

# 2011 Final Rule (**without repayment rate**) vs. 2013 Draft Regulation

	Final Rule (2011)	Draft Regulation (2013)
Applicable students	Title IV & non-Title IV	Title IV only
Accountability Metrics	annual DTE discretionary DTE	annual DTE discretionary DTE
Passing	aDTE ≤ 12% OR dDTE ≤ 30%	aDTE ≤ 8% OR dDTE ≤ 20%
Zone	<i>No equivalent provision</i>	<ul style="list-style-type: none"> <li>• Not passing &amp;</li> <li>• 8% &lt; aDTE ≤ 12% OR 20% &lt; dDTE ≤ 30%</li> </ul>
Failing	aDTE > 12% & dDTE > 30%	aDTE > 12% & dDTE > 30%
Ineligibility rules	T4 ineligible for 3yrs if 3 fails out of 4 yrs	T4 ineligible for 3yrs if: <ul style="list-style-type: none"> <li>• 2 fail out of 3yrs OR</li> <li>• Not passing in any 1 out of 4yrs (time limit for zone programs)</li> </ul>
Zone consequences	<i>No equivalent provision</i>	Debt warnings to students if program could become ineligible at the end of the yr
Fail consequences	After 1 <sup>st</sup> & 2 <sup>nd</sup> fail: Debt warnings to students	After 1 <sup>st</sup> fail: <ul style="list-style-type: none"> <li>• Debt warnings to students</li> <li>• T4 enrollment limited to previous yr level</li> </ul>
New programs	All new programs notify, the Department decides whether to formally approve	<i>For discussion at negotiations</i>

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	Final Rule (2011)	Draft Regulation (2013)
Min Program Size	30 completers	10 completers
Debt amortization schedule for DTE calculation	Debt amortized over 10, 15 and 20 years for certificate/associate's, bachelors and graduate programs respectively	Debt amortized over 10 years for all credential/degree levels
Tuition & fees cap in DTE calculation	Median debt capped at program tuition and fees (if reported by institution)	No tuition and fees cap for median debt

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	Final Rule (2011)	Draft Regulation (2013)
Students excluded from DTE calculation	<ul style="list-style-type: none"> <li>Loans in military deferment status (no min time requirement)</li> <li>Loan discharged for disability</li> <li>Enrolled at an eligible institution (no time min time requirement)</li> <li>Student died</li> </ul>	<ul style="list-style-type: none"> <li>Loans in military deferment status for at least 60 days</li> <li>Loan discharged for disability</li> <li>Enrolled on at least half-time basis at an eligible institution for at least 60 days</li> <li>Student died</li> <li>Completed a higher credentialed GE program at the institution</li> </ul>
Alternate earnings challenge for DTE calculation	<p>For failing program, institution may submit alternate earnings information using:</p> <ul style="list-style-type: none"> <li>Data from survey conducted by institution in accordance with NCES standards</li> <li>State earnings data</li> </ul>	<p>For failing program, institution may submit alternate earnings information using:</p> <ul style="list-style-type: none"> <li>Data from survey conducted by institution in accordance with NCES standards</li> </ul>
Alternate DTE calculation in first 3yrs	<p>In first 3yrs of rule, alternate DTE calculation may be applied that uses BLS data for earnings</p>	<p>In first 3yrs of rule, alternate DTE calculation may be applied that uses the median loan debt of students completing in the most recent year (decouples debt and earnings)</p>
Cap of ineligible programs in first year of rule	<p>For each institutional category (public, private non-profit, proprietary), ineligible programs capped at number accounting for 5% of that year's completers</p>	<p><i>No equivalent provision</i></p>

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	Final Rule (2011)	Draft Regulation (2013)
Disclosures	<ul style="list-style-type: none"> <li>• Occupation</li> <li>• Cost of tuition, fees, books, supplies, room &amp; board</li> <li>• On-time completion rate</li> <li>• Placement rate</li> <li>• Median loan debt</li> <li>• Repayment rate (dollar-based)               <ul style="list-style-type: none"> <li>• Calculation adjusted to account for loans in negative amortization</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>• Occupation</li> <li>• Cost of tuition, fees, books, supplies</li> <li>• Completion rate (100 &amp; 150% of program time)</li> <li>• Placement rate</li> <li>• Median loan debt</li> <li>• Repayment rate (borrower-based)               <ul style="list-style-type: none"> <li>• Generally, payment of \$1 of principal over course of year counts as positive repayment, but for loans in negative amortization, full payments must be made for entire year</li> </ul> </li> <li>• Median earnings</li> <li>• Whether program meets requirements for licensure (if applicable)</li> </ul>
Reporting	<p>For each student:</p> <ul style="list-style-type: none"> <li>• Student identifiers linked to institution</li> <li>• Name and CIP code of program</li> <li>• Date of completion</li> <li>• Private and institutional loan amounts</li> <li>• Whether student matriculated to higher credential program</li> <li>• Total number of students enrolled in each program at institution and identifying information</li> <li>• Explanation for any missing data</li> </ul>	<p>For each student:</p> <ul style="list-style-type: none"> <li>• Student identifiers linked to institution</li> <li>• Name, CIP code, credential level, and normal time of program</li> <li>• Date of completion or withdrawal</li> <li>• Private and institutional loan amounts</li> <li>• Date of initial attendance</li> <li>• Attendance dates and enrollment status during the award year</li> <li>• Explanation for any missing data</li> </ul>