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**RGM Memo**

Date: June 28, 2018

To: Dear School Owners and Financial Aid Personnel,

RE: Applicable GE Compliance Dates

Dear School Administrators,

RGM MEMO JUNE 28, 2018

An Electronic Announcement was posted on June 18, 2018, that in the Federal Register the Department of Education announced it will allow additional time, until July 1, 2019, for institutions to comply with the requirements of the Gainful Employment (GE) regulations in 34 CFR 668.412 **(d) and (e),** and invites comment on this action. We want to make it clear that the additional time only applies to the (d) and (e) sections. We have included the link to the Electronic Announcement and to the Electronic Code of Federal Regulations showing 34 CFR 668.412.

(d) *Promotional materials.* (1) All promotional materials made available by or on behalf of an institution to prospective students that identify a GE program by name or otherwise promote the program must include—

(i) The disclosure template in a prominent manner; or

(ii) Where space or airtime constraints would preclude the inclusion of the disclosure template, the Web address (URL) of, or the direct link to, the disclosure template, provided that the URL or link is prominent, readily accessible, clear, conspicuous, and direct and the institution identifies the URL or link as “Important Information about the educational debt, earnings, and completion rates of students who attended this program” or as otherwise specified by the Secretary in a notice published in the Federal Register.

(2) Promotional materials include, but are not limited to, an institution's catalogs, invitations, flyers, billboards, and advertising on or through radio, television, print media, the Internet, and social media.

(3) The institution must ensure that all promotional materials, including printed materials, about a GE program are accurate and current at the time they are published, approved by a State agency, or broadcast.

(e) *Direct distribution to prospective students.* (1) Before a prospective student signs an enrollment agreement, completes registration, or makes a financial commitment to the institution, the institution must provide the prospective student or a third party acting on behalf of the prospective student, as a separate document, a copy of the disclosure template.

(2) The disclosure template may be provided to the prospective student or third party by—

(i) Hand-delivering the disclosure template to the prospective student or third party individually or as part of a group presentation; or

(ii) Sending the disclosure template to the primary email address used by the institution for communicating with the prospective student or third party about the program.

(3) If the institution hand-delivers the disclosure template to the prospective student or third party, it must obtain written confirmation from the prospective student or third party that the prospective student or third party received a copy of the disclosure template.

(4) If the institution sends the disclosure template to the prospective student or third party by email, the institution must—

(i) Ensure that the disclosure template is the only substantive content in the email;

(ii) Receive electronic or other written acknowledgement from the prospective student or third party that the prospective student or third party received the email;

(iii) Send the disclosure template using a different address or method of delivery if the institution receives a response that the email could not be delivered; and

(iv) Maintain records of its efforts to provide the disclosure template required under this section.

Please copy and paste link to your browser:

Electronic Announcement:

<https://ifap.ed.gov/eannouncements/061818GEEA116ApplicableCompliDates.html>

Electronic Code of Federal Regulations (scroll down for (d) and (e):

<https://www.ecfr.gov/cgi-bin/text-idx?SID=2b088ec0ec87c99bcf8fbd2de1705b8f&mc=true&node=se34.3.668_1412&rgn=div8>