

Federal Update:

U.S. Department of Education

- On May 20, 2019, the Office of Postsecondary Education published an [Electronic Announcement](#) (“EA”) addressing questions regarding the Financial Responsibility Provisions of the 2016 Borrower Defense Regulations. The EA noted that “the Department has received a number of inquiries as to the implementation of the guidance in the Electronic Announcement relating to the reporting requirements in the financial responsibility regulations. Until such time as additional answers can be provided in response to these inquiries, the Department reiterates that the 2016 regulations are in effect, that the Department and institutions are bound by the plain language of those regulations, and that the Department will apply them accordingly. Institutions will have the opportunity to amend or supplement their reports in light of these additional answers and will be given a timeline for such supplemental reporting along with the answers.” AACS will keep you posted on any new guidance issued from ED related to BDR.
- On May 20, 2019, the Department released a pre-publication copy of the [Federal Register notice](#) that invites postsecondary educational institutions participating in the Federal Work Study program to apply to participate in the Federal Work Study experiment under the Experimental Sites Initiative (ESI). Under this experiment, participating institutions will be granted waivers to remove limits on the portion of an institution’s FWS funds that may support students employed by private-sector companies. Any AACS school interested in being part of this ESI should review the notice carefully and respond to the Department.
- The Department [announced](#) that it will consider letters of interest from title IV-eligible postsecondary institutions to participate, beginning with the 2019-2020 award year, in the Second Chance Pell experiment under the Experimental Sites Initiative (ESI). The Second Chance Pell ESI is designed to serve eligible students who are incarcerated in Federal or State penal institutions. Any AACS school interested in being part of this ESI should review the notice carefully and respond to the Department.
- On May 9, 2019, the Department published [Electronic Announcement #119](#) releasing the 2019 Gainful Employment Disclosure Template. The [2019 GE Disclosure Template](#) has been simplified and streamlined from previous versions to now include:
 - Normal Time to Completion
 - Total program costs if completing the program within normal time (including tuition and fees plus books, supplies, and equipment; excluding room, board, or other expenses)
 - Median cumulative debt for Title IV students completing the program within normal time (including Federal, private, and institutional debt)
 - Licensure information for the program’s target occupation
 - URL for the College Scorecard
 - Warning language, if required

AACS members must begin disclosing this information on July 1, 2019 on their GE program pages and in catalogs. The Department has indicated that it will provide more information in an upcoming Electronic Announcement regarding the disclosures required under 34 CFR 668.412(d) and (e) (inclusion of the GE Disclosure Template in all promotional materials, and direct distribution of the disclosure template to prospective students). These requirements were previously delayed until July 1, 2019. AACS is preparing a more detailed advisory to AACS membership on these modified disclosure requirements which will be shared with all AACS membership in the near future.

Congress

- On May 15, 2019, AACS PAC co-sponsored an event for [Congressman Alcee Hastings \(D-FL\)](#) in Washington, D.C. Discussion centered on HEA reauthorization, 90/10, Loan Repayment Rates and other key issues for AACS members. Thank you to all AACS PAC supporters for making this event possible.
- On May 16, 2019, AACS's federal lobbying team at Duane Morris attended the Blue Dog PAC monthly coffee. The [Blue Dog Coalition](#) is a caucus of Congressional Democrats who are fiscally-responsible and pro-business. The Coalition is co-chaired by Stephanie Murphy (D-FL-7), Luis Correa (D-CA-46) and Tom O'Halleran (D-AZ-1). One on one discussions, again, centered on HEA reauthorization, 90/10, Loan Repayment Rates and other key issues for AACS members.
- On May 22, 2019, the House Education and Labor committee will hold a [hearing](#) titled "Engines of Economic Mobility: The Critical Role of Community Colleges, Historically Black Colleges and Universities, and Minority-Serving Institutions in Preparing Students for Success." Witnesses include: Dr. Reynold Verret, President of Xavier University, Dr. Ms. Patricia Alvarez McHatton, Executive Vice President For Academic Affairs, Student Success, And P-16 Integration, Dr. Glenn DuBois, Chancellor, Virginia Community College System, Dr. Sandra L. Boham, Ed.D, President of Salish Kootenai College.
- On May 22, 2019, the House Oversight Committee will hold a [hearing](#) titled "Examining For-Profit College Oversight and Student Debt." Witnesses include: Diane Auer Jones, Principal Deputy Under Secretary at the Department of Education, Robert J. (RJ) Infusino, Former Student of the Illinois Institute of Art, Christopher Madaio, Assistant Attorney General in the Consumer Protection Division of the Maryland Office of the Attorney General, and David Halperin, Attorney & Counselor. The AACS federal lobbying team at Duane Morris will provide a full report to the AACS Government Relations Committee, with recommendations on any necessary follow up action items.