### Federal Higher Education Regulation Updates for 2024 Overview

**Financial Value Transparency (FVT) & Gainful Employment (GE)**

ED has released new reporting metrics for all institutions that are similar to the prior GE requirements, which previously impacted only certificate programs at nonprofit and public institutions and all programs offered at for-profit institutions. The new regulation requires program data and student-level data for federally aided students on completions, withdrawals, debt, costs, and institutional aid by program to be submitted to ED for matching with post-graduate incomes. Matching the student-level data provided with income data from other federal sources, ED will publish information on each program with two metrics (earnings premium and debt/earnings ratio).

Each institution will receive its program-specific metrics from ED that will be made available to students on a new agency website. Graduate programs that fail to meet the debt/earnings ratio for 2 out of 3 years will require students to sign an acknowledgment before taking Title IV aid. GE programs could lose access to Title IV funds.

**Temporary Injunction**

Upon request by a student, institutions must provide an official transcript that includes all the credits for payment periods in which the student received Title IV funds and for which all institutional charges were paid (or included in an agreement to pay) at the time the request was made. Institutions cannot withhold transcripts for a balance owed that resulted from an error in the institution’s administration of Title IV aid; fraud or misconduct.

Most in-person/hybrid GE programs that lead to licensure, must not be longer than the hours required* for licensure by the state in which the institution is located.

*Note, this is a change from the previous 20-hour time length requirement.

**Degree and credit** programs are exempt from this requirement.

This regulation will impose a heavy reporting burden on institutions. The reporting burden will be greatest in 2024 with the first report due by October 1, 2024 and all reports due on October 1st moving forward.

Institutional research, enrollment management, registrars, and financial aid offices will all need to work together to report this information. Depending on each institution's student information system(s), fulfilling these reporting requirements may be more or less complex. **Reporting is required each year** for both programs (descriptors, student totals) and Title IV students in these programs (including completers and withdrawals). While all programs must be reported, only gainful employment graduate programs will have Title IV implications (as of now).

*Note: Any reported completion that is not a degree falls into GE, including all stand-alone certificates such as teaching certificates, post-baccalaureate programs, etc. The repercussions for GE are more severe than for FVT, because failure on GE metrics results in loss of Title IV aid.

Review your current practices for transcript withholding. Ensure that none of the transcripts withheld are due to errors in Title IV aid administration or fraud. Evaluate whether your transcript software will permit partial transcripts and update your policies. This will likely require registrars to work with student financial services and the CFO/business office to ensure compliance.

Each institution will need to evaluate programs leading to licensure and ensure that programs are not longer than minimum time length required by its state for licensure. If the program must be adjusted immediately (starting July 1, 2024), for all incoming students. This change does not impact currently enrolled students.

If a program is less than 600 hours it may qualify for Direct Loans but will no longer be eligible for other Title IV aid. This may impact enrollment and financial aid.

ED Guidance: User Guide for data reporting:


**Who on campus will be impacted?**

- Institutional research
- Enrollment management
- Registrars
- Financial aid
- IT/web services
- Legal/general counsel

**What we don’t know**

- What reporting is best: standard or transitional?
- How to address dual-degree programs that align appropriately with financial aid - this is an ongoing NSLDS challenge
- When ED will release data and set up their site
- Process for confirming data

**Where to get more info**


**ED FAQs:**


**User Guide for data reporting:**

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<td>All Programs: Licensure &amp; State Law Compliance</td>
<td>Each institution will need to evaluate programs leading to licensure and ensure that programs – particularly distance education programs – meet the requirements for the states where students are located at the time of initial enrollment. If the program does not meet the requirements, the institution must stop enrolling students from that state. This new requirement will be a heavy lift for each institution to evaluate state requirements and make the information available to all students. This requirement is now a potential metric included in the FVT/GE framework as currently proposed by ED.</td>
<td>• Distance education faculty and staff • Enrollment management • Marketing • Financial aid • Admissions • IT/Web services</td>
<td>• How ED will evaluate licensure on a state-by-state basis - outside of the FVT/GE reporting by MSA?</td>
<td>ED FAQs: <a href="https://www2.ed.gov/policy/highered/reg/hearulemaking/2024/certification-gj-and-a.html#idr">https://www2.ed.gov/policy/highered/reg/hearulemaking/2024/certification-gj-and-a.html#idr</a></td>
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<td>Career Services</td>
<td>Each institution will need to demonstrate compliance to ED and thus should have a mechanism for easily updating and sharing information on employee counts, lists of partnerships and employers, along with service utilization rates. Verification of externship and clinical placements will also be required.</td>
<td>• Career Services Staff • Human Resources • Alumni Offices • Business Partnerships</td>
<td>• Target ratios or “acceptable” number for benchmarking • How ED wants to receive the information</td>
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<td>Financial Aid Counseling</td>
<td>Each institution will need to review financial aid award letters and communications with students to ensure that the information required is provided, including: • cost of attendance, including each cost category; • each type of aid offered and whether or not the aid is gift aid, must be earned, or must be repaid; • the student’s individual net price (subtracting grant/scholarship aid from the cost of attendance); and • instructions on how these funds are disbursed, applied for, and adjusted, as well as instances in which funds may have to be returned.</td>
<td>• Financial aid • Enrollment management • Student recruitment • Student financial services</td>
<td>• Examples of “adequate” information that satisfies the regulation including instructions for all types of aid</td>
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<td>Financial Responsibility</td>
<td>The list of additional mandatory and discretionary triggers is extensive. These include declaring a state of financial exigency, being sued, a composite score of less than 1 after considering the cost of Borrower Defense claims, etc. Each institution will have to review the complete list and evaluate its situation prior to July 1, 2024.</td>
<td>• Leadership • Board • CFO • Legal/general counsel • Financial consultants (if retained by institution)</td>
<td>• How and in what form schools should report new triggers to ED • No ED guidance on developing/ administering new controls</td>
<td>NAIUC Summary: <a href="https://www.naicu.edu/naicu/media/pdf/No-Reg%20Papers/Summary-of-GE-Part-II-Final-Regs_FIN.pdf">https://www.naicu.edu/naicu/media/pdf/No-Reg%20Papers/Summary-of-GE-Part-II-Final-Regs_FIN.pdf</a></td>
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<td>Other Metrics</td>
<td>If an institution is selected/flagged for further information during the recertification process, they may be required to provide data on licensure pass rates, withdrawal rates, and recruitment spending vs. educational expenses. Licensure pass rates are now included in the FVT/GE reporting framework.</td>
<td>• Leadership • Board • CFO • Legal/general counsel • other staff</td>
<td>• Lack of benchmarks for several metrics makes it challenging for institutions to predict the need for more data</td>
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