Gainful Employment
Issues
February 22, 2017
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Introductions

Amanda Sharp
Online Instruction Manager
NASFAA Training and Regulatory Assistance

David Tolman
Instructional Content Specialist
NASFAA Training and Regulatory Assistance

Tom Dalton
Vice President, Enrollment Management
Excelsior College
Handouts

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Questions and Answers

Submit your questions throughout the broadcast!

Topics
• What is a Gainful Employment Program?
• Exceptions
• Top AskRegs Questions
• 2017 Gainful Employment Disclosure Template
• Warnings
Poll
In which office do you work?
- Financial aid office
- Bursar
- Institutional Research
- Provost/Academic Affairs
- Other

Poll Results
In which office do you work?
- Financial aid office
- Bursar
- Institutional Research
- Provost/Academic Affairs
- Other

Poll
What is your responsibility as it relates to GE programs?
- I am responsible for program reporting
- I am responsible for enrollment reporting
- I am responsible for meeting requirements for adding new programs
- I am responsible for updating/distributing disclosure templates and/or warnings
- I am responsible for more than one of the above items
### Poll Results

What is your responsibility as it relates to GE programs?
- I am responsible for program reporting
- I am responsible for enrollment reporting
- I am responsible for meeting requirements for adding new programs
- I am responsible for updating/distributing disclosure templates and/or warnings
- I am responsible for more than one of the above items

### Poll

My anxiety level in relation to gainful employment is:
- 😊
- 😊😊
- 😊😊😊
- 😊😊😊😊
- 😊😊😊😊😊

My anxiety level in relation to gainful employment is:
- I couldn’t be happier.
- I’m not crazy about the requirements, but I manage.
- I can’t lie. I do get a little stressed out.
- I have spent sleepless nights.
- ARRRGGGHHH!
Poll Results

My anxiety level in relation to gainful employment is:

– I couldn’t be happier.
– I’m not crazy about the requirements, but I manage.
– I can’t lie. I do get a little stressed out.
– I have spent sleepless nights.
– ARRRGGGH!!

Back to Basics:
What is a Gainful Employment Program?

What is Considered A Gainful Employment Program

• May 20, 2015, Gainful Employment Electronic Announcement #53, What is a Gainful Employment (GE) Program?
  – Depends on type of program; and
  – Type of institution offering the program
Question 1: Does the institution wish to have the educational program be (or remain) eligible for Title IV aid?

**YES**
Continue to the next question.

**NO**
The program is NOT eligible for Title IV aid and, therefore, is not a GE program.

Question 2: Does the coursework lead to a degree, certificate, or other credential awarded by the institution?

**YES**
Continue to the next question.

**NO**
The program is NOT eligible for Title IV aid and, therefore, is not a GE program.*

Question 3: Is the institution a for-profit (proprietary) institution?

**YES**
The program is a GE program.**

**NO**
Continue to the next question.
Question 4: Is the credential awarded by the public or private nonprofit institution an associate, bachelor’s, graduate, or professional degree?

**YES**
- The program is not a GE program.

**NO**
- The program is a GE program.

---

### Public and Private Nonprofit Postsecondary Institutions

- **GE Programs**
  - All nondegree programs and certificate programs
  - Degree programs
  - Two-year transfer programs
  - Certain teacher certification coursework
  - Preparatory coursework
  - Approved CTP programs

- **Exceptions**

---

### For-Profit Proprietary Institutions

- **GE Programs**
  - Undergraduate and graduate degree programs
  - Undergraduate, postbaccalaureate, graduate, and postgraduate certificate programs
  - Teacher certification programs

- **Exceptions**
  - Preparatory coursework necessary for enrollment in a Title IV eligible program
  - Approved CTP program
  - Limited number of bachelor’s degree programs in liberal arts
Back to Basics: Exceptions

Programs Offered by For-Profit Institutions
- All educational programs offered by for-profit (proprietary) institutions are GE Programs with the following three exceptions:
  - Preparatory coursework necessary for enrollment in a Title IV eligible program;
  - Approved Comprehensive Transition and Postsecondary (CTP) Programs for students with intellectual disabilities; and
  - A limited number of bachelor degree programs in liberal arts if the institution has been regionally accredited since October 2007 and the program has been offered by the institution since January 2009.

Programs Offered by Public and Private Nonprofit Institutions
- Programs of at least two years in length designed to be fully transferable to a bachelor’s degree program where the institution does not confer a credential upon completion of the coursework;
- Approved programs for students with intellectual disabilities;
- Preparatory coursework necessary for enrollment in an eligible program; and
- Teacher certification programs where the institution does not award a credential.
Do Unpaid Fee Balances Remaining on a Student’s Account Contribute to the Student’s Institutional Debt?
NASFAA’s Webinar Series
Gainful Employment Issues
Presented February 22, 2017

Scenario
- Our institution charges a graduation fee to all students during the payment period of program completion.
- If a graduation fee results in an unpaid balance after program completion, does this contribute to the student’s institutional debt?
  - Yes
  - No

Results
- Our institution charges a graduation fee to all students during the payment period of program completion.
- If a graduation fee results in an unpaid balance after program completion, does this contribute to the student’s institutional debt?
  - Yes
  - No

Answer
- Yes, unpaid charges outstanding at the time the student completes the program are included in institutional debt, and this definition has been included in regulation in 34 CFR 668.404(d)(1)(iii).
Answer

- The Department of Education (ED) explained the rationale on page 64936 of Federal Register, 10/31/14:
  - "We believe that any amount owed to the institution resulting from the student’s attendance in the GE program should be included, regardless of whether it is evidenced by a promissory note or other agreement because the amount owed is the same as any other debt the student is responsible to repay. For this reason, we clarify that, in addition to an obligation stemming from extending credit, an obligation includes any debts or unpaid charges owed to the institution. In addition, we adopt the commenter’s suggestion to specify that the amount included in determining the student’s loan debt is the amount of credit extended (not from private education loans) by or on behalf of the institution, including any unpaid charges, that are outstanding at the time the student completed the program."

Do Third Party Payments Count as Institutional Debt for GE Reporting?

Scenario

- We charge tuition & fees at the beginning of the semester and some students have employers who pay all or part of the entire balance at the end of the semester (using non-Title IV funds).
- The student does not sign a payment plan in this situation.
- When the student completes or withdraws from the program, there is often a balance remaining that the employer will pay.
- Would this be considered "institutional debt"?
NASFAA’s Webinar Series
Gainful Employment Issues
Presented February 22, 2017

Poll

• Do the third-party payments, as described in the scenario, count as institutional debt for GE reporting?
  - Yes
  - No

Poll Results

• Do the third-party payments, as described in the scenario, count as institutional debt for GE reporting?
  - Yes
  - No

Answer


• Institutional debt is:
  – The amount outstanding, as of the date the student completes the program, on any other credit, (including any unpaid charges) extended by or on behalf of the institution for enrollment in any GE program attended at the institution that the student is obligated to repay after completing the GE program
  – Institutional debt includes debt arising from any other outstanding obligations the student owes at the time the student withdraws from or completes the GE program.
What’s the Difference Between Embedded Coursework and Concurrent Programs?

Poll

Does your institution offer certificates through the completion of embedded coursework?

- Yes
- No
- I don’t know

Poll Results

Does your institution offer certificates through the completion of embedded coursework?

- Yes
- No
- I don’t know
**Scenario**

- We are a public nonprofit institution and all of our bachelor’s, master’s, and doctoral programs are exempt from gainful employment (GE) reporting and disclosure requirements.
- Several of our graduate programs also offer shorter versions as graduate certificate programs that students can choose to pursue independently whether or not they are enrolled in a master’s degree program.
- For these certificate programs, ALL of the required certificate courses are also required to complete the corresponding master’s degree.

**Poll**

Based on the scenario provided, how would you treat a student who is enrolled in a master’s program but completes coursework that fulfills the requirements for a certificate as part of that program?

- The student is included in GE reporting because he is concurrently enrolled in a GE program.
- The student is not included in GE reporting because the certificate coursework is embedded within the degree program requirements.

**Poll Results**

Based on the scenario provided, how would you treat a student who is enrolled in a master’s program but completes coursework that fulfills the requirements for a certificate as part of that program?

- The student is included in GE reporting because he is concurrently enrolled in a GE program.
- The student is not included in GE reporting because the certificate coursework is embedded within the degree program requirements.
Answer

• The student is not included in GE reporting because the certificate coursework is embedded within its degree program requirements.
• The student is not separately enrolled in the certificate program; he is only enrolled in the degree program.

Embedded Coursework

• Nondegree certificate coursework included within larger degree program
• Student is enrolled only in the degree program
• Only way to avoid GE reporting and disclosure requirements for a certificate program at a public or private nonprofit institution
• Significant number must earn the degree rather than withdrawing after earning certificate

Concurrent Enrollment

• Student is enrolled separately in two different programs at the same time
  – Certificate program and
  – Degree program
• Certificate is enrolled in as a stand-alone program
• Student’s enrollment in certificate program is included in GE reporting
Bachelor's Degree – Computer Information Systems

Bachelor's Degree – Political Science

Required Coursework for Software Coding Certificate

Software Coding Certificate Program

Embedded Coursework
References

- May 20, 2015, Gainful Employment Electronic Announcement #53 - What is a Gainful Employment (GE) Program?
- July 8, 2011, Gainful Employment Electronic Announcement #12: Certificates Awarded as Part of a Degree Program

What Are We Required to Do When Adding a GE Program?
New Programs - ED Approval Required

Always required when the institution is

- Provisionally Certified
- Subject to Two-Year Rule
- Placed on Reimbursement Payment Method
- Placed on Cash Monitoring Payment Method
- Notified by ED Approval Required for New Programs

New Programs - ED Approval Required

Always required when the program is a

- Direct Assessment Program
- Comprehensive Transition and Postsecondary (CTP) Program
- Short-Term Program
- Higher Credential Level

New Academic Program Notification and Approval Requirements

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Due Diligence

- Federal Register, 10/13/14, p. 649026
  - “It is an institution’s responsibility to conduct the due diligence necessary to evaluate the potential outcomes of students before offering a program.”

Due Diligence – 34 CFR 660.20(d)(2)(i),(ii)

660.20(d)(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;
Due Diligence – 34 CFR 660.20(d)(2)(i),(ii)

660.20(d)(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;

ED Approval Not Required

• If the program does not fall into any of the categories that require ED approval, school is only required to notify ED about the new program:
  – On the school’s next recertification after adding the program; or
  – Within 10 days of adding a GE program
GE-Specific Reporting Requirements

<table>
<thead>
<tr>
<th>Changes to Existing GE Programs – Report Within 10 Days</th>
</tr>
</thead>
<tbody>
<tr>
<td>Establishing or reestablishing the eligibility</td>
</tr>
<tr>
<td>Changing the GE program’s name, CIP code, or credential level</td>
</tr>
<tr>
<td>Discontinuing the GE program’s eligibility when it fails to meet the required D/E rate thresholds</td>
</tr>
<tr>
<td>Ceasing to provide the GE program for at least 12 consecutive months</td>
</tr>
<tr>
<td>Losing program eligibility</td>
</tr>
<tr>
<td>Certifying the eligibility of each GE program listed on the school’s ECAR</td>
</tr>
</tbody>
</table>

What Happens When ED Submits the Gainful Employment Completers List to the Social Security Administration?

Completers List and Privacy

- ED provides GE Completers List to the Social Security Administration (SSA)
- SSA calculates and returns the mean and median earnings for those it was able to match for the GE earnings years
- SSA does not provide to schools the individual student’s earnings data or the identity of any student who was matched or not matched
- According to ED, this does not violate any privacy laws
What Happens When a Student Changes GE Programs?

Scenario

We have a prospective student that we’ve sent our gainful employment (GE) disclosure. Shortly before the class was set to begin, the student switched programs and registered in a different GE program. Must we provide new disclosures to the student?

Poll

☐ Yes. You must provide a new disclosure for the new program in which the student enrolled

☐ No. You have met the requirement by providing the GE disclosure for the original program in which the student enrolled.
Answer

• Yes, you must provide a new disclosure for the new program.
• Because this is a different program, you will need to provide a new disclosure to the student for the new GE program.
• Per 34 CFR 668.412(e)(1),
  “Before a prospective student signs an enrollment agreement, completes registration, or makes a financial commitment to the institution; the institution must provide the prospective student or a third party acting on behalf of the prospective student, as a separate document, a copy of the disclosure template.”
• Similarly, a continuing student who switches GE programs must also be provided with the GE disclosures for the new GE program.

2017 GE Disclosure Template

2017 GED Disclosure Template

• Released January 19, 2017
  – Gainful Employment Electronic Announcement #103
  – Release of the 2017 Disclosure Template
• Schools have until April 3, 2017 to update disclosures for each of their GE programs using the 2017 GE Disclosure Template
• Guidance for disclosures and warnings prior to the April 3, 2017 deadline
  – Gainful Employment Electronic Announcement #99
    – Delay in Releasing the 2017 GE Disclosure Template and Applicable Deadlines
2017 GE Disclosure Template Delivery

- 2017 GE Disclosure Template must be distributed to prospective students as a separate document before the student signs an enrollment agreement, completes registration, or makes any financial commitment to the institution.

- The disclosure template may be provided by:
  - hand-delivering it (individually or as part of a group presentation); or
  - sending it to the primary email address used by the institution to communicate with that student, ensuring that the disclosure template is the only substantive content in the email.

2017 GE Disclosure Template Delivery

- Confirmation of delivery of the 2017 GE Disclosure Template:
  - If hand-delivered, written confirmation of receipt must be obtained from the prospective student.
  - If emailed, the institution must receive electronic or other written acknowledgement that the email was received by the prospective student.
  - If the institution receives a response that the email could not be delivered, the disclosure must be sent using a different address or method of delivery.

In all cases, the institution must maintain a record of its efforts to provide the disclosure template. An institution must make two attempts at delivery of the warning and document those attempts.

2017 GE Disclosure Template Delivery

- Confirmation of delivery of the 2017 GE Disclosure Template:
  - If emailed, the institution must make two attempts at delivery.
  - The institution must maintain a record of its efforts to provide the disclosure template.
  - No further action is needed
2016 GE Disclosure Template Delivery

- Institutions must begin complying with these new disclosure distribution requirements no later than the April 3, 2017 deadline established for posting the 2017 GE Disclosure Template
- Resources:
  - Gainful Employment Electronic Announcement #103 – Release of the 2017 Disclosure Template
  - Gainful Employment Electronic Announcement #99 – Delay in Releasing the 2017 GE Disclosure Template and Applicable Deadlines

Warnings

- The GE Disclosure Template requirement is separate from the student warning requirements.
- Required in any year for which ED notifies the school that the program could become ineligible based on D/E rates for the next award year
- Both failing and zone programs
- Recipients
  - Enrolled student – Title IV recipients
  - Prospective student – Individual who has
    - Requested information about enrolling in a GE program; or
    - Been contacted directly by the school or a third party on behalf of the school about enrolling in a GE program
Warning – Method of Delivery

• Required warnings may be provided to enrolled students by:
  - hand-delivery (individually or as part of a group presentation), or
  - utilizing the primary email address used by the institution for communicating with the student about the program.
  
  If the warning is sent by email, it must be the only substantial content in the email and the institution must obtain electronic or other written acknowledgement that the email was received.
  
  If a response is received that the email could not be delivered, the warning must be sent using a different address or method of delivery.
  
  An institution must make two attempts at delivery of the warning and document those attempts.

Warning – Method of Delivery

• Requirements for providing prospective students with warnings are similar to those for enrolled students in that the warnings may be:
  - Hand-delivered, or
  - Sent by email with the same stipulations.
  
  With prospective students institutions have the additional options of providing the disclosure template that includes the student warning, or, if the first contact is by telephone, conveying the warning orally.
  
  NOTE: If the school is not yet using the 2017 GE Disclosure Template containing the student warning, it must still provide warnings to prospective students.

Warning – Prospective Students

• To allow prospective students time to consider whether they wish to enroll in a program that is subject to student warning requirements:
  
  – An institution may not enroll, register, or enter into a financial commitment with a prospective student sooner than three business days after the warning has been provided to that student.
  
  – If more than 30 days have passed from the date the institution first provided the student warning,
    - another warning must be sent; and
    - an additional three business days are allowed to pass before the institution may enroll, register, or enter into a financial commitment with the prospective student.
Warning – Prospective Students

- A prospective student must confirm delivery of the warning prior to signing an enrollment agreement, completing registration, or making a financial commitment to the institution.
- Note: The disclosure template and warnings can be provided together if using the 2017 GE Disclosure Template provided by ED which includes the warning language.

Warning – Method of Delivery

- Institutions must, in addition to posting and disseminating student warnings, update a GE program's disclosure template to include student warnings.
- ED is not requiring institutions to update existing 2016 disclosure templates for this information.
- 2017 GE Disclosure Templates will be required to contain applicable student warnings by the April 3, 2017 deadline.
- If an institution is informed through the notice of determination of the need to provide student warnings for a GE program after that program’s 2017 Disclosure Template is posted, the template must be updated to contain the warning language.

Questions and Answers
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NASFAA’s Webinar Series

NASFAA Compliance Tools for Compliance Officers
March 8, 2017

NASFAA’s Webinar Series

Title IV Eligibility:
Adding Programs
March 15, 2017
Thank you for joining us!
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U.S. Department of Education

Electronic Announcement

Posted Date: May 20, 2015

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

Subject: Gainful Employment Electronic Announcement #53 - What is a Gainful Employment (GE) Program?

In Electronic Announcements on June 24, 2011 and July 8, 2011, we provided institutions with guidance on how to determine if an educational program offered is a Gainful Employment (GE) Program. If an educational program is a GE Program, it is subject to the requirements of the October 31, 2014, GE final regulations that go into effect July 1, 2015. The purpose of this Electronic Announcement is to remind institutions of the earlier guidance and to provide additional information on GE Program identification.

Programs Offered by For-Profit Institutions - All educational programs offered by for-profit (proprietary) institutions are GE Programs with the following three exceptions:

• Preparatory coursework necessary for enrollment in a Title IV eligible program [34 CFR 668.32(a)(1)(ii)];
• Approved Comprehensive Transition and Postsecondary Programs for students with intellectual disabilities [34 CFR 668.231]; and
• A limited number of bachelor degree programs in liberal arts if the institution has been regionally accredited since October 2007 and the program has been offered by the institution since January 2009 [34 CFR 600.5(a)(5)(i)(B)].

Programs Offered by Public and Private Non-Profit Institutions - All non-degree educational programs offered by public or private non-profit institutions are GE Programs with the following four exceptions:

• Programs of at least two years in length designed to be fully transferable to a bachelor’s degree program where the institution does not confer a credential upon completion of the coursework [34 CFR 668.8(b)(1)(ii)];
• Approved Comprehensive Transition and Postsecondary Programs for students with intellectual disabilities [34 CFR 668.231];
• Preparatory coursework necessary for enrollment in an eligible program [34 CFR 668.32(a)(1)(ii)]; and
• Teacher certification programs where the institution does not award a credential [34 CFR 668.32(a)(1)(iii)].

Embedded Programs - We are aware that some public and non-profit institutions offer degree programs where students may also be awarded a non-degree credential (e.g., certificate, diploma) after completing a portion of the degree program. Such programs are not GE Programs as long as a significant number of the students enrolled in the program actually earn the degree rather than withdrawing after obtaining the certificate. If a significant number of the students enrolled in the program do not earn the degree, all of the students are considered to be enrolled in a non-degree program, that is, a GE Program.

Concurrent Enrollment - Any student who is concurrently enrolled in a non-degree program while also enrolled in a degree program must be included as an enrolled student in that non-degree program for purposes of GE reporting and in the calculation of information for disclosures.

Additional information, including updates, related to Gainful Employment is available on the Gainful Employment Information Page on the Information for Financial Aid Professionals (IFAP) website at ifap.ed.gov.
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Subject: 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 GE 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.
U.S. Department of Education

Electronic Announcement

Posted Date: May 26, 2016

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

Subject: Gainful Employment Electronic Announcement #77 - Fulfilling GE Certification Requirements when Updating the E-App

This Electronic Announcement clarifies an institution’s continuing obligation to certify their GE Programs under the Gainful Employment (GE) Certification regulations at 34 CFR 668.414.

When providing updated GE Program information to the Department, institutions must provide a new GE Certification to cover the updated list of GE Programs. Updates that require a new certification include establishing or re-establishing the eligibility of a program, or changing the name, CIP code, or credential level of a currently-approved GE Program.

There are two ways that institutions may submit a new certification when updating their Electronic Application for Approval to Participate in the Federal Student Financial Aid Programs (E-App). The first is to copy and paste the language from the sample certification that is provided as an attachment to this announcement into Question 69 on the E-App. Alternatively, institutions may instead submit a signed copy of the attached sample certification to their School Participation Team when submitting the signature page for their updated E-App.

Contact Information

If you have questions about the information in this announcement or the attached sample certification, please contact the Federal Student Aid School Participation Team for your state. Please see the E-App home page for the phone number of your School Participation Team. You may also send an e-mail GE-Questions@ed.gov.

Attachments/Enclosures:
Sample GE Certification
Sample Gainful Employment Certification

(Attachment to the May 26, 2016 Gainful Employment Electronic Announcement #77—Fulfilling GE Certification Requirements when Updating the E-App)

The institution certifies that –

1. The attached Educational Programs Section from its Eligibility and Certification Approval Report (ECAR) or Application for Approval to Participate in Federal Student Financial Aid Programs (E-App) includes an accurate and complete listing of the eligible gainful employment programs (GE programs) it offers under 668.403;

2. Each eligible GE program included on the attached ECAR or E-App is approved by a recognized accrediting agency or is otherwise included in the institution’s accreditation by its recognized accrediting agency, or, if the institution is a public postsecondary vocational institution, the program is approved by a recognized State agency for the approval of public postsecondary vocational education in lieu of accreditation;

3. Each eligible GE program included on the attached ECAR or E-App is programmatically accredited, if such accreditation is required by a Federal governmental entity or by a governmental entity in the State in which the institution is located or in which the institution is otherwise required to obtain State approval under 34 CFR 600.9;

4. For the State in which the institution is located or in which the institution is otherwise required to obtain State approval under 34 CFR 600.9, each eligible GE program included on the attached ECAR or E-App satisfies the applicable educational prerequisites for professional licensure or certification requirements in that State so that a student who completes the program and seeks employment in the State qualifies to take any licensure or certification exam that is needed for the student to practice or find employment in an occupation that the program prepares students to enter; and

5. For a gainful employment program for which the institution is establishing initial eligibility for Title IV, HEA program funds, the program is not substantially similar to a program offered by the institution that in the prior three years, became ineligible for Title IV, HEA program funds under the debt-to-earnings rates measure or was failing, or in the zone with respect to, the debt-to-earnings rates measure and was voluntarily discontinued by the institution.

Certified by: ______________________________________________________

Signature

____________________________________________________

Printed Name

____________________________________________________

Title

____________________________________________________

Date Signed
U.S. Department of Education

Electronic Announcement

Posted Date: January 19, 2017

Author: Gail McLarnon, Acting Deputy Assistant Secretary for Policy, Planning and Innovation Office of Postsecondary Education

Subject: Gainful Employment Electronic Announcement #103 - Release of the 2017 GE Disclosure Template

We are announcing the release of the 2017 Gainful Employment (GE) Disclosure Template. Institutions will have until April 3, 2017 to update disclosures for each of their Gainful Employment (GE) programs, using the 2017 GE Disclosure Template.

Because 2017 is the first year disclosures must be made in accordance with the Final Regulations that were published October 31, 2014, the new template differs significantly from templates used in previous years. Most notably, some of the disclosure items for the 2017 template will not be from the most recently completed award year. The completion rate calculated on the 2017 template is based on the most recent cohort of students for whom sufficient time has passed for the cohort to complete the program within its scheduled length. For example, the completion rate cohort for a four-year GE program would be students who began enrollment in the program between July 1, 2011 and June 30, 2012. The completion rate cohort for an 18-month program would consist of students who began enrollment in the program between July 1, 2013 and June 30, 2014. In each case, the applicable cohort of students will have had enough time to complete the program within the scheduled length of the GE program.

Gainful employment regulations define student as an individual who received Title IV, HEA program funds for enrolling in a GE program. Generally, information to be reported on the 2017 GE Disclosure Template will be for students who are Title IV recipients. The one exception is for calculating the percentage of students who, during the most recently completed award year, borrowed for attendance in the GE program. That cohort is the number of individuals, both Title IV and non-Title IV recipients, who were enrolled in the GE program between July 1, 2015 and June 30, 2016.

Bulk Upload Tool

We have received a number of inquiries questioning the lack of bulk upload functionality for the 2017 GE Disclosure Template. For a variety of reasons we will not provide a bulk upload tool this year. We will consider whether to reinstitute the bulk upload tool in future years.

Student Warnings

Gainful Employment Electronic Announcement #99 includes a comprehensive discussion (not repeated here) of the student warning requirements. We strongly suggest that all institutions review this document. However, we are providing one clarification here. If an institution has submitted an intent to file an alternate earnings appeal, it is not required to provide student warnings for a failing program while the Secretary considers the appeal. The Department’s Debt-to-Earnings (D/E) rates spreadsheet will be annotated to indicate that the program’s D/E rates are under appeal.
Availability of the 2017 GE Disclosure Template

The 2017 GE Disclosure Template is available on the following web page:

Once the template is completed by the institution, the template application will generate a zip file containing the GE program’s disclosure page, which the institution will host on its GE program’s web page. Also available on the above web page and from the Help menu on the template website, is a comprehensive GE Disclosure Template Quick Start Guide to assist institutions in using the GE Disclosure Template.

Any web page containing academic, cost, financial aid, or admissions information about a GE program must include the GE Disclosure Template for that program or a prominent, readily accessible, clear, conspicuous, and direct link to the program’s disclosure template. In addition, all promotional materials made available to prospective students that identify a GE program by name or otherwise promote the program must include the GE Disclosure Template in a prominent manner. Where space or airtime constraints preclude inclusion of the template itself, the web address of, or the direct link to, the GE Disclosure Template must be provided.

Distribution of GE Disclosure Template

Unlike in previous years, the 2017 GE Disclosure Template must be distributed to prospective students as a separate document before the student signs an enrollment agreement, completes registration, or makes any financial commitment to the institution. The disclosure template may be provided by hand-delivering it (individually or as part of a group presentation) to prospective students; or by sending it to the primary email address used by the institution for communicating with that student, ensuring that the disclosure template is the only substantive content in the email. If the hand-delivery method is used, written confirmation of receipt must be obtained from the prospective student. Likewise, if email delivery is utilized, the institution must receive electronic or other written acknowledgement that the email was received by the prospective student. If the institution receives a response that the email could not be delivered, the disclosure template must be sent using a different address or method of delivery. In all cases, the institution must maintain a record of its efforts to provide the disclosure template.

Now that the 2017 GE Disclosure Template is available, institutions must begin complying with these new disclosure distribution requirements no later than the April 3, 2017 deadline established for posting the new template.

Contact Information

If after reviewing the GE Disclosure Template Quick Start Guide there are any technical questions regarding the GE Disclosure Template, please contact our help desk toll-free at (855) 359-3697 or gedt@inovas.net.

If there are any policy questions about the gainful employment disclosure requirements that are not answered in the GE Disclosure Template Quick Start Guide or in the Frequently Asked Questions (FAQs) section of the GE Information Page, please submit those questions to the GE Questions mailbox at GE-Questions@ed.gov.
U.S. Department of Education

Electronic Announcement

Posted Date: December 16, 2016

Author: Gail McLarnon, Acting Deputy Assistant Secretary for Policy, Planning and Innovation, Office of Postsecondary Education

Subject: Gainful Employment Electronic Announcement #99 - Delay in Releasing the 2017 GE Disclosure Template and Applicable Deadlines

The purpose of this Electronic Announcement is to inform the community of a delay in the release of the 2017 Gainful Employment (GE) Disclosure Template and to provide guidance on how this delay affects institutions’ efforts to comply with GE regulations related to GE disclosures and student warnings. In the sections below we discuss the timeline for release of the 2017 GE Disclosure Template, important deadlines for both disclosures and student warnings, and posting and dissemination requirements.

Release of the 2017 GE Disclosure Template

In prior years we were able to make available to institutions the updated GE Disclosure Template in autumn for institutional implementation by the end of the following January. However, the 2017 GE Template is not expected to be released until the latter part of this coming January. Much of this delay is attributable to 2017 being the first year GE disclosures must be made in accordance with the Final Regulations that were published October 31, 2014. Significant revisions to the existing template were necessary in order to accommodate the disclosure provisions in those regulations.

Once the Department releases the 2017 GE Disclosure Template, institutions will have at least 60 days to be in compliance with the regulatory posting and dissemination requirements discussed below.

While institutions need not update their existing 2016 GE Disclosure Templates for 2017 until the new template is available, institutions should continue to include their current GE Disclosure Templates in all promotional materials made available to prospective students, and continue to display that template on the institution’s websites.

Deadlines Applicable to the 2017 GE Disclosure Template

In a future Electronic Announcement, we will provide notification that the 2017 GE Disclosure Template is available for use and indicate the deadline date by which institutions will be expected to post the new template to the GE Program’s website, included the template in all promotional materials for the program, and begun to provide prospective students with the template (via hand-delivery or email). As noted above, this deadline will be no earlier than 60 days following the date on which the 2017 GE Disclosure Template is released.

Deadlines Applicable to Student Warnings

An institution must provide a warning to a GE Program’s students and prospective students when the Secretary notifies the institution, through a Notice of Determination, that the program could become ineligible based on subsequent D/E rates measures. The warning must be provided in writing to each student enrolled in the program as well as to any prospective student (at the first contact about the program between the institution and prospective student) before an institution may enroll, register, or enter into a financial agreement
with that student. These warnings must be provided beginning no later than 30 days after the institution received the Secretary's Notice of Determination.

It is important to understand that the GE Disclosure Template requirement is separate from the student warning requirements. Irrespective of when the 2017 GE Disclosure Template is released, required student warnings must be provided in accordance with regulations. For example, we expect to issue the GE Notices of Determination in mid-January of 2017, very likely before the 2017 GE Disclosure Template is available, and certainly well before the deadline for its required use. Regardless, an institution that receives a Notice of Determination that a program could become ineligible for the next year must provide the required student warnings to enrolled students within the 30-day timeframe prescribed by regulation and to all prospective students prior to enrolling, registering, or entering into a financial agreement with any of those students.

**Posting and Dissemination Requirements for the 2017 GE Disclosure Template**

Any web page containing academic, cost, financial aid, or admissions information about a GE program must include the GE Disclosure Template for that program or a prominent, readily accessible, clear, conspicuous, and direct link to the program’s disclosure template. In addition, all promotional materials made available to prospective students that identify a GE program by name or otherwise promote the program must include the GE Disclosure Template in a prominent manner. Where space or airtime constraints preclude inclusion of the template itself, the web address of, or the direct link to, the GE Disclosure Template must be provided.

Unlike in previous years, the 2017 GE Disclosure Template must be distributed to prospective students as a separate document before the student signs an enrollment agreement, completes registration, or makes any financial commitment to the institution. The disclosure template may be provided by hand-delivering (individually or as part of a group presentation) it to the prospective student, or by sending it to the primary email address used by the institution for communicating with that student, ensuring that the disclosure template is the only substantive content in the email. If the hand-delivery method is used, written confirmation of receipt must be obtained from the prospective student. Likewise, if email delivery is utilized, the institution must receive electronic or other written acknowledgement that the email was received by the prospective student. If the institution receives a response that the email could not be delivered, the disclosure template must be sent using a different address or method of delivery. In all cases, an institution must maintain a record of its efforts to provide the disclosure template.

We do not expect institutions to comply with these “enhanced dissemination” requirements until the 2017 GE Disclosure Template has been made available.

**Student Warning Requirements**

Required warnings may be provided to enrolled students by hand-delivery (individually or as part of a group presentation), or by utilizing the primary email address used by the institution for communicating with the student about the program. If the warning is sent by email, it must be the only substantive content in the email and the institution must obtain electronic or other written acknowledgement that the email was received. If a response is received that the email could not be delivered, the warning must be sent using a different address or method of delivery. An institution must maintain records of its efforts to provide student warnings.

The requirements for providing prospective students with warnings are similar to those for enrolled students in that the warnings may be hand-delivered or sent by email with the same stipulations. However, with prospective students institutions have the additional options of providing the disclosure template that includes the student warning, or, if the first contact is by telephone, conveying the warning orally. It should be noted that the 2017 GE Disclosure Template containing the student warning may not yet be available at the point where an institution must begin providing warnings to prospective students.

In order to allow prospective students time in which to consider whether they wish to enroll in a program that is subject to student warning requirements, an institution may not enroll, register, or enter into a financial commitment with a prospective student no sooner than three business days after the warning has been provided to that student. If more than 30 days have passed from the date the institution first provided the
student warning, another such warning must be sent with an additional three business days allowed to pass before the institution may enroll, register, or enter into a financial commitment with the prospective student.

Finally, institutions must, in addition to posting and disseminating student warnings, update a GE program’s disclosure template to include student warnings. We are not requiring institutions to update existing 2016 disclosure templates for this information. However, 2017 GE Disclosure Templates will be required to contain applicable student warnings by the deadline indicated in the upcoming Electronic Announcement referenced above. If an institution is informed through the Notice of Determination of the need to provide student warnings for a GE program after that program’s 2017 Disclosure Template is posted, the template must be updated to contain the warning language.

**Contact Information**

If your institution has any technical questions regarding the GE Disclosure Template, please contact our Help Desk toll-free at (855) 359-3697 or gedt@inovas.net.

If you have any policy questions about the gainful employment disclosure requirements that are not answered on the FAQ section of the GE Information Page, please submit them to the GE Questions mailbox at GE-questions@ed.gov.
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**Gainful Employment Programs**

The chart below indicates whether the U.S. Department of Education (ED) considers the academic program or coursework as a gainful employment (GE) program. Additional information about what ED considers as a GE program is on ED’s [Gainful Employment Information Page](https://www2.ed.gov/about/offices/list/ocr/gainful-employment.html).

<table>
<thead>
<tr>
<th>Type of Academic Program or Coursework</th>
<th>Domestic &amp; Foreign Public or Private Nonprofit Institution</th>
<th>Domestic Proprietary or Postsecondary Vocational Institution</th>
<th>Foreign Proprietary or Postsecondary Vocational Institution¹</th>
</tr>
</thead>
<tbody>
<tr>
<td>Certificate Program</td>
<td></td>
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<td></td>
</tr>
<tr>
<td>Undergraduate, post-baccalaureate,</td>
<td>GE Program?</td>
<td>GE Program?</td>
<td>GE Program?</td>
</tr>
<tr>
<td>graduate, or postgraduate program</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>that results in a certificate awarded</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>by the school</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher certification program</td>
<td>No</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>that results in a professional</td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>teaching credential or certificate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>awarded by the state</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Teacher certification program</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>that results in a professional</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>teaching credential or certificate</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>awarded by the school</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Comprehensive Transition and</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>Postsecondary Program</td>
<td></td>
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<tr>
<td>Degree Program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undergraduate program</td>
<td>No</td>
<td>Yes²</td>
<td>Yes</td>
</tr>
<tr>
<td>Graduate program</td>
<td>No</td>
<td>Yes</td>
<td>Yes</td>
</tr>
<tr>
<td>Diploma Program</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>Preparatory Coursework</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparatory coursework that leads to</td>
<td>Yes</td>
<td>Yes</td>
<td>N/A</td>
</tr>
<tr>
<td>a credential awarded by the school</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Preparatory coursework necessary for</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>enrollment in a Title IV-eligible</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>program</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Transfer Coursework</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Programs that are at least two years</td>
<td>No</td>
<td>No</td>
<td>N/A</td>
</tr>
<tr>
<td>long and are designed to be fully</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>transferable to a bachelor’s degree</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>program and for which the school</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>does not confer a credential</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

¹ The only programs at foreign proprietary institutions that are eligible for Title IV loan funds are graduate degree programs in medicine and veterinary science, as well as undergraduate and graduate nursing programs. All Title IV-eligible programs at these institutions are GE programs.

² Exception: A liberal arts baccalaureate degree program is not a GE program if the school has been continuously accredited by a regional accrediting agency since October 2007, and has continuously offered the program since January 2009.
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NASFAA Title IV Eligibility Checklist for Domestic Institutions: Considerations for Adding New Programs and Locations

The following chart represents a checklist guide to adding new academic programs and locations at domestic postsecondary institutions. It is not intended to be a comprehensive list; instead, it is intended to highlight the major areas the institution should review when establishing new programs and adding locations.

NASFAA suggests the institution conduct a comprehensive review of all Title IV institutional and program eligibility regulations and requirements prior to implementing a new program or additional location. Questions about adding and approving programs and locations should be directed to the institution’s U.S. Department of Education (ED) School Participation Team (contact information follows the chart). Questions about awarding and disbursing aid may be researched using NASFAA’s AskRegs Knowledgebase, accessed under the Tools & Resources tab on the NASFAA website. NASFAA’s Compiled Title IV Regulations and the NASFAA Compliance Engine with the Policies & Procedures Builder module are additional resources available under the Tools & Resources tab.

Guidance regarding the requirements for adding new academic programs and locations at foreign postsecondary institutions can be found on ED’s Foreign School Information website.

### Area to Review: Academic Program Eligibility

<table>
<thead>
<tr>
<th>Consideration(s)</th>
<th>Resources</th>
<th>Citation(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Does the program meet the requirements for an eligible program (e.g., minimum</td>
<td>• Federal Register, 10/29/10, pp. 66844 to 66857 (Definition of a Credit</td>
<td>• HEA 481(b)</td>
</tr>
<tr>
<td>length, credential earned, training provided, admissions criteria, etc.)?</td>
<td>Hour)</td>
<td>• HEA 484(k),(l)</td>
</tr>
<tr>
<td>If the program measures student learning by credit or clock hours, does the</td>
<td>• GEN-15-12</td>
<td>• 34 CFR 600.2, Clock hour, Credit hour, Educational program, Recognized</td>
</tr>
<tr>
<td>number of hours assigned each course meet, as applicable, the regulatory</td>
<td>• GEN-14-23</td>
<td>occupation</td>
</tr>
<tr>
<td>definition of a credit or a clock hour?</td>
<td>• GEN-13-10</td>
<td>• 34 CFR 600.5(e)</td>
</tr>
<tr>
<td>Is the new program subject to the clock-to-credit hour conversion?</td>
<td>• GEN-11-06</td>
<td>• 34 CFR 600.10(c)</td>
</tr>
<tr>
<td>If a gainful employment (GE) program:</td>
<td>• GEN-11-01</td>
<td>• 34 CFR 600.20(c)(1)-(3)</td>
</tr>
<tr>
<td>➢ Can the institution demonstrate a reasonable relationship between the length</td>
<td>• Electronic Announcement, 6/6/11</td>
<td>• 34 CFR 600.21(a)(11)</td>
</tr>
<tr>
<td>of the program and the entry-level requirements for the recognized occupation</td>
<td>• Gainful Employment Electronic Announcement #53, 5/20/15</td>
<td></td>
</tr>
<tr>
<td>for which the program prepares the student; and</td>
<td>• Gainful Employment Electronic Announcement #34, 4/27/12</td>
<td>• 34 CFR 668.8</td>
</tr>
<tr>
<td>➢ Is the program not substantially similar to a program the institution</td>
<td>• Gainful Employment Electronic Announcement #12, 7/8/11</td>
<td>• 34 CFR 668.10</td>
</tr>
<tr>
<td>offered in the prior three years that became ineligible due to its debt-to-</td>
<td>• Gainful Employment Electronic Announcement #11, 6/24/11</td>
<td>• 34 CFR 668.14(b)(26)</td>
</tr>
<tr>
<td>earnings (D/E) rates or had failing or zone D/E rates and was voluntarily</td>
<td>• 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-11 to</td>
<td>• 34 CFR 668.231(a)</td>
</tr>
<tr>
<td>discontinued by the institution?</td>
<td>2-13, 2-17 to 2-36, 2-101 to 2-104</td>
<td>• 34 CFR 668.232</td>
</tr>
<tr>
<td>If an English as a Second Language (ESL) program, does the program admit only</td>
<td>• 34 CFR 668.402, Gainful employment program (GE program)</td>
<td>• 34 CFR 668.403</td>
</tr>
<tr>
<td>students who need instruction in English in order to be able to use the</td>
<td>• 34 CFR 668.410(b)</td>
<td>• 34 CFR 668.410(b)</td>
</tr>
<tr>
<td>knowledge, training, or skills they already have?</td>
<td>• 34 CFR 668.414</td>
<td>• 34 CFR 668.414</td>
</tr>
<tr>
<td></td>
<td>• 34 CFR 686.2(d), TEACH Grant-eligible institution, TEACH Grant-eligible</td>
<td></td>
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<tr>
<td></td>
<td>program, Teacher preparation program</td>
<td></td>
</tr>
<tr>
<td>CONSIDERATION(s) (CONTINUED)</td>
<td>RESOURCES</td>
<td>CITATION(s)</td>
</tr>
<tr>
<td>-------------------------------------------------------------------------------------------</td>
<td>---------------------------------------------------------------------------</td>
<td>----------------------------------------------------------------------------</td>
</tr>
<tr>
<td>• If a direct assessment program, did the institution establish a methodology to reasonably equate the program (or the direct assessment portion of any program, as applicable) to credit or clock hours for purposes of complying with applicable regulatory requirements?</td>
<td>• ED’s Program Integrity Questions and Answers—Credit Hour</td>
<td>• ED’s Gainful Employment—Frequently Asked Questions</td>
</tr>
<tr>
<td>• If a comprehensive transition and postsecondary (CTP) program, does the program contain all required components?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Does the program meet the additional eligibility requirements for Teacher Education Assistance for College and Higher Education (TEACH) Grant awards?</td>
<td></td>
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</tr>
<tr>
<td>• If the institution is required only to notify ED of the new program, is the institution aware it reports:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Any new GE program by updating its Application for Approval to Participate in the Federal Student Aid Programs (E-App) within 10 days of adding the program; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is the program not substantially similar to a program the institution offered in the prior three years that became ineligible due to its debt-to-earnings (D/E) rates or had failing or zone D/E rates and was voluntarily discontinued by the institution?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If an English as a Second Language (ESL) program, does the program admit only students who need instruction in English in order to be able to use the knowledge, training, or skills they already have?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If a direct assessment program, did the institution establish a methodology to reasonably equate the program (or the direct assessment portion of any program, as applicable) to credit or clock hours for purposes of complying with applicable regulatory requirements?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If a comprehensive transition and postsecondary (CTP) program, does the program contain all required components?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Does the program meet the additional eligibility requirements for TEACH Grant awards?</td>
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</tr>
<tr>
<td>• If the institution is required only to notify ED of the new program, is the institution aware it reports:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Any new GE program by updating its Application for Approval to Participate in the Federal Student Aid Programs (E-App) within 10 days of adding the program; or</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
### AREA TO REVIEW: ACADEMIC PROGRAM ELIGIBILITY (CONTINUED)

<table>
<thead>
<tr>
<th>CONSIDERATION(S) (CONTINUED)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>➢ Other new programs by updating its E-App at the time of the institution’s next recertification?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If ED approval of the new program as an eligible program is required, has the school requested and obtained ED’s approval?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Note: ED’s approval of a program as an eligible program always is required if the institution:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is provisionally certified;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is a proprietary institution or postsecondary vocational institution subject to the two-year rule;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Has been placed on the reimbursement or cash monitoring payment methods; or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Has been notified by ED that it must apply for and await approval of a new program.</td>
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<td></td>
</tr>
<tr>
<td>For all other institutions, ED approval of a new program is required if the program:</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is a direct assessment program;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is a CTP program;</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is a degree program that leads to a higher credential level of academic programs beyond the scope of the institution’s current ED approval (e.g., adding graduate programs when previously only offering undergraduate programs); or</td>
<td></td>
<td></td>
</tr>
<tr>
<td>➢ Is a short-term program (i.e., program is at least 10 weeks of instructional time and between 300 and 599 clock hours).</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

### AREA TO REVIEW: ACADEMIC PROGRAM AGENCIES APPROVALS

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Does the institution have approval for the new program from its accrediting agency?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Is the institution legally authorized by the state where it is located to provide the educational program?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• Effective 7/1/18, if the institution offers distance education or correspondence courses as part of an academic program, is the institution authorized by each state in which the institution enrolls students, if such authorization is required by the state?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• If the program is a flight training program, does the institution have a current valid certification from the Federal Aviation Administration?</td>
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<tr>
<td>• If a competency-based education program:</td>
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<tr>
<td>➢ Do instructors meet accrediting agency standards for instruction in their subject; and</td>
<td></td>
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<tr>
<td>➢ Is the amount of faculty resources dedicated to the program sufficient in the judgment of the institution’s accrediting agency?</td>
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<tr>
<td>➢ Federal Register, 12/19/16, pp. 92233 to 92252 (State authorization)</td>
<td>• HEA 487(a)(21)</td>
<td></td>
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<tr>
<td>➢ Federal Register, 12/19/16, pp. 92233 to 92252 (State authorization)</td>
<td>• 34 CFR 600.9</td>
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<td></td>
<td>• 34 CFR 668.8</td>
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<td></td>
<td>• 34 CFR 668.10(b)(8)-(9),(d)</td>
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<td>• 34 CFR 668.232(e)</td>
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<td></td>
<td>• GEN-15-10</td>
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<td>• GEN-14-23</td>
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<td>• GEN-14-22</td>
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<td>• GEN-14-04</td>
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<td>• GEN-12-13</td>
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<td>• GEN-11-05</td>
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<td>• GEN-11-01</td>
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<td>• GEN-11-01</td>
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</table>
## AREA TO REVIEW: ACADEMIC PROGRAM AGENCIES APPROVALS (CONTINUED)

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES (CONTINUED)</th>
<th>CITATION(S)</th>
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</thead>
<tbody>
<tr>
<td>• Gainful Employment Electronic Announcement #54, 6/11/15&lt;br&gt;• Electronic Announcement, 6/6/11&lt;br&gt;• 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-7 to 2-10, 2-17, 2-20 to 2-26, 2-101 to 2-106&lt;br&gt;• ED’s Program Integrity Questions and Answers—State Authorization&lt;br&gt;• ED’s database of recognized regional and national institutional accrediting agencies</td>
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</table>

## AREA TO REVIEW: ADDITIONAL LOCATION

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
<tbody>
<tr>
<td>• Will at least 50 percent of the new program be offered at an off-site location and necessitate:&lt;br&gt;  ➢ Just reporting that location to ED; or&lt;br&gt;  ➢ Obtaining ED approval of that location?&lt;br&gt;  <em>Note: ED’s approval of an additional location always is required if the institution:</em>&lt;br&gt;  ➢ Is provisionally certified;&lt;br&gt;  ➢ Has been placed on the reimbursement or cash monitoring payment methods;&lt;br&gt;  ➢ Has been notified by ED that it must apply for and await approval of a new location;&lt;br&gt;  ➢ Acquires the assets of another institution that provided educational programs at that location and participated in the Title IV programs during the preceding year; or&lt;br&gt;  ➢ Would be subject to a loss of eligibility under the cohort default rate regulations if it adds that location.</td>
<td>• 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-99 to 2-100</td>
<td>• 34 CFR 600.10(b)&lt;br&gt;• 34 CFR 600.20(c)(1)&lt;br&gt;• 34 CFR 600.21(a)(3), (d)&lt;br&gt;• 34 CFR 600.32</td>
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### AREA TO REVIEW: ACADEMIC PROGRAM FORMAT AND STRUCTURE

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Is the program a credit-hour program offered in a standard term, nonstandard term, nonterm format, or a clock-hour program?</td>
<td>• 2016–17 FSA Handbook: Student Eligibility, pp. 1-17 to 1-18</td>
<td>• 34 CFR 600.2, Clock hour, Credit hour, Correspondence course, Distance education</td>
</tr>
<tr>
<td>• If the program is offered in terms, will differing term lengths cause the program to be nonstandard term or nonterm for Title IV purposes?</td>
<td>• 2016–17 FSA Handbook: Calculating Awards &amp; Packaging, pp. 3-6 to 3-9</td>
<td>• 34 CFR 668.2(b), Full-time student, Half-time student, Three-quarter-time student</td>
</tr>
<tr>
<td>• If courses are offered in a modular format, are modules combined into terms?</td>
<td>• ED’s Program Integrity Questions and Answers—Retaking Coursework</td>
<td>• 34 CFR 668.38</td>
</tr>
<tr>
<td>• Will all or a portion of the program be delivered by correspondence or distance education?</td>
<td></td>
<td>• 34 CFR 690.8</td>
</tr>
<tr>
<td>• What are the program’s definitions of full-time, three-quarter-time, and half-time enrollment for students?</td>
<td></td>
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<tr>
<td>• How will retaking or repeating courses impact a student's enrollment status in the program?</td>
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</tbody>
</table>

### AREA TO REVIEW: ACADEMIC YEAR REQUIREMENTS

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Does the program meet the Title IV academic year definition requirements (i.e., minimum number of weeks of instructional time and minimum number of credit or clock hours)?</td>
<td>• 2016–17 FSA Handbook: Calculating Awards &amp; Packaging, pp. 3-3 to 3-5</td>
<td>• HEA 481(a)</td>
</tr>
<tr>
<td></td>
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<td>• 34 CFR 668.3</td>
</tr>
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</table>

### AREA TO REVIEW: PACKAGING AND AWARDING POLICIES

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Will the new program’s target student population differ from the institution’s current student population?</td>
<td>• GEN-16-11</td>
<td>• HEA 455(q)</td>
</tr>
<tr>
<td>• If so, will this require reconsideration of the institution’s packaging policies (e.g., for nontraditional, independent, less-than-full-time students)?</td>
<td>• GEN-16-05</td>
<td>• 34 CFR 673.5</td>
</tr>
<tr>
<td>• If the program is an undergraduate program, which Federal Pell Grant calculation formula applies to the new program?</td>
<td>• Electronic Announcement, 12/21/16</td>
<td>• 34 CFR 673.6</td>
</tr>
<tr>
<td>• If the program is an undergraduate program, which formula for calculating Iraq and Afghanistan Service Grants (IASG) applies to the new program?</td>
<td>• 150% Direct Subsidized Loan Limit: Electronic Announcement #20, 10/19/15</td>
<td>• 34 CFR 674.10</td>
</tr>
<tr>
<td>• If the school participates in the TEACH Grant Program, which TEACH Grant calculation formula applies to the new program?</td>
<td>• 2016–17 FSA Handbook: Calculating Awards &amp; Packaging, pp. 3-43 to 3-154</td>
<td>• 34 CFR 674.12</td>
</tr>
<tr>
<td>• If the school participates in the Federal Direct Student Loan (Direct Loan) Program, will the institution be using a scheduled academic year (SAY) or a borrower-based academic year (BBAY) in its processing of Direct Subsidized Loans, Direct Unsubsidized Loans, and PLUS Loans?</td>
<td>• ED’s Federal Perkins Loan Frequently Asked Questions</td>
<td>• 34 CFR 675.10</td>
</tr>
<tr>
<td></td>
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<td>• 34 CFR 676.10</td>
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<td>• 34 CFR 676.20</td>
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<tr>
<td></td>
<td></td>
<td>• 34 CFR 685.200(a)(1)(iii),(a)(2), (b)(4),(e),(f)</td>
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<td></td>
<td>• 34 CFR 685.203</td>
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<td></td>
<td></td>
<td>• 34 CFR 685.301(a)</td>
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<td>• 34 CFR 685.303(e)</td>
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<td></td>
<td></td>
<td>• 34 CFR 686.21-25</td>
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<td></td>
<td></td>
<td>• 34 CFR 690.8</td>
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<tr>
<td></td>
<td></td>
<td>• 34 CFR 690.62-66</td>
</tr>
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</table>
### AREA TO REVIEW: PACKAGING AND AWARDING POLICIES (CONTINUED)

<table>
<thead>
<tr>
<th>CONSIDERATION(s) (CONTINUED)</th>
<th>RESOURCES</th>
<th>CITATION(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Does the institution have packaging procedures for ensuring Federal Perkins Loans are awarded only to eligible undergraduate program borrowers due to the expiration of the Federal Perkins Loan Program?</td>
<td></td>
<td></td>
</tr>
<tr>
<td>• What sequestration percentages apply to Direct Loan, IASG, and TEACH Grant awards?</td>
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</tbody>
</table>

### AREA TO REVIEW: PAYMENT PERIODS AND DISBURSEMENTS

<table>
<thead>
<tr>
<th>CONSIDERATION(s) (CONTINUED)</th>
<th>RESOURCES</th>
<th>CITATION(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Has the institution reviewed the general rules for determining payment periods and disbursements for students enrolled in the new program?</td>
<td>2016–17 FSA Handbook: Calculating Awards &amp; Packaging, pp. 3-9 to 3-31</td>
<td>34 CFR 668.4</td>
</tr>
<tr>
<td>• If the program is a nonstandard term credit-hour program, are the nonstandard terms substantially equal?</td>
<td>2016–17 FSA Handbook: Processing Aid and Managing FSA Funds, pp. 4-21 to 4-71</td>
<td>34 CFR 668.164</td>
</tr>
<tr>
<td>• Has the institution defined the new program’s payment periods?</td>
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</table>

### FEDERAL DIRECT STUDENT LOAN (DIRECT LOAN) PROGRAM

<table>
<thead>
<tr>
<th>CONSIDERATION(s)</th>
<th>RESOURCES</th>
<th>CITATION(s)</th>
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</thead>
<tbody>
<tr>
<td>• Has the institution set up the appropriate loan periods and disbursement dates appropriate for the new program?</td>
<td>GEN-14-17, GEN-14-07, GEN-13-13, 150% Direct Subsidized Loan Limit: Electronic Announcement #23, 10/18/16, 150% Direct Subsidized Loan Limit: Electronic Announcement #19, 9/25/15, 150% Direct Subsidized Loan Limit: Electronic Announcement #17, 4/20/15, 150% Direct Subsidized Loan Limit: Electronic Announcement #16, 11/21/14, 150% Direct Subsidized Loan Limit: Electronic Announcement #15, 10/31/14, 2016–17 FSA Handbook: Calculating Awards &amp; Packaging, pp. 3-27 to 3-29, 3-31, 3-88, 3-116, 3-123 to 3-127</td>
<td>34 CFR 668.3, 34 CFR 668.4, 34 CFR 668.164, 34 CFR 685.301(a), 34 CFR 685.303</td>
</tr>
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</table>
### Federal Direct Student Loan (Direct Loan) Program (continued)

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES (continued)</th>
<th>CITATION(S)</th>
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</thead>
</table>
|                  | • NSLDS Enrollment Reporting Guide  
|                  | 2016–17 COD Technical Reference, pp. II-1-172 to II-1-191  
|                  | • ED’s 150 Percent Direct Subsidized Loan Limit—Frequently Asked Questions |

### Federal Pell Grant and Iraq and Afghanistan Service Grant (IASG) Programs

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
</tr>
</thead>
</table>
| • Has the institution set up its Federal Pell Grant and IASG payment periods and disbursement dates appropriate for the new program?  
| • Does the institution have policies and procedures for ensuring students do not exceed the maximum Federal Pell Grant and IASG Lifetime Eligibility Used? | • GEN-16-19  
| | • GEN-16-01  
| | • GEN-13-14  
| | • 2016–17 FSA Handbook: Calculating Awards & Packaging, pp. 3-25 to 3-26, 3-65 to 3-66 | • HEA 401(c)(5)  
| | | • 34 CFR 668.4  
| | | • 34 CFR 668.164  
| | | • 34 CFR 690.63-66  
| | | • 34 CFR 690.76 |

### Federal Perkins Loan Program

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
</table>
| • Has the institution set up its Federal Perkins Loan-specific payment periods and disbursement dates appropriate for the new program? | • 2016–17 FSA Handbook: Calculating Awards & Packaging, pp. 3-25 to 3-136 | • 34 CFR 668.4  
| | | • 34 CFR 668.164  
| | | • 34 CFR 674.16 |

### Federal Supplemental Educational Opportunity Grant (FSEOG) Program

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</table>
| • Has the institution set up its FSEOG-specific payment periods and disbursement dates appropriate for the new program? | • 2016–17 FSA Handbook: Calculating Awards & Packaging, pp. 3-25 to 3-26 | • 34 CFR 668.4  
| | | • 34 CFR 668.164  
| | | • 34 CFR 676.16 |

### Teacher Education Assistance for College and Higher Education (TEACH) Grant Program

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
</table>
| • If participating in the TEACH Grant Program, has the institution set up its TEACH Grant-specific payment periods and disbursement dates appropriate for the new program? | • 2016–17 FSA Handbook: Calculating Awards and Packaging, pp. 3-25 to 3-26 | • 34 CFR 668.4  
| | | • 34 CFR 668.164  
| | | • 34 CFR 686.22(i)  
| | | • 34 CFR 686.23  
| | | • 34 CFR 686.31(a)  
| | | • 34 CFR 686.33 |
### AREA TO REVIEW: TITLE IV CASH MANAGEMENT

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
</table>
| • Will the new program require adjustments to the institution’s cash management procedures (e.g., requesting, maintaining, and returning Title IV funds)? | • 2016–17 FSA Handbook: Processing Aid and Managing FSA Funds, pp. 4-3 to 4-20 | • 34 CFR 668.161-163  
• 34 CFR 668.165-166 |

### AREA TO REVIEW: RETURN OF TITLE IV FUNDS (R2T4)

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
</table>
| • Is the payment period or the period of enrollment used to calculate the percentage of earned aid for students who withdraw from the new program? | • Federal Register, 10/29/10, pp. 66892 to 66902 (R2T4 and Modules or Compressed Courses) | • HEA 484B  
• 34 CFR 668.22 |
| • If any of the program’s courses are modules (i.e., do not span, as applicable, the entire payment period or period of enrollment), does the institution have policies and procedures for identifying students enrolled in modular courses and monitoring their enrollment in those courses? | • GEN-11-14  
• 2016–17 FSA Handbook: Volume 5 Withdrawals and the Return of Title IV Funds | |
| • Does the institution have a policy for taking attendance or does an outside entity have a requirement that the institution take attendance applicable to the new program? | | |
| • Will students enrolled in the new program be allowed to take a leave of absence, and if so, what is the institution’s policy? | | |

### AREA TO REVIEW: SATISFACTORY ACADEMIC PROGRESS (SAP)

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</table>
| • Will the new program be monitored under the existing SAP policy used for other programs, or will the institution develop a SAP policy specific to the new program? | • Federal Register, 10/29/10, pp. 66879 to 66887 (Satisfactory Academic Progress) | • HEA 484(c)  
• 34 CFR 668.16(e)  
• 34 CFR 668.34 |
| | • 2016–17 FSA Handbook: Student Eligibility, pp. 1-13 to 1-17 | | |
| | • ED’s Program Integrity Questions and Answers—Satisfactory Academic Progress | | |

### AREA TO REVIEW: WRITTEN AGREEMENTS

<table>
<thead>
<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</table>
| • If the new program involves courses taken at another institution under a written agreement (e.g., articulation, consortium, contractual, study abroad), does the agreement meet all applicable Title IV requirements? | • 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-26 to 2-29 | • HEA 486A  
• 34 CFR 668.5  
• 34 CFR 668.10(e) |
### AREA TO REVIEW: STUDENT CONSUMER INFORMATION

<table>
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<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
<tbody>
<tr>
<td>• What changes are needed to required consumer information reports due to the addition of the new program or location?</td>
<td>• 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-109 to 2-138</td>
<td>• HEA 485(a)(1)(G)</td>
</tr>
<tr>
<td>• What updates are needed to the institution’s consumer information disclosures due to the addition of the new program or location?</td>
<td>• ED’s Gainful Employment—Frequently Asked Questions</td>
<td>• 34 CFR 668.5(e)</td>
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<tr>
<td></td>
<td>• 2016–17 FSA Handbook: School Eligibility and Operations, pp. 2-109 to 2-138</td>
<td>• 34 CFR 668.414</td>
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<td></td>
<td>• ED’s Gainful Employment—Frequently Asked Questions</td>
<td>• 34 CFR 668, Subpart D</td>
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### AREA TO REVIEW: POLICIES AND PROCEDURES

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<tr>
<th>CONSIDERATION(S)</th>
<th>RESOURCES</th>
<th>CITATION(S)</th>
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</thead>
<tbody>
<tr>
<td>• What adjustments need to be made to the institution’s financial aid policies and procedures?</td>
<td>• NSLDS Enrollment Reporting Guide</td>
<td>• HEA 487(a)(3)</td>
</tr>
<tr>
<td>• What adjustments need to be made to the institution’s enrollment reporting procedures for the new program?</td>
<td>• NSLDS Gainful Employment User Guide</td>
<td>• 34 CFR 668.16(b)(4)</td>
</tr>
<tr>
<td>• If the program is a GE program, has the institution established procedures for reporting required data about the program and students enrolled in the program to NSLDS?</td>
<td>• ED’s Gainful Employment—Frequently Asked Questions</td>
<td>• 34 CFR 668.411</td>
</tr>
<tr>
<td></td>
<td>• NSLDS Enrollment Reporting Guide</td>
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<td></td>
<td>• NSLDS Gainful Employment User Guide</td>
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<tr>
<td></td>
<td>• ED’s Gainful Employment—Frequently Asked Questions</td>
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<td></td>
<td>• NASFAA Policies &amp; Procedures Builder</td>
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<td></td>
<td>• NASFAA Compliance Engine</td>
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### U.S. Department of Education School Participation Divisions

#### Contact Information

<table>
<thead>
<tr>
<th>IF YOU ARE LOCATED IN...</th>
<th>CONTACT THE...</th>
<th>BY TELEPHONE...</th>
</tr>
</thead>
<tbody>
<tr>
<td>District of Columbia, Delaware, Maryland, Pennsylvania, Virginia, West Virginia</td>
<td>Philadelphia Division</td>
<td>(215) 656-6442</td>
</tr>
<tr>
<td>Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina</td>
<td>Atlanta Division</td>
<td>(404) 974-9303</td>
</tr>
<tr>
<td>Illinois, Indiana, Minnesota, Ohio, Wisconsin, Colorado, Michigan, Montana, North Dakota, South Dakota, Utah, Wyoming</td>
<td>Chicago/Denver Division</td>
<td>(312) 730-1511</td>
</tr>
<tr>
<td>Arkansas, Louisiana, New Mexico, Oklahoma, Texas</td>
<td>Dallas Division</td>
<td>(214) 661-9490</td>
</tr>
<tr>
<td>Iowa, Kansas, Kentucky, Missouri, Nebraska, Tennessee</td>
<td>Kansas City Division</td>
<td>(816) 268-0410</td>
</tr>
<tr>
<td>Arizona, California, Hawaii, Nevada, Pacific Islands (American Samoa, Guam, Marshall Islands, Micronesia, Northern Marianas, Palau), Alaska, Idaho, Oregon, Washington</td>
<td>San Francisco/Seattle Division</td>
<td>(415) 486-5677</td>
</tr>
<tr>
<td>Multi-Regional and Foreign Schools</td>
<td>Foreign School Participation Division</td>
<td>(202) 377-3168</td>
</tr>
</tbody>
</table>

**Note:** School Participation Division contact information is also available on ED’s Application for Approval to Participate in the Federal Student Financial Aid Programs website.
New Academic Program Notification and Approval Requirements

The following flowchart illustrates when a school must notify the U.S. Department of Education (ED) and obtain ED’s approval before awarding and disbursing Title IV aid to students enrolled in a new academic program. In addition to the flowchart below, ED approval of a new academic program is always required when the institution is: 1) provisionally certified; 2) subject to the “two-year” rule as a proprietary or vocational postsecondary institution; or 3) placed on the reimbursement or cash monitoring payment method. Otherwise the school is only required to notify ED about the new program, either within 10 days of adding a gainful employment (GE) program or on the school’s next recertification after adding other programs.

Establish new program’s Title IV eligibility.

Direct assessment program?

Comprehensive transition and postsecondary program?

Program increases credential level offered?

Short-term program (i.e., at least 10 weeks and between 300 and 599 clock hours)?

Yes

No

Yes

No

Yes

No

Yes

No

ED notification and approval required before awarding/disbursing Title IV aid.

School notified by ED that approval required for new programs?

ED approval not required before awarding/disbursing Title IV aid; ED notification required.
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The National Association of Student Financial Aid Administrators (NASFAA) provides professional development for financial aid administrators; advocates for public policies that increase student access and success; serves as a forum on student financial aid issues; and is committed to diversity throughout all activities.