The purpose of the Office of Institutional Research, Planning, and Assessment is to conduct analytical studies and provide information in support of institutional planning, policy formulation and decision making. In addition, the office provides leadership and support in research related activities to members of the NOVA community engaged in planning and evaluating the institution’s success in accomplishing its mission.

When citing data from this report, the Northern Virginia Community College (NOVA) Office of Institutional Research, Planning, and Assessment must be cited as the source.
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Gainful Employment Regulations: An Update and Overview

Introduction
This report presents an overview of the Gainful Employment (GE) regulations as stated by the US Department of Education, beginning with an important update to Gainful Employment Regulations (as of March 19, 2013). It is important to note that this report is a compilation of important GE information from various online sources for the reference and use of NOVA faculty and staff. The original sources of the text are indicated in the footnotes.

Important Update
As stated in Gainful Employment Electronic Announcement #39 - Status of Gainful Employment Regulations¹, on June 30, 2012, the U.S. District Court for the District of Columbia, in the Association of Private Sector Colleges and Universities (APSCU) v. Duncan, overruled most of the gainful employment (GE) regulations set forth in October 2010. The Court's decision was based on Department of Education's (ED's) rationale for setting the Repayment Rate failure threshold. Because of the interrelationship of the GE requirements, the Court vacated most of the GE regulations – GE Metrics, GE Reporting, and Adding new GE Programs. The Court left in place the GE Disclosure requirements. The Court ruling indicated that the Debt Measure metrics are unenforceable and institutions are not required to report to ED the information listed in the reporting regulations.² Subsequently, on March 19, 2013, the court issued a decision that denied a request from the Department to reinstate certain GE provisions, including the reporting requirements.

ED issued the 2012 Informational Debt Measure Rates prior to the Court's decisions. They were always intended to be used only for informational purposes, never carried any potential sanctions, and that remains true following the Court's decision. Institutions are not required to submit GE reports for the 2011-2012 award year³.

Background
Over the last several years, a number of concerns in higher education have arisen – rising loan default rates, stagnant and falling graduation rates, growing Federal exposure resulting from change in the Federal student loan programs, and increases in grant funding. The following Federal GE regulations are part of a broader set of program integrity regulations issued by ED. In total, ED issued program integrity regulations in 13 areas including

¹ http://ifap.ed.gov/eannouncements/070612GE39StatusofGainfulEmploymentRegs.html (Also see Appendix A to read a full copy of Electronic Announcement #39)
² http://ifap.ed.gov/presentations/attachments/NASFAA2012GEMetricsandRates.ppt
incentive compensation, misrepresentation, credit hour, ability to benefit and high school diplomas. GE was just one of the regulations.\textsuperscript{4}

The term Gainful Employment in this sense refers to the notion that virtually all post-secondary programs -- degree and non-degree -- offered by proprietary institutions must prepare students for gainful employment in a recognized occupation. In order to be eligible for funding under Title IV (Student Assistance) of the Higher Education Act of 1965 (HEA)\textsuperscript{5}, an educational program must either lead to a degree (associate’s, bachelor’s, graduate, or professional) or as a certificate program (GE Program), it must prepare students for Gainful Employment directly upon completion of the program. The NOVA programs being referenced as GE Programs in this document are those programs that do not lead to an Associate’s, Bachelor’s, or professional degree: i.e., certificate and career studies certificate programs.

What is a Gainful Employment Program?\textsuperscript{6}

As stated in the Gainful Employment Operations Manual (page 5): Under the HEA, to be eligible to participate in the Title IV student assistance programs, an educational program that does not lead to a degree awarded by a public or non-profit postsecondary institution must lead to gainful employment in a recognized occupation. There are a small number of exceptions that are described in the GE Program Determination. The following describes which of an institution’s educational programs must lead to gainful employment if the program is to be Title IV eligible.

For all Public and Non-Profit Institutions — All educational programs are GE Programs except for:

- Programs that lead to a degree – associate’s, bachelor’s, master’s, doctoral, professional;
- Programs of at least two years in length that are designed to be fully transferable to a bachelor’s degree;
- Teacher certification course work that does not lead to a certificate awarded by the institution; and
- Preparatory course work necessary for enrollment in an eligible program.

Thus, any non-degree program for which an institution awards a certificate or diploma is a GE Program.

\textsuperscript{4}http://ifap.ed.gov/presentations/attachments/GainfulEmploymentWebinar8withNotes.pptx
\textsuperscript{5}See Appendix B for Title IV regulations
\textsuperscript{6}From the Gainful Employment Operations Manual (page 5):
Gainful Employment Reporting and Disclosure Requirements

As stated in the Important Update section above (page 1), the following Reporting requirements have been discontinued. The information here is for background reference to the GE regulations as a whole.

Reporting
In Fall 2011, institutions reported data to the Federal government identifying the students who began, completed, or remained enrolled in GE programs during the 2006-2007, 2007-2008, 2008-2009, 2009-2010, and 2010-2011 academic years. Data were reported on the specific occupations for which the programs provide training, financial aid data for students who complete these programs, and data on whether the students who complete these programs go on to enroll in higher-level programs at the same or another school. The intention was for institutions to submit these data on a yearly basis.

Data reported:
For each program, by name, OPEID code, and Classification of Instructional Program (CIP) code:
- student SSN
- student name-first, middle, last
- student date of birth
- number of students enrolled at the end of each academic year

For each student:
- student SSN
- student name- first, middle, last
- student date of birth
- information needed to identify the institution the student attended (OPEID code)
- the name and the CIP code of that program

For students who completed a program during an award year:
- Completion date
  - the date the student completed the program
- Financial data
  - the amount(s) the student received from private education loans
  - the amount from institutional financing plans that the student owes the institution upon completing the program
- Transfer/Matriculation to higher program data
  - whether the student matriculated to a higher credentialed program at the institution, and

7See Appendix C for more on Reporting and Disclosure requirements. http://ifap.ed.gov/dpcletters/GEN1110.html
for students who transferred to another institution, evidence that the student transferred to a higher credentialed program at another institution (if available)

Disclosure
Beginning in Summer 2011, ED also required that all public, nonprofit, and for-profit higher education institutions disclose two types of information (Financial Data and Student Outcomes Data) to prospective students on their websites and in their promotional materials. The disclosure requirements include the total cost of attendance for students completing programs within the normal timeframe, the median loan debt incurred by students completing programs, job placement rates for students completing programs, and on-time graduation rates.

Financial Data disclosed:
Costs of Attendance
- the total amount of tuition and fees charged for completing the program within the normal timeframe (defined in current rules at §668.41(a)\(^8\) as "the amount of time necessary for a student to complete all requirements for a degree or certificate according to the institution’s catalog")
- the typical costs for books and supplies (unless included in tuition and fees)
- other costs, such as transportation and living expenses (stated as something an institution may provide).

Median Loan Debt (provided to NOVA by ED)
- the median loan debt incurred by students who completed the program, as provided by the Secretary of Education
- the institution must identify the median loan debt from Title IV, HEA program loans, and the median loan debt from private educational loan and institutional financing plans
- other information the ED provided to the institution about the program (not specified in the regulations).

Student Outcomes Data disclosed (Placement and On-Time Graduation Rates):
- the job placement rate for students completing the program, as determined by the institution’s accrediting agency or State requirements (until NCES develops a method). Must be disclosed on a program basis.
- the on-time graduation rate for students completing the program.

Data Disclosure Procedure
Each school is expected to prominently provide this information in a "simple and meaningful manner" on the home page of its program website. The school must also provide a

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\(^8\) [http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=ebf55a9e371d6b209ef480b30fd3c553&rgn=div5&view=text&node=34:3.1.3.1.34&idno=34#34:3.1.3.1.34.4.39.1](http://www.ecfr.gov/cgi-bin/text-idx?c=ecfr&sid=ebf55a9e371d6b209ef480b30fd3c553&rgn=div5&view=text&node=34:3.1.3.1.34&idno=34#34:3.1.3.1.34.4.39.1)
prominent and direct link to this page on any other Web page containing general, academic, or admissions information about the program. The information is to be displayed in an "open format" that can be retrieved, downloaded, indexed, and searched by commonly-used Web search applications.

Institutions must also provide a Web link or other access to the program cost information they make available to prospective and enrolled students under current regulatory requirements found in §668.43(a). ED intends to develop a disclosure form for this purpose in the near future.

**Informational Debt Measure Rates**

Again, as stated in the Important Update section at the beginning of this report (page 1), the following regulations have been discontinued. The information here is for reference purposes only.

On June 13, 2011, ED published its final rule on the Debt Measures that will be used to determine if an educational program leads to gainful employment. The effective date for the Debt Measures regulations was July 1, 2012.

According to this rule on Debt Measures, an eligible gainful employment program is one where a defined cohort of the program’s former students –

- Are repaying their Title IV loans (i.e., Repayment Rate)
- Meet a minimum debt burden standard (i.e., Debt-to-Earnings Ratios).

In Summer 2012, the ED released GE Informational Debt Measures for the purpose of providing institutions with preliminary information to be used to assess GE programs in preparation for the official GE debt measures that will first be calculated in 2013. The FY 2011 GE Informational Debt Measures were informational only and, as such, did not invoke any regulatory requirements, sanctions, or other adverse action. They were not intended to form a basis for making any determinations about specific GE Programs, or in making projections about future year’s rates. The GE Calculation Year was FY 2011 and the cohort years were FY2007 and FY2008 (October 1, 2006 through September 30, 2008).

**Repayment Rate**

- GE Program’s former students who entered repayment on their Title IV loans during the cohort period.
- A percentage of the GE Program’s former students who are repaying their Title IV student loans each year (weighted for loan amount).
- Repayment is a reduction in the outstanding principal balance over a one year period.

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Debt-to-Earnings Ratio

- GE Program’s former students who completed the program during the cohort period.
- The median educational loan annual repayment amount of students who completed a GE Program as a proportion of those former student’s average annual earnings two years after completing the GE Program.
  - Institutions identify students who completed the program
  - Total annual student loans payment (not just federal loans if other debt was provided by the institution) included in debt calculation
  - National Student Loan Data System (NSLDS) data used to identify Title IV debt and calculate the annual loan payment amount
  - Higher of mean or median annual earnings from Social Security Administration (SSA)
  - Discretionary Income - Annual earnings less 150% of the poverty level for a single person
  - SSA will provide the median and mean earnings of program’s completers. Calculation uses the higher of the two.
  - ED does not receive student level earnings information.
  - Debt Medians for Disclosures are not what was used for Debt Measures

Figure 1. Using Informational Rates to Determine Title IV Eligibility

A GE Program must pass at least one of the following three thresholds in two consecutive years to continue to be eligible for Title IV participation:

1. Repayment Rate of at least 35%
2. Debt-to-Earnings Ratio of:
   - 12% or less of average annual earnings; or
   - 30% or less of average discretionary income

If GE programs fail twice, they must warn students that the program they are taking may be unaffordable and provide information about possible transfer options. Finally, after failing

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10Slide 11: http://ifap.ed.gov/presentations/attachments/GainfulEmploymentWebinar8withNotes.pptx
three times in four years, a program would lose eligibility for Title IV funding for their students.

**NOVA Summary: Informational Debt Measure Rates**
In Summer 2012, ED released its Informational Debt Measure Rates by post-secondary institution. Each applicable GE Programs at Northern Virginia Community College (NOVA) was evaluated based on the above-described criteria. As stated in Electronic Announcement #37\(^{11}\), the 2011 GE Informational Debt Measures were not calculated for GE Programs with 30 or fewer former students in the relevant two-year period.

The **Repayment Rate** was calculated with the GE Program’s former students whose FFEL (Federal Family Education Loan) and DL (Direct Loan) entered repayment during the cohort period: FY2007 and FY2008. In this cohort period, there were no more than 30 students in any one NOVA GE Program. Therefore, for each NOVA GE Program, this value was N/A.

For each NOVA GE Program, the **Annual Debt-to-Earnings Ratio** and the **Discretionary Debt-to-Earnings Ratio** are both zero because the median student does not have debt. Fewer than 25% of NOVA students in these programs accept financial aid packages. There are some borrowers in GE programs, but lower than 50% in all GE programs. Consequently, the median student has $0 debt. Currently, none of the GE programs at NOVA carry a median loan debt.

**In summary, all of the NOVA GE programs passed all three Debt Measures.**

Appendix A: Gainful Employment Electronic Announcement #39 - Status of Gainful Employment Regulations

Posted Date: July 6, 2012
Author: Jeff Baker, Director, Policy Liaison and Implementation, Federal Student Aid
Subject: Gainful Employment Electronic Announcement #39 - Status of Gainful Employment Regulations

On June 30, 2012, the U.S. District Court for the District of Columbia, in the Association of Private Sector Colleges and Universities (APSCU) v. Duncan, issued a decision that vacated most of the gainful employment regulations that the Department published on October 29, 2010 and June 13, 2011 and remanded those regulations to the Department for further action. The following is the statement the Department released in response to that ruling:

"The court clearly upheld the authority to regulate college career programs, but found that the Department had not provided enough explanation of its debt repayment measure, so it has given the Department an opportunity to address that concern. We are reviewing our legal and policy options to move forward in a way that best protects students and taxpayers while advancing our national goal of helping more Americans get the skills they need to compete in the global economy."

The Department is reviewing the details of the Court’s decision in consultation with the Department of Justice and evaluating appropriate next steps.

The following is some background on the Court’s decision.

It is important to note that while the Court vacated most of the gainful employment regulations based upon one issue raised during the court case, it upheld the Department’s authority to regulate gainful employment programs. The Court determined that the Department did not provide a sound reason for setting the repayment rate failure threshold at 35 percent. And, because of the interrelationship of that provision with most of the other gainful employment requirements, the Court vacated the repayment rate metric as well as the debt-to-income gainful employment metrics that would have gone into effect July 1st 2012. The Court also vacated the gainful employment program reporting requirements and requirements about adding new gainful employment programs that previously went into effect on July 1, 2011. The Court left in place the gainful employment disclosure provisions that require institutions to disclose certain information on their web pages for each gainful employment program, including on time completion rates and information about tuition and costs.

As we continue to analyze the Court’s decision, we will provide updated information on how the decision impacts postsecondary institutions. At this time we are providing the following guidance.

Reporting— As noted, the Court’s decision vacated the gainful employment reporting requirements in 34 CFR 668.6(a). Therefore, institutions are not required to submit gainful employment reports for the just ended 2011-2012 award year.

In response to requests from several institutions, institutions may voluntarily submit corrections to previously reported gainful employment information. System changes to the National Student Loan Data System (NSLDS) that are scheduled to be available in late July will also make it easier for institutions to update previously reported gainful employment information if they choose to do so. A separate IFAP announcement explaining those changes to NSLDS will be posted shortly.

New Gainful Employment Programs – As noted, the Court vacated the gainful employment new program requirements of the regulations. Thus, the revisions made to 34 CFR 600.10(c) and 34 CFR 600.20 that went into effect July 1, 2011 are no longer applicable and institutions should refer to those regulatory sections as they existed prior to July 1, 2011. Institutions do not have to provide the Department with the 90 day notice of intent to offer a new gainful employment program, and approvals for new programs are only required as indicated in the regulations in effect prior to July 1, 2011.

Disclosures - As discussed above, the Court left in place the October 29, 2010 regulations at 34 CFR 668.6(b) that require institutions to disclose certain information about each of their Gainful Employment Programs. Those regulations took effect July 1, 2011 and state that institutions must use the disclosure template provided by the Department when it becomes available. We are reviewing the disclosure template to ensure that it complies with the Court’s decision, and will announce further information on this issue soon. Institutions are not required to update their disclosures until further information is provided later this month.

We will continue to post additional updates to the IFAP website (ifap.ed.gov) about the status of the gainful employment regulations and the continuing program disclosure requirements.

The Webinar scheduled for July 11 on understanding the GE Information Rates will take place, and the Department will respond to questions to assist institutions in understanding and using the gainful employment informational rates as a program assessment aid for institutions.

Thank you for your continued cooperation and understanding.
Appendix B: Higher Education Act of 1965, as amended
Title IV—Student Assistance

Part A—Grants to Students in Attendance at Institutions of Higher Education
Sec. 400. [20 U.S.C. 1070] Statement of Purpose; Program Authorization

(a) PURPOSE.—It is the purpose of this part, to assist in making available the benefits of postsecondary education to eligible students (defined in accordance with section 484) in institutions of higher education by—

(1) providing Federal Pell Grants to all eligible students;
(2) providing supplemental educational opportunity grants to those students who demonstrate financial need;
(3) providing for payments to the States to assist them in making financial aid available to such students;
(4) providing for special programs and projects designed
   (A) to identify and encourage qualified youths with financial or cultural need with a potential for postsecondary education,
   (B) to prepare students from low-income families for postsecondary education, and
   (C) to provide remedial (including remedial language study) and other services to students; and
(5) providing assistance to institutions of higher education.

Appendix C: Dear Colleague Letter – 11-10

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

14 http://ifap.ed.gov/dpcletters/GEN1110.html
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/](http://ifap.ed.gov/GainfulEmploymentInfo/).

For questions on the contents of this letter, please send an e-mail to [ge-questions@ed.gov](mailto:ge-questions@ed.gov).

Thank you for your continued cooperation.