



January 7, 2019

Director of Information Collection Clearance Division
U.S. Department of Education
550 12th Street SW, PCP, Room 9086
Washington, DC 20202-0023

Re: Docket ID number ED-2018-ICCD-0120, Gainful Employment Disclosure Template

Dear Sir/Madam:

Thank you for the opportunity to comment on the Department of Education's (ED) proposed changes to the Gainful Employments (GE) regulation's disclosure requirement. We at Veterans Education Success - a nonprofit that advocates on behalf of veterans, servicemembers, and their families - strenuously oppose the proposed changes to the Gainful Employment rule as they will undermine and weaken a tool that helps students make informed decisions about their educational future.

The Higher Education Act includes a statutory mandate that career education programs "prepare students for gainful employment in a recognized occupation."¹ The GE rule established both an accountability and transparency framework in order to meet this requirement. The history of unscrupulous and bad-performing schools failing to meet this standard is a long and fraught one which necessitated the implementation of the rule in 2014. The department's proposal to limit access to critical information for potential students and

¹ 20 U.S.C. § 1088(b)(1)(A)(I): "(1) For purposes of this subchapter, the term "eligible program" means a program at least . . . (i) provides a program of training to prepare student for gainful employment in a recognized profession;" 20 § U.S.C. 1002 (b)(1)(A)(i): "(1) Principal Criteria For the purposes of this section, the term "propriety institution of higher education" means a school that- (A)(i) provides an eligible program of training to prepare students for gainful employment in a recognized occupation;" 20 § U.S.C. 1002 (b)(c)(1)(A): "(c) Postsecondary Vocational Institution: (1) Principal Criteria: For the purpose of this section, the term 'postsecondary vocational institution' means a school that (A) provides an eligible program of training to prepare students for gainful employment in a recognized occupation."

their families stands to make the decision-making process more difficult and allow bad actors to thrive at the expense of the students and taxpayers alike.

Specifically, the proposed 2019 GE template does not require the disclosure of vital information that was previously available, such as: percentage of students graduating on time, average graduate debt, average earnings of graduates, and job placement rates. This is the very type of information that disclosing would help support the laudable goals of ensuring informed student choice. Removing it does not improve transparency, nor help students make informed decisions. The 2019 template would only show the program length, program costs, and whether the program meets licensure requirements. These three data points do not provide a fully accurate view of colleges, while the 2017 template provided a much more comprehensive disclosure of necessary information regarding colleges' earnings and debts.

Veterans benefit greatly from the GE disclosures; since they have only one shot to use their hard-earned GI Bill benefits, wasting these benefits on a college that does not prepare students for employment is extremely harmful. While the disclosure requirements do not by themselves represent a sufficient accountability regime, it is part of a critical rule that identifies programs that are not providing students with quality educations and allows students to make an educated choice on their future.

Service members, veterans, and their family members are specifically targeted by bad actor colleges due to current regulations around the 90/10 loophole, and are repeatedly bombarded with deceptive and aggressive recruiting practices from substandard colleges. Obfuscating the process of evaluating potential colleges by taking away the availability of critical information does not allow for an informed decision to be made in the marketplace. On the contrary, it facilitates fraudulent activity by removing measures designed to detect it and alert students.

The Gainful Employment Rule was implemented in order protect students and taxpayers from being saddled with worthless degrees and insurmountable debt by career education programs that leave students without job prospects. The disclosure updates would decrease transparency, increase the likelihood of unscrupulous behavior, and ultimately hurt veterans, students, and taxpayers alike. The department has compounded this problem by stripping similar critical data off of the College Scorecard, an additional action that we ask the department to correct. We ask that the department not implement the current proposed changes and restore all of the previously existing data fields included in 2017 template.

Sincerely,



Carrie Wofford
President



James Haynes
Law Fellow