV or Fixed Length file structure and using the SAIG for sending files via EDConnect/TDCClient.</p> <p>Important notes about records with errors and the Template:</p> <ul style="list-style-type: none"> • Upon submission of the template to NSLDS, any records with errors will be identified and will NOT be uploaded. • If there are any records with errors, a message will appear at the top of the GE submittal Web page indicating that there are records with errors. • Records with errors will be easily identified, by the row number on the spreadsheet, with an explanation/reason for each record in error. • Corrections to any records that are in error cannot be made on the template being reviewed. Instead, a corrected record should be resubmitted using any of the submission methods, including on another Submittal Template.
<p>Guidance for Transferring User-Created GE Data Spreadsheet to GE Submittal Template</p>	<p>To ensure that data is formatted properly, we recommend that users enter data directly on the NSLDS GE Submittal Template. Because the NSLDS GE Submittal Template is in "protected mode", it may not be easy to copy/paste data into it. Institutions that use their own user-created spreadsheet as an interim step before adding records on the NSLDS GE Submittal Template may need to follow these steps:</p> <ol style="list-style-type: none"> 1. Right click on the upper left hand corner of the user-created spreadsheet (above row label #1 and to the left of column label A; the box in the corner). All cells on the spreadsheet should be highlighted. 2. Select "Format Cells". 3. Select the "Text" option, click OK. 4. Copy all desired rows, but no more than 50, contained in the user-created spreadsheet. 5. Open the NSLDS GE Submittal Template (can be downloaded from https://www.fsadownload.ed.gov/NSLDSGainEmp.htm). 6. Select corresponding rows in the GE Submittal Template into which the user-created spreadsheet data is to be pasted (from step 4). 7. Navigate to the "Paste" button, select "Paste Special" and click "Values" so the paste command will transfer the user-created data to the GE Submittal Template. <ol style="list-style-type: none"> a. To verify the data was copied correctly, click in a cell on a row of data. Review the data on the function bar display compared to the cell to verify the values are displayed in the expected format. <p>Note in the example below, the view of the data in cell A3 as displayed is different than what is displayed in the function bar (which shows a file address). Although the format appears to be displayed correctly when looking at cell A3, the information will not load.</p>

A	B	C	
	Student Social Security Number	Student First Name	Stude Name
2	Award Year		
3	20062007	John	C

b. See step 8b for additional examples of incorrectly pasted data.

8. Ensure that the appropriate data is located in the appropriate fields.

IMPORTANT NOTES:

- a. Date fields for the template must be in the format of MM/DD/CCYY, where lead zeros are required. For example, the date of January 3, 1980 is entered as: 01/03/1980. This formatting applies to the following date fields:
 - i. Student Date of Birth
 - ii. Program Attendance Begin Date
 - iii. Program Attendance Begin Date for this Award Year
 - iv. Program Attendance End Date

Note: If Program Attendance Status = "E", the spreadsheet will accept this date as 00000000, 00/00/0000, or as blanks.

- b. Properly formatted entered date values can be verified by clicking on a date field and comparing it to the formula bar display. The formula bar should be in the format of MM/DD/CCYY. Any other formula bar displays will error on the upload submittal process. The examples below show how to verify properly formatted dates versus improperly formatted dates:

Example of properly formatted date:

Examples of improperly formatted dates:

9. The data in the user-created spreadsheet is successfully converted to the GE Submittal Template and is ready to be uploaded to NSLDS.

Differences in Date Formats

Another important issue to consider when using the NSLDS GE Submittal Template is the difference in date formats used on the NSLDS GE Submittal Template versus the NSLDS GE User Guide Record Layout Specification instructions.

Date field guidelines from the NSLDS GE User Guide Record Layout Specification:

	<ul style="list-style-type: none"> ▪ <i>Date</i> fields must contain only numeric data, 8 digits, and appear in the format CCYYMMDD, where: <ul style="list-style-type: none"> ⇒ CC = 2-digit century ⇒ YY = 2-digit year ⇒ MM= 2-digit month designation (01–12) ⇒ DD = 2-digit day designation (01–31, depending on the month and year) <p>Under this convention, an entry of 19800103 would be accepted, but 01031980 would not. Unless otherwise specified in the record layout, date fields not specifically reported must be filled with zeros.</p> <p>GE records created with the date fields in the CCYYMMDD format, as described in the NSLDS GE User Guide, should be submitted in the appropriate message class via the SAIG using EDConnect or TDCClient. If users try to create date fields in the CCYYMMDD format on the NSLDS GE Submittal Template, the upload will reject those fields and the record will not load on NSLDS.</p>
Additional Notes About GE Data	<p>The Department has established a Gainful Employment Information Page on the IFAP Web site. Visit the site at www.ifap.ed.gov/GainfulEmploymentInfo/index.html for all publications on G E and G E Frequently Asked Questions (FAQ).</p> <p>In addition, monitor the IFAP Web site for training announcements about additional webinar training opportunities.</p> <p>Policy questions that have not already been addressed in the FAQ section of the GE Information Page may be submitted the GE Questions mailbox at GE-Questions@ed.gov.</p>
Customer Service Reminder	<p>Please remember to keep your NSLDS Professional Access Web site ORG contacts current and always list at least a Primary Contact for your organization.</p> <p>The NSLDS Customer Support Center at 800/999-8219 is available Monday through Friday from 8 A.M. to 9 P.M. (ET). You may also contact Customer Support by e-mail at nslds@ed.gov. Callers in locations without access to 800 numbers may call 785/838-2141.</p>



Posted Date: September 26, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Gainful Employment Electronic Announcement #23 - Gainful Employment Reporting Functionality Now Available on NSLDS

We are pleased to announce that online reporting functionality for gainful employment is now available on the National Student Loan Data System (NSLDS), including the [NSLDS Professional Access](#) Web site.

Detailed information about the use of NSLDS for reporting gainful employment data is provided in the [NSLDS Gainful Employment User Guide](#), available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site, as well as from the ["Resources" section of the Gainful Employment Information Page](#). Institutions should use information in the guide, most recently updated on September 22, 2011, to submit required gainful employment information to the U.S. Department of Education (the Department).

In addition, institutions should refer to [NSLDS Newsletter #34](#) for supplemental information about the NSLDS gainful employment reporting process. The newsletter discusses the new reporting functionalities on NSLDS and provides helpful tips on gainful employment reporting using the various reporting options, including the NSLDS GE Submittal Template.

As a reminder, while the regulations provide that the deadline for institutions to report GE Program information is October 1, 2011, the Department will continue to accept information through November 15, 2011. This means that institutions have until November 15, 2011 to meet the GE Program reporting requirements without any adverse action taken by the Department.

Contact Information

If you have questions about using NSLDS to report gainful employment information, contact the NSLDS Customer Support Center at 800/999-8219. You can also contact Customer Support by e-mail at nslds@ed.gov.

The [Gainful Employment Information Page](#) on the IFAP Web site contains publications and resources on gainful employment as well as Frequently Asked Questions (FAQs). Policy questions that have not already been addressed in the FAQ section of the Gainful Employment Information Page may be submitted to ge-questions@ed.gov.



Posted Date: September 26, 2011

Foreign School Update ID: FS-2011-06

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Reminder of Gainful Employment Electronic Announcement #18 – Submitting An Explanation of Missing/Incomplete Gainful Employment Data

Final regulations published in the [Federal Register](#) on October 29, 2010 require institutions—including foreign institutions—that participate in the student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, to report certain information about students who are enrolled in Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). For foreign public and nonprofit institutions, GE programs include all Title IV, HEA-eligible programs that are non-degree educational programs, including all certificate and diploma educational programs. All Title IV-eligible educational programs offered by foreign for-profit medical, veterinary, and nursing schools are GE programs, including any degree programs.

Institutions must submit the first report of gainful employment information to the Department no later than November 15, 2011. For foreign institutions, that reporting will include information on all U.S. students who were enrolled in a GE Program during the 2006-2007 through the 2010-2011 award years. Separate reporting is required for each GE Program for each award year. An award year is the period from July 1 of one year to June 30 of the next year. A foreign institution need not report on a GE Program if the number of reportable students who were enrolled in that program during the award year was ten or fewer.

The regulations provide that in the rare instance that an institution is unable to provide the required gainful employment information, the institution must submit to the Department an explanation as to why complete information will not be provided. Such explanations are to be submitted to the Department by email to GE-Missing-Data@ed.gov. If your institution is unable to report all of the required information by November 15, 2011, you should send your email no later than [October 1, 2011](#).

On August 9, 2011, the Department posted GE Electronic Announcement #18 ([GE-EA #18](#)) that provided additional guidance for those institutions that are unable to provide all of the required information due to unusual circumstances. A Title IV participating institution that does not offer any GE programs is expected to submit an email explaining why it will not be reporting. In addition, a foreign institution must submit an explanation if it is not reporting on a GE Program because the number of reportable students who were enrolled in that program during the award year was ten or fewer. Please note that GE-EA #18 also provides specific formatting instructions for the email message.

As of September 26, 2011, NSLDS is accepting GE information from institutions. This includes receiving information using batch files, spreadsheet uploads, and online screen submissions. Please refer to [GE Electronic Announcement #22](#) for more information on the options available to institutions for reporting GE information to NSLDS.

Contact Information

If you have questions about using NSLDS to report gainful employment information, contact the NSLDS Customer Support Center, toll-free at +1 800-999-8219, or toll call at +1 785-838-2141. You can also contact Customer Support by email at nslds@ed.gov.

The Gainful Employment Information Page on the IFAP Web site contains publications and resources on gainful employment as well as Frequently Asked Questions (FAQs) at <http://ifap.ed.gov/GainfulEmploymentInfo/index.html>. Policy questions that have not already been addressed in the FAQ section of the Gainful Employment Information Page on the IFAP Web site may be submitted to ge-questions@ed.gov



Posted Date: September 28, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Subject: Gainful Employment Electronic Announcement #24 - NPRM: Application and Approval Process for New Programs

On September 27, 2011, we published in the Federal Register a Notice of Proposed Rulemaking (NPRM) that proposes changes to the regulations to streamline the application and approval process for new educational programs that qualify for student financial assistance under title IV of the HEA. A PDF copy of the NPRM is attached to this announcement. It is also available directly on the IFAP website under *Federal Registers*.

The deadline for submitting comments to this NPRM is November 14, 2011. Please carefully review the information in the NPRM for the procedures to be used for the submission and review of comments.

IMPORTANT: The proposed changes to the regulatory requirements in this NPRM do not negate current regulatory requirements. Schools are reminded that they must continue to comply with the current rules until any final regulations that result from the NPRM go into effect.

Attachments/Enclosures:

[Gainful Employment Electronic Announcement #24 - NPRM: Application and Approval Process for New Programs Federal Register in PDF Format, 1MB, 14 Pages](#)



Posted Date: September 28, 2011

Author: David Bergeron, Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Gainful Employment Electronic Announcement #25 - Disclosures by Educational Program

This electronic announcement provides information on how institutions disclose information for gainful employment programs when the institution offers more than one educational program with the same CIP Code and Credential Level.

Background:

Final regulations published in the Federal Register on October 29, 2010 require institutions that participate in the student financial assistance programs authorized under Title IV of the Higher Education Act of 1965, to disclose certain information about their Title IV-eligible educational programs that lead to gainful employment in a recognized occupation (GE Programs). These requirements became effective July 1, 2011. We provided guidance on the GE Program disclosure requirements in Dear Colleague Letter GEN-11-10, posted on our IFAP website (IFAP.ed.gov) on April 20, 2011, and in a set of "Frequently Asked Questions" specifically focused on GE Program disclosures.

On June 13, 2011, we published final regulations establishing the metrics that will be used to determine if a GE Program continues to be an eligible educational program for purposes of the Title IV student assistance programs. Those final regulations provided that, for purposes of the metrics, a GE Program is identified by the program's institutionally assigned CIP Code and the program's Credential Level (see the NSLDS Gainful Employment User Guide for a listing of the seven GE Program Credential Levels).

Programs with Same CIP Code and Credential Level:

When developing the final rules for the GE Program eligibility metrics, we understood that some institutions offer more than one educational program with the same CIP Code and Credential Level. For example, an institution might offer a one-year certificate program in a specified subject area and also offer a two-year advanced program in the same subject area. Since both programs have the same CIP Code and Credential Level, data on students from both programs will be used to calculate the GE Program metrics.

The regulatory approach of designating all of an institution's educational programs that have the same CIP Code and Credential Level as a single GE Program was intentional for purposes of calculating the GE Program metrics.

Disclosure by Educational Program:

In Frequently Asked Question D-Q1 we stated that multiple programs at an institution must be disclosed together if those programs have the same CIP Code and Credential Level. Since the posting of FAQ D-Q1, many institutions have informed us that they offer programs that, while sharing the same CIP Code and Credential Level, are significantly different in one or more ways. A number of those institutions suggested that combining disclosure information for such programs makes the disclosure less useful to prospective students and their families. Because of this we have reviewed the earlier guidance provided in FAQ D-Q1 and are modifying it to address instances where the two programs are distinct and warrant separate disclosures to the public. This will ensure that institutions provide more accurate, complete, and useful information in their web disclosures. This revised guidance provides for separate disclosures by educational program under certain conditions, as discussed below.

Correct CIP Code: The first thing an institution should do is to review the CIP Code it had assigned to its educational programs to ensure that it has assigned the most appropriate and descriptive CIP Codes. A listing of CIP codes is available at: <http://nces.ed.gov/ipeds/cip2010>.

Making Separate Disclosures: Institutions must consider whether the disclosures provided to prospective students for two programs that share the same CIP Code and Credential Level accurately reflect each program. Institutions should determine whether the information required to be disclosed under the October 29, 2010 regulations at 34 CFR 668.6(b) should be provided separately for each of an institution's educational programs, even if the program has the same CIP Code and Credential Level as another GE Program at the institution, by responding to the following questions --

1. **Length of the Programs** – Is there is a significant difference in the published length of the programs? If the length of the programs differs by more than three months, 12 weeks, or one Title IV payment period, separate disclosures should be considered.

For example, if an institution offers a one-year gainful employment certificate program and also a two-year certificate program, both with the same CIP Code and Credential Level, this would be a significant difference between the programs where separate disclosures would be needed.

Likewise, separate disclosures would be needed if, for example, the institution offers a 900 clock hour program, with two 450 hour payment periods, and also offers a 1,350 clock hour program, with three 450 hour payment periods. This would be a significant difference between the programs where separate disclosures would be needed.

2. Tuition and Fees – Is there is a significant difference in the tuition, fees, or other costs for the programs. Institutions should consider providing separate disclosures if the cost of the programs differs by more than 10 percent. For example, an institution may offer a program in a standard term based format with instruction usually occurring during weekdays at one tuition rate and also offer the same program on-line with a tuition that is 25 percent lower. This would be a significant difference between the programs where separate disclosures would be needed.
3. Programs Offered in Different States – Are programs offered at different locations in different states that require different placement rate calculations and different minimum requirements? This would be a significant difference between the programs where separate disclosures would be needed.

Implementation Timeline: Institutions should implement this revised guidance as expeditiously as possible so that the information disclosed can meet the objective of providing useful information to prospective students. While we recognize that the scope, effort, and cost of making any needed changes will vary among institutions, we expect that the revised guidance will be included in an institution's web disclosures within the next two to three months. We note, however, that any institution that has not yet provided the required disclosures that were required by July 1, 2011, must implement their disclosures under this revised guidance immediately.

As a reminder, the guidance in this Gainful Employment Electronic Announcement relates to the disclosure of information for a gainful employment program as required by the regulations at 34 CFR 668.6(b). It does not apply to the definition of a gainful employment program for purposes of reporting under 34 CFR 668.6(a) nor to the calculation of an educational program's gainful employment metrics under 34 CFR 668.7. For reporting and metric purposes, a gainful employment program at an institution is defined as a program or programs that have the same CIP Code and Credential Level.

We thank the institutions that advised us of these conditions and why combined disclosures would not meet the objective of providing prospective students with useful information.



Posted Date: October 13, 2011

Author: Pamela Eliadis, Service Director, System Operations & Aid Delivery Management, Federal Student Aid

Subject: Gainful Employment Electronic Announcement #26 – Updated NSLDS Gainful Employment Submittal Template

We are pleased to announce an updated National Student Loan Data System (NSLDS) Gainful Employment Submittal Template is now available on the [Federal Student Aid Download \(FSAdownload\) Web site, under the Software and Associated Documents link.](#)

Designed to be used with the Microsoft Office Excel spreadsheet application, the template provides schools with the option to upload and submit to NSLDS up to 50 records/rows of gainful employment data at a time. After the school adds gainful employment information to the template spreadsheet, the school then uploads and transfers the data to the [NSLDS Professional Access](#) Web site, after confirming the data is correct and should be saved to NSLDS.

The updated template provides additional instructions to assist schools with submitting gainful employment data using the spreadsheet upload feature. Additionally, the file size of the spreadsheet has been reduced to improve upload speed.

Note: NSLDS will continue to accept the original version of the NSLDS Gainful Employment Submittal Template, in addition to this updated version.

For a complete description of the NSLDS Gainful Employment Submittal Template, refer to the [NSLDS Gainful Employment User Guide](#), available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site, as well as from the ["Resources" section of the Gainful Employment Information Page](#). Information about using the template is also provided in the Cover Letter and Download Guide, available with the template on the [FSAdownload Web site](#), as well as in [NSLDS Newsletter #34](#).

Contact Information

If you have questions about downloading or using the NSLDS Gainful Employment Submittal Template, contact the NSLDS Customer Support Center at 800/999-8219. You can also contact Customer Support by e-mail at nslds@ed.gov.

The [Gainful Employment Information Page](#) on the IFAP Web site contains publications and resources on gainful employment as well as Frequently Asked Questions (FAQs). Policy questions that have not already been addressed in the FAQ section of the Gainful Employment Information Page may be submitted to ge-questions@ed.gov.



Posted Date: October 25, 2011

Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid

Subject: Gainful Employment Electronic Announcement #27 - Reminder of Gainful Employment Reporting Date of November 15, 2011

We would like to remind the community of the upcoming reporting date for gainful employment information. As noted in Gainful Employment Electronic Announcement #15, institutions have until November 15, 2011 to meet the GE Program reporting requirements without any adverse action taken by the Department.

If your institution has not yet submitted gainful employment data, we encourage you to report the required information as soon as possible, to ensure there is adequate time to complete any necessary corrections in advance of November 15, 2011.

Online reporting functionality for gainful employment is available on the National Student Loan Data System (NSLDS), including the [NSLDS Professional Access](#) Web site. Detailed information about the use of NSLDS for reporting gainful employment data, including how to enroll for online access, is provided in the [NSLDS Gainful Employment User Guide](#), available on the NSLDS User Documentation page of the Information for Financial Aid Professionals (IFAP) Web site, as well as from the ["Resources" section of the Gainful Employment Information Page](#). Institutions should use information in the guide, most recently updated on September 22, 2011, to submit required gainful employment information.

In addition, institutions should refer to [NSLDS Newsletter #34](#) for supplemental information about the NSLDS gainful employment reporting process. The newsletter discusses the reporting functionalities on NSLDS and provides helpful tips on gainful employment reporting using the various reporting options, including the NSLDS GE Submittal Template.

Contact Information

We appreciate the community's efforts to ensure this important reporting requirement is met by November 15, 2011.

If you have questions about using NSLDS to report gainful employment information, contact the NSLDS Customer Support Center at 800/999-8219. You can also contact Customer Support by e-mail at nsls@ed.gov.

The [Gainful Employment Information Page](#) on the IFAP Web site contains publications and resources on gainful employment as well as Frequently Asked Questions (FAQs). Policy questions that have not already been addressed in the FAQ section of the Gainful Employment Information Page may be submitted to ge-questions@ed.gov.