


## Negotiated Rulemaking 2013-2014 -- Gainful Employment

**ARCHIVED INFORMATION**



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On June 12, 2013, the Department published a notice in the **Federal Register** announcing its intention to establish a negotiated rulemaking committee (<https://www.federalregister.gov/articles/2013/06/12/2013-13975/negotiated-rulemaking-committee-negotiator-nominations-and-schedule-of-committee-meetings-title-iv>) to prepare proposed regulations that establish standards for programs that prepare students for gainful employment in a recognized occupation. This web page contains information about our rulemaking efforts on gainful employment. For more information about negotiated rulemaking in general, please see our question and answer pages at <http://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/neg-reg-faq.html> (<http://www2.ed.gov/policy/highered/reg/hearulemaking/hea08/neg-reg-faq.html>).

After releasing an unofficial draft on March 14, 2014, the Department published a **Notice of Proposed Rulemaking** (<http://www.gpo.gov/fdsys/pkg/FR-2014-03-25/pdf/2014-06000.pdf>) on March 25, 2014 to establish measures for determining whether certain postsecondary educational programs prepare students for gainful employment in a recognized occupation, and the conditions under which these educational programs remain eligible for the student financial assistance programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA).



- **Press Release** (<http://www.ed.gov/news/press-releases/obama-administration-takes-action-protect-americans-predatory-poor-performing-ca>)—Obama Administration Takes Action to Protect Americans from Predatory, Poor-performing Career Colleges
- **Supporting Data**
  - 2012 GE Informational Rates MS Excel (</policy/highered/reg/hearulemaking/2012/2012-informational-rates033114-508.xls>) (1.78MB)
  - 2012 GE Informational Rates Variations MS Excel (</policy/highered/reg/hearulemaking/2012/2012-informational-rates-variables-033114-508.xls>) (8.0MB)
  - Methodology for 2012 GE Informational Rates and 2012 GE Informational Rates Variations Calculations (Posted May 7, 2014)  MS Word (2012-ge-info-rates-methodology050714.doc ) (74K) | PDF (2012-ge-info-rates-methodology050714.pdf ) (146K)

On October 30, 2014, an unofficial version of the final regulations will be available on the *Federal Register's* website (<https://www.federalregister.gov/articles/2014/10/31/2014-25594/gainful-employment-program-integrity>), and the final regulations will be published in the *Federal Register* on October 31, 2014. The links to text of the final regulations, a press release, and a fact sheet about the final regulations are below:

- **Press release: Obama Administration Announces Final Rules to Protect Students from Poor-Performing Career College Programs** (<http://www.ed.gov/news/press-releases/obama-administration-announces-final-rules-protect-students-poor-performing-care>)
- **Fact Sheet: Details of the final regulations and its impact**  PDF (</policy/highered/reg/hearulemaking/2012/gainful-employment-fact-sheet-10302014.pdf>) (45K)
- **Informal version of the final regulatory text** (81 pages)  MS Word (</policy/highered/reg/hearulemaking/2012/informal-final-regulatory-text-10302014.doc>) (262K)

## Negotiated Rulemaking Committee Meetings Information

### Committee Membership

List of negotiators:  MS Word ([ge-negotiators2013.doc](#)) (51K) |  PDF ([ge-negotiators2013.pdf](#)) (207K)

### Meetings

Session 1: September 9-11, 2013

Session 2: October 21-23, 2013 -- **CANCELLED**

\*\*Because of the federal government shutdown due to a lapse in appropriations, the second Gainful Employment negotiated rulemaking session that was scheduled for October 21-23 has been cancelled. Once the government reopens, the session will be rescheduled. Please monitor this website or the Federal Register for information about the rescheduling of Session 2.

Sessions will run from 9:00 a.m. to 5:00 p.m. on the first two days, and 9:00 a.m. to 12:00 p.m. on the last day.

Session 2: November 18-20, 2013 -- **RESCHEDULED**

\*\*Session 2 has been rescheduled to November 18-20, 2013. The schedule for Session 2 is Monday, November 18, 2013 – Wednesday, November 20, 2013, 9:00 a.m. to 5:00 p.m. on each day. A notice has been published in the Federal Register (<https://www.federalregister.gov/articles/2013/11/07/2013-26492/negotiated-rulemaking-committee-notice-of-change-to-schedule-of-committee-meetings-title-iv-federal>) announcing this change.

Session 3: December 13, 2013 -- **NEW**

\*\*A third session has been added to the negotiations. The schedule for Session 3 is Friday, December 13, 2013, 9:00 a.m. to 5:00 p.m. A notice has been posted on the Federal Register (<https://s3.amazonaws.com/public-inspection.federalregister.gov/2013-29072.pdf>) website announcing this change.


The meeting will be held at the U.S. Department of Education at: 1990 K Street N.W., Eighth Floor Conference Center, Washington, DC 20006.

All sessions are open to the public.

The negotiating committee agreed to hold a **conference call on Wednesday, September 25, 2013, from 1:00 p.m. to 3:00 p.m. Eastern Time** to continue discussion on the topic of new gainful employment programs. This call was open to the public for listening, and subject to a maximum of 250 callers. Given the limited capacity for the call, we encouraged groups to dial in from one line to accommodate participation by as many members of the public as possible.

Conference call information and materials:

- Conference line: CLOSED
- Participant code: CLOSED

- Discussion Questions for 9.25.13 Conference Call on New Program Approval  
 PowerPoint (/policy/highered/reg/hearulemaking/2012/new-programs-conference-call-questions-092513.ppt) (170K) | PDF (/policy/highered/reg/hearulemaking/2012/new-programs-conference-call-questions-092513.pdf) (9.51K)

## Working Groups

At Session 1, the non-Federal negotiators agreed to form the following working groups to consider specific topics between the negotiation sessions. These working groups and the non-Federal negotiators leading the working groups are:



- Repayment Rates - Jack Warner, Whitney Barkley
- Placement Rates – Della Justice, Libby DeBlasio
- Transition Period – Belle Wheelan, Marc Jerome, Sandra Kinney
- Program Cohort Default Proposal – Brian Jones, Rory O’Sullivan, Helga Greenfield
- Upfront Program Approvals – Barmak Nassirian
- Student Consequences – Eileen Connor

## Pre-Session 1



### Materials



#### Materials provided by the Department to the negotiating committee prior to Session 1

July 30, 2013 (Posted September 30, 2013)


- Proposed agenda  
 MS Word (/policy/highered/reg/hearulemaking/2012/proposed-agenda73013.doc) (25K) | PDF (/policy/highered/reg/hearulemaking/2012/proposed-agenda73013.pdf) (14K)
- Proposed protocols  
 PDF (/policy/highered/reg/hearulemaking/2012/ge-protocols2013.pdf) (85K)

August 29, 2013 (Posted August 30, 2013)

- Overview  
 MS Word (/policy/highered/reg/hearulemaking/2012/2013-negotiations.doc) (34K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-negotiations.pdf) (116K)
- Draft regulatory language  
 MS Word (/policy/highered/reg/hearulemaking/2012/2013-draft.doc) (73K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-draft.pdf) (391K)
- Data summary  
 PowerPoint (/policy/highered/reg/hearulemaking/2012/2013-calculations-chart.ppt) (722K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-calculations-chart.pdf) (110K)
- Comparison to previous rules  
 Redlined Final Rules  MS Word (/policy/highered/reg/hearulemaking/2012/2013-final.doc) (82K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-final.pdf) (313K)  
 2011 Final Rule vs. 2013 Draft Regulation  PowerPoint (/policy/highered/reg/hearulemaking/2012/2013-comparison.ppt) (630K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-comparison.pdf) (135K)


- Supporting data files
  - Debt To Earnings Calculations  MS Excel (/policy/highered/reg/hearulemaking/2012/2013-debt-earnings-data.xls) (7.61M)
  - Repayment Rate Calculations  MS Excel (/policy/highered/reg/hearulemaking/2012/2013-repayment-rate-data.xls) (1M)

September 6, 2013 (Posted September 6, 2013)


- Methodology for Informational Rate Calculations. This document provides a description of the methodology used to prepare the gainful employment programs debt-to-earnings and repayment rate data provided to the negotiating committee on August 29, 2013.
  -  MS Word (/policy/highered/reg/hearulemaking/2012/2013-methodology.doc) (39K) | PDF (/policy/highered/reg/hearulemaking/2012/2013-methodology.pdf) (183K)

### **Materials provided by non-Federal negotiators to the negotiating committee prior to Session 1**



September 5, 2013 (Posted September 30, 2013)

- Memorandum from Barmak Nassirian (September 5, 2013)
  -  PDF (/policy/highered/reg/hearulemaking/2012/nassirian-memo90513.pdf) (316K)

September 6, 2013 (Posted September 30, 2013)


- E-mail from Della Justice and Libby DeBlasio (September 6, 2013)
  -  PDF (/policy/highered/reg/hearulemaking/2012/justice-deblasio090613.pdf) (1.83M)

September 8, 2013 (Posted September 30, 2013)

- E-mail from Sandra Kinney (September 8, 2013)
  -  PDF (/policy/highered/reg/hearulemaking/2012/kinney090813.pdf) (0.98M)
- E-mail from Ted Daywalt (September 8, 2013)
  -  PDF (/policy/highered/reg/hearulemaking/2012/daywalt091113.pdf) (975K)

## Session 1



The Department's opening remarks provided by Deputy Undersecretary Jeff Appel --September 9, 2013 (posted September 30, 2013)

 MS Word (/policy/highered/reg/hearulemaking/2012/appel-remarks90913.doc) (38K) | PDF (/policy/highered/reg/hearulemaking/2012/appel-remarks90913.pdf) (84K)

## Materials

### **Materials provided by the Department to the negotiating committee at Session 1**


September 9, 2013 (Posted September 30, 2013)

- Revised proposed agenda
  -  MS Word (/policy/highered/reg/hearulemaking/2012/revised-proposed-agenda9913.doc) (25K) | PDF (/policy/highered/reg/hearulemaking/2012/revised-proposed-agenda90913.pdf) (14K)
- Protocols (approved as proposed)
  -  PDF (/policy/highered/reg/hearulemaking/2012/ge-protocols2013.pdf) (85K)

September 10, 2013 (Posted September 30, 2013)


- Agenda (as approved by the negotiating committee on September 9, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/agenda-approved90913.doc) (28K) | PDF (/policy/highered/reg/hearulemaking/2012/agenda-approved90913.pdf) (95K)
- Report and Suggestions from IPEDS Technical Review Panel #34 Calculating Job Placement Rates  
 PDF (/policy/highered/reg/hearulemaking/2012/ipeds-summary91013.pdf) (293K)
- Supplemental information on transition period provisions in draft regulation  
 MS Word (/policy/highered/reg/hearulemaking/2012/transition-committee91013.doc) (31K) | PDF (/policy/highered/reg/hearulemaking/2012/transition-committee91013.pdf) (158K)

September 11, 2013 (Posted September 30, 2013)


- Proposal regarding exceptional programs  
 PowerPoint (/policy/highered/reg/hearulemaking/2012/exceptional-category-questions-only91113.ppt) (171K) | PDF (/policy/highered/reg/hearulemaking/2012/exceptional-category-questionsonly91113.pdf) (10K)

### **Materials provided by non-Federal negotiators to the negotiating committee at Session 1**




September 9, 2013 (Posted September 30, 2013)

- Memorandum from the Center for Responsible Lending submitted by Margaret Reiter (September 9, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/center-lending90913.pdf) (120K)

September 10, 2013 (posted September 30, 2013)

- Proposal from Jack Warner (September 10, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/warner-proposal91013.pdf) (33K)

September 11, 2013 (posted September 30, 2013)


- Memorandum from Sandra Kinney (September 10, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/kinney-memo091113.pdf) (656K)
- Memorandum from Margaret Reiter (September 10, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/reiter-memo091113.pdf) (593K)
- Proposal from Richard Heath (September 10, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/heath-proposal091013.pdf) (75.5K)


## Pre-Session 2

### Materials

#### **Materials provided by the Department to the negotiating committee prior to Session 2**

November 8, 2013 (Posted November 8, 2013)

- Draft regulatory language for session 2 (November 8, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/draft-regs-session2-11813.doc) (141K) | PDF (/policy/highered/reg/hearulemaking/2012/draft-regs-session2-11813.pdf) (164K)
- Session 2 overview (November 8, 2013)

 PowerPoint (/policy/highered/reg/hearulemaking/2012/session2-overview-11813.ppt) (402K) | PDF (/policy/highered/reg/hearulemaking/2012/session2-overview-11813.pdf) (52K)




## **Materials provided by non-Federal negotiators to the negotiating committee before Session 2**

Working Group Proposals (Posted November 1, 2013)


### Repayment Rates

- Proposal Outline from Working Group (September 27, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/13repayment-rate092713.pdf) (326K)
- Final Proposal from Working Group (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/14repayment-rate93013.doc) (43K) | PDF (/policy/highered/reg/hearulemaking/2012/14repayment-rate93013.pdf) (86K)



### Placement Rates

- Placement Rates Emails from Della Justice, Sandra Kinney, Belle Wheelan (September 17-19, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/9placement-rate-email91713-91913.pdf) (326K)
- Proposals from Working Group (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/21jobplacement-rate-as-disclosure93013.doc) (53K) | PDF (/policy/highered/reg/hearulemaking/2012/21jobplacement-rate-as-disclosure93013.pdf) (105K)  MS Word (/policy/highered/reg/hearulemaking/2012/21jobplacement-rate-as-metric93013.doc) (92K) | PDF (/policy/highered/reg/hearulemaking/2012/21jobplacement-rate-as-metric93013.pdf) (113K)




### Transition Period


- Proposal from Marc Jerome on Opportunity to Improve Program Performance (October 1, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/24email-summary-jerome10113.pdf) (82K) PDF (/policy/highered/reg/hearulemaking/2012/24jerome-opportunity-to-improve-program10113.pdf) (454K)

### Program Cohort Default


- Proposal from Rory O'Sullivan (September 30, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/16osullivan-pcdr93013.pdf) (54K)
- Proposal from Working Group (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/20brianjones-cdr-metric93013.doc) (28K) | PDF (/policy/highered/reg/hearulemaking/2012/20brianjones-cdr-metric93013.pdf) (80K)

### Upfront Program Approvals





- Proposal from Barmak Nassirian (September 25, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/10nassirian-approval-process92513.pdf) (78K)
- Prior Approvals Concept Piece from Working Group (September 25, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/12prior-approvals92513.doc) (27K) | PDF (/policy/highered/reg/hearulemaking/2012/12prior-approvals92513.pdf) (9K)
- Proposal from Brian Jones (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/20brianjones-new-program-approval93013.doc) (25K) | PDF (/policy/highered/reg/hearulemaking/2012/20brianjones-new-program-approval93013.pdf) (50K)

- Prior Approvals Final Submission from Working Group (September 30, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/25email-summary-approvals10113.pdf) (80K) MS Word (/policy/highered/reg/hearulemaking/2012/25prior-approvals10113.doc) (56K) | PDF (/policy/highered/reg/hearulemaking/2012/25prior-approvals10113.pdf) (31K)




#### Student Consequences

- Proposal from Working Group (September 25, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/22student-relief93013.pdf) (134K)

#### Comprehensive Comments (Posted November 1, 2013)


- Proposal from Richard Heath and Kevin Jensen (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/17heath-jensen93013.doc) (73K) | PDF (/policy/highered/reg/hearulemaking/2012/17heath-jensen93013.pdf) (85K)
- Proposal from Ray Testa (September 30, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/23email-summary-testa093013.pdf) (103K) MS Word (/policy/highered/reg/hearulemaking/2012/23testa93013.doc) (107K) | PDF (/policy/highered/reg/hearulemaking/2012/23testa93013.pdf) (73K)
- Proposals from Marc Jerome on Debt to Earnings Calculations and Practical Alternatives to Reduce Student Debt (October 1, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/24email-summary-jerome10113.pdf) (82K) PDF (/policy/highered/reg/hearulemaking/2012/24jerome-debt-to-earnings-calculations10113.pdf) (465K) | PDF (/policy/highered/reg/hearulemaking/2012/24jerome-practical-alternatives-to-reduce-debt10113.pdf) (443K)
- Article from Ray Testa on Student Debt (October 30, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/26nces-study-testa103013.2.pdf) (43K)

#### Other Topics (Posted November 1, 2013)

- Proposal from Richard Heath on Metrics (September 25, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/11heath.proposal92513.doc) (24K) | PDF (/policy/highered/reg/hearulemaking/2012/11heath.proposal92513.pdf) (4K)
- Proposal from Ted Daywalt on Advertising (September 30, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/15daywalt93013.doc) (31K) | PDF (/policy/highered/reg/hearulemaking/2012/15daywalt93013.pdf) (20K)
- Proposal from Working Group on Disclosures (September 25, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/18disclosures93013.pdf) (162K)

## Session 2




The Department's opening remarks provided by Deputy Undersecretary Jeff Appel --November 18, 2013 (posted December 2, 2013)

 MS Word (/policy/highered/reg/hearulemaking/2012/016appel-opening-remarks111813.doc) (46K) | PDF (/policy/highered/reg/hearulemaking/2012/016appel-opening-remarks111813.pdf) (85K)



## Materials

## Materials provided by the Department to the negotiating committee at Session 2

November 18, 2013 (Posted December 2, 2013)



- Proposed Agenda (November 18, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/01ge-november-agenda111813.doc) (26K) | PDF (/policy/highered/reg/hearulemaking/2012/01ge-november-agenda111813.pdf) (75K)
- September Meeting Summary (approved as proposed) (November 18, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/02ge-sept-meeting-summary111813.doc) (65K) | PDF (/policy/highered/reg/hearulemaking/2012/02ge-sept-meeting-summary111813.pdf) (93K)
- Transition Period for DTE (November 18, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/03transition-period-dte111813.pdf) (117K)

November 19, 2013 (Posted December 2, 2013)


- Example of Borrower relief at aDTE (November 19, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/04example-of-borrower-relief111913.pdf) (50K)
- Federal Direct Student Loans 2013-2014 Interest Rates (November 19, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/05ge-federal-direct-student-loans-rates111813.doc) (35K) | PDF (/policy/highered/reg/hearulemaking/2012/05ge-federal-direct-student-loans-rates111813.pdf) (24K)

## Materials provided by non-Federal negotiators to the negotiating committee at Session 2





November 18, 2013 (Posted December 2, 2013)

- Defining Program Success submitted by Marc Jerome (November 18, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/06jerome-defining-program-success111813.pdf) (544K)
- Repayment Rate Failure, Two-year Colleges submitted by Marc Jerome (November 18, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/07jerome-repayment-rate-failure111813.pdf) (15K)



November 19, 2013 (Posted December 2, 2013)

- Addition of section/statement and conforming change submitted by Margaret Reiter (November 19, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/08reiter-conforming-change111913.doc) (25K) | PDF (/policy/highered/reg/hearulemaking/2012/08reiter-conforming-change111913.pdf) (7K)


November 20, 2013 (Posted December 2, 2013)

- Comments on 668.415 submitted by Margaret Reiter (November 20, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/09reiter-comments668415-112013.doc) (44K) | PDF (/policy/highered/reg/hearulemaking/2012/09reiter-comments668415-112013.pdf) (32K)
- Proposal on Risk Adjustment submitted by Ray Testa (November 20, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/010testa-sliding-scale-alternative112013.doc) (32K) | PDF (/policy/highered/reg/hearulemaking/2012/010testa-sliding-scale-alternative112013.pdf) (16K)
- Proposal for Passing Programs submitted by Richard Heath (November 20, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/011heath-passing-programs112013.pdf) (85K)
- Conforming Language for pCDRs submitted by Kevin Jensen (November 20, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/012jensen-conforming-pcdrs112013.pdf) (142K)



- Proposal on Exceptional Performer submitted by Thomas Dalton (November 20, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/013dalton-exceptional-performer112013.doc) (26K) | PDF (/policy/highered/reg/hearulemaking/2012/013dalton-exceptional-performer112013.pdf) (21K)
- Comments on Regulation submitted by Libby DeBlasio and Della Justice (November 20, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/014deblasio-justice-regs-comments112013.doc) (152K) | PDF (/policy/highered/reg/hearulemaking/2012/014deblasio-justice-regs-comments112013.pdf) (221K)

Other Topics (Posted December 2, 2013)







- Feedback from NRM on Gainful Employment submitted by Dr. Cheryl Lovell (November 20, 2013)  
 PDF (/policy/highered/reg/hearulemaking/2012/015lovell-feedback-ge112013.pdf) (91K)

## Pre-Session 3

### Materials

#### **Materials provided by the Department to the negotiating committee prior to Session 3**

December 11, 2013 (Posted December 11, 2013)

- Overview of the draft regulations (December 11, 2013)  
 PowerPoint (/policy/highered/reg/hearulemaking/2012/s3-overview1211130.ppt) (525K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-overview121113.pdf) (47K)
- GE Informational Data Analysis (December 11, 2013)  
 PowerPoint (/policy/highered/reg/hearulemaking/2012/s3-data-analysis12113.ppt) (395K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-data-analysis12113.pdf) (44K)
- Redline of draft regulations (December 11, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/s3-comparison-draft-regs-for-distribution121113.doc) (190K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-comparison-draft-regs-for-distribution121113.pdf) (278K)
- Clean Version of draft regulations (December 11, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/s3-draft-regs-for\_distribution121113.doc) (142K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-draft-regs-for\_distribution121113.pdf) (156K)
- Raw data file with the DTE and pCDR data (December 11, 2013)  
 Excel (/policy/highered/reg/hearulemaking/2012/s3-ge-datafile121113.xls) (3,500K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-ge-datafile121113.pdf) (826K)
- Methodology for informational debt-to-earnings and program cohort default rate calculations for Session 3 data analysis (December 11, 2013)  
 MS Word (/policy/highered/reg/hearulemaking/2012/s3-informational-rates-methodology121113.doc) (43K) | PDF (/policy/highered/reg/hearulemaking/2012/s3-informational-rates-methodology121113.pdf) (86K)

#### **Materials provided by non-Federal negotiators to the negotiating committee prior to Session 3**


December 4, 2013 (posted December 16, 2013)

- Questions submitted by Sandra Kinney (December 4, 2013)

 [PDF \(/policy/highered/reg/hearulemaking/2012/s3-kinney-email12413.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-kinney-email12413.pdf) (36K)


December 6, 2013 (posted December 16, 2013)

- Proposal to address pCDR Manipulation submitted by Rory O'Sullivan (December 6, 2013)

 [PDF \(/policy/highered/reg/hearulemaking/2012/s3-osullivan-proposal12613.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-osullivan-proposal12613.pdf) (82K)


December 10, 2013 (posted December 16, 2013)

- Proposal regarding low-cost, low-risk programs submitted by Kevin Jensen and Richard Heath (December 10, 2013)

 [PDF \(/policy/highered/reg/hearulemaking/2012/s3-jensen-heath-proposal-memo112013.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-jensen-heath-proposal-memo112013.pdf) (248K) |


[PDF \(/policy/highered/reg/hearulemaking/2012/s3-jensen-heath-proposal-email121013.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-jensen-heath-proposal-email121013.pdf) (107K)

- Email responses to proposal regarding low-cost, low-risk programs submitted by Barmak Nassirian and Ray Testa (December 10, 2013)

 [PDF \(/policy/highered/reg/hearulemaking/2012/s3-committee-email-chain121013.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-committee-email-chain121013.pdf) (115K)

## Session 3

The Department's opening remarks provided by Deputy General Counsel Julie Miceli --December 13, 2013 (posted December 16, 2013)


 [MS Word \(/policy/highered/reg/hearulemaking/2012/s3-miceli-opening-remarks121313.doc\)](/policy/highered/reg/hearulemaking/2012/s3-miceli-opening-remarks121313.doc) (40K) | [PDF \(/policy/highered/reg/hearulemaking/2012/s3-miceli-opening-remarks121313.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-miceli-opening-remarks121313.pdf) (91K)

## Materials


### Materials provided by the Department to the negotiating committee at Session 3

December 13, 2013 (Posted December 16, 2013)

- Proposed agenda (December 13, 2013)

 [MS Word \(/policy/highered/reg/hearulemaking/2012/s3-draft-agenda-session3-121313.doc\)](/policy/highered/reg/hearulemaking/2012/s3-draft-agenda-session3-121313.doc) (26K) | [PDF \(/policy/highered/reg/hearulemaking/2012/s3-draft-agenda-session3-121313.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-draft-agenda-session3-121313.pdf) (56K)

- November meeting summary (approved as proposed) (December 13, 2013)

 [MS Word \(/policy/highered/reg/hearulemaking/2012/s3-ge-november-session-summary121313.doc\)](/policy/highered/reg/hearulemaking/2012/s3-ge-november-session-summary121313.doc) (56K) | [PDF \(/policy/highered/reg/hearulemaking/2012/s3-ge-november-session-summary121313.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-ge-november-session-summary121313.pdf) (20K)


- pCDR timelines (December 13, 2013)

 [PDF \(/policy/highered/reg/hearulemaking/2012/s3-pcdr-timeline121313.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-pcdr-timeline121313.pdf) (20K)

### Materials provided by non-Federal negotiators to the negotiating committee at Session 3

December 13, 2013 (Posted December 16, 2013)

- Definition of "Prospective Student" submitted by Eileen Connor (December 13, 2013)

 [MS Word \(/policy/highered/reg/hearulemaking/2012/s3-proposed-definition-prospective-student-connor121313.doc\)](/policy/highered/reg/hearulemaking/2012/s3-proposed-definition-prospective-student-connor121313.doc) (22K) | [PDF \(/policy/highered/reg/hearulemaking/2012/s3-proposed-definition-prospective-student-connor121313.pdf\)](/policy/highered/reg/hearulemaking/2012/s3-proposed-definition-prospective-student-connor121313.pdf) (11K)

[Neg Reg 2012-2014 \(/policy/highered/reg/hearulemaking/2012/index.html\)](/policy/highered/reg/hearulemaking/2012/index.html) | [OPE Policy page \(/about/offices/list/ope/policy.html\)](/about/offices/list/ope/policy.html)