



September 12, 2018

Ms. Ashley Higgins
U.S. Department of Education
400 Maryland Ave., SW, Mail Stop 294-20
Washington, DC 20202

Re: Notice of Proposed Rulemaking to rescind the gainful employment regulations
(Docket ID ED-2018-OPE-0042)

Dear Ms. Higgins:

On behalf of Chiefs for Change, a nonprofit, bipartisan network of diverse state and district education Chiefs, we are writing to comment on the Department's Notice of Proposed Rulemaking (NPRM) to rescind the gainful employment (GE) regulations (Docket ID ED-2018-OPE-0042). While we certainly believe that few, if any, regulations are perfect, we do not support the wholesale elimination of the regulation and the important protections it provides.

We recognize the Department has proposed to replace the protections set forth under GE with collection and reporting of new program-level earnings and outcomes data, which would be posted on the College Scorecard or a similar web-based tool. Our members applaud the Department's intention to publish these metrics for *all* institutions of higher education—not just for-profit colleges and a handful of community college programs. Indeed, our members are advancing similar efforts in their own jurisdictions. For example, Tennessee Education Commissioner Candice McQueen has worked closely with higher education institutions to develop robust data systems and provide district and school leaders with detailed information about graduates' progress to and through postsecondary education. We believe in transparency for all students and all schools—and the Department's plan to publish earnings and outcomes data will be an important service to high school students. However, the NPRM fails to provide a full explanation of the details and the timeline for implementation. We urge the Department to more fully make clear its intentions and to do so as soon as possible.

Transparency is important, but it is in and of itself not enough. We need real accountability to ensure that our students are provided with the best possible tools to help them achieve postsecondary success. Only those institutions that can prove, through measurable data, that they are capable of providing a sustainable path to student success merit taxpayer support. Further, we believe the Department has a responsibility to put "teeth" in its regulations to ensure that taxpayers, parents, and students get results for the Federal funds that are spent.

Eliminating gainful employment is a step backwards for ensuring accountability for taxpayer dollars and for ensuring basic protections for students and parents against fraudulent and incapable higher education providers. Our membership believes the best solution in this case is not to eliminate GE all together and replace it with (not yet fully defined) changes to the College Scorecard but, instead, to refine, update, and still retain GE, while at the same time updating the College Scorecard with new and improved outcome data.

Chiefs for Change members strongly support an agenda to reform higher education that has as its centerpiece a public, transparent acknowledgement of basic postsecondary enrollment, persistence, completion, employment, and earnings data disaggregated by key demographics *and* tied to individual secondary schools, school districts, and institutions of higher education across all 50 states. An updated gainful employment regulation *and* an improved College Scorecard are important components of this agenda.

As bipartisan leaders of K-12 education systems serving approximately 7 million children, we have a responsibility to our students that follows them into young adulthood. We are committed to guiding our students to reliable and affordable postsecondary pathways and look forward to working with the Federal government and policymakers at all levels on this important endeavor.

Thank you for the opportunity to comment on this NPRM. If you have any questions or would like to discuss this matter, we would welcome the opportunity to speak with you.

Sincerely,

A handwritten signature in black ink, appearing to read 'John White', written in a cursive style.

John White
Chairman, Chiefs for Change
Louisiana State Superintendent of Education

A handwritten signature in black ink, appearing to read 'Mike Magee', written in a cursive style.

Mike Magee
CEO, Chiefs for Change