

ADDENDUM C			
Comment ID(s)	Section #	Substance of Comment	Bureau's Response
C,D, F, H, I, J, N, O, P, T, AE, AG	APA (new hearing)	<p>Commenters asserted that a new hearing was necessary. Specifically, the commenters believe the new proposed modifications were not discussed or introduced at the July 21, 2015 hearing or any subsequent hearings. Some of the proposed modifications are substantial and should receive a hearing in their own right. Bypassing hearings and normal time periods set up for review can lead to regulations that have errors or unintended ramifications.</p>	<p>The Bureau disagreed. While there have been substantial changes to the proposal through the modification process, that is the purpose of the modification process and including a 45-day initial and subsequent 15-day public comment periods for the proposed and modified regulations. While some commenters point to the number of changes, this is also not a standard for requiring a new 45-day notice and hearing. Only not sufficiently related changes require such a procedure and the Bureau believes that the proposed modifications are sufficiently related under the California APA.</p>
AA, AB, AC, AD	Whole Package		<p>The comment is aimed at the entire package and not a specific change to the proposal, thus the comment is irrelevant.</p>
C, H, I, J, O, P R, T, AE	74110(a)(3)	<p>Commenters asserted that programmatic accreditors are redundant. That it counts students twice and requires duplicate reports among other things.</p>	<p>The only change to this subsection was grammatical. In the alternative, the Bureau disagreed with the comments. The requirement is to provide a listing of each institutional and programmatic accreditor and the effective date of the programmatic accreditations for each branch and satellite campus. There is no requirement to count students or submit accreditation reports; it requires a list of the institution's accreditors.</p>

C, D, F, G, H, I, J, O, R, T, AE, AG	74110(a)(4)	Commenters provided a number of different objections or comments regarding subsection 74110(a)(4) including that "State" loan programs is not defined or clarified and that collecting loan information on non-California students is not reasonable. Furthermore, this duplicates Title IV federal aid disclosures.	No part of this subsection was changed in this modification. Therefore the comments are not relevant to the modification.
C, F, H, I, J, O, T, AE, AG	74110(a)(5)	Commenter stated that the "any other federal aid or state funding" was undefined and/or overly broad.	No part of this subsection was changed in this modification. Therefore the comments are not relevant to the modification.
AH	74110(a)(6)	Commenter suggested that the regulations should not make private companies disclose their percentage of business from government sources.	If the commenter is referring to the requirement that an institution must report its total percentage of institutional income that comes from any public funding sources, this subsection was not changed in this modification and would be irrelevant.
C, H, I, J, O, P, R, T, AE	74110(d)	Commenters stated their collective concern regarding reports to only to be submitted electronically and that it might adversely effect smaller schools.	No part of this subsection was changed in this modification. Therefore the comments are not relevant to the modification.
AA, AB, AC, AD	74112	Commenters stated that the institutional disclosures, website reporting, and student signature requirements required by the proposed regulations are onerous and in most cases not needed.	Comments are broad, general comments covering large portions of the regulations. The Bureau has looked for alternative interpretations that would make the comments specific; however, those areas (i.e. student signatures) are not part of the proposal which were modified by this modification and would therefore be irrelevant.
H, I, J, R, S, T, AF, AG	74112(a)	Commenters suggested that there should be a minimum number of students in a program for it to be reportable. Any programs with less than the minimum number would not be required to have a performance fact sheet for that program.	While a portion of the subsection was modified (see comment & response below), anything regarding a minimum number of students has not been modified by this modification and would therefore be irrelevant.

<p>H, I, J, K, L, O, P, T, AE, AG, AH, AI</p>	<p>74112(a)</p>	<p>Commenters stated that the font size should be included in an instruction sheet, not the regulations.</p>	<p>The Bureau disagreed. The new font size is specific to certain areas of the performance fact sheet (titles and column headings). Font size and line spacing is already included in the same subsection. Furthermore, this font size is a standard being set for all regulated institutions. Additionally, the Bureau does not provide "instruction sheets" for the creation of performance fact sheets. The Bureau has a video as well as other online resources, including an FAQ.</p>
<p>O, P, AE</p>	<p>74112(a)</p>	<p>Commenters objected to the requirement for a separate performance fact sheet for each program as it would require larger institutions with more programs to maintain and reproduce all the required data by program, which would be unmanageable.</p>	<p>The portion of the regulation regarding separate performance fact sheets for each program was not changed for this modification and would therefore be irrelevant.</p>
<p>O, P, AE</p>	<p>74112(b)&(c)</p>	<p>Commenters stated that requiring institutions to disclose the estimated date of availability does not provide useful information to prospective students. It is only confusing.</p>	<p>No part of these subsections were changed in this modification. Therefore the comments are not relevant to the modification.</p>

<p>H, I, J, T</p>	<p>74112(d)(2)</p>	<p>Commenters stated that the "Gainful Employment" definition has been changed significantly to split the definition into "graduate" and "on-time graduate" while leaving the restrictions on the calculations of graduation rates unchanged.</p>	<p>The comment has different alternatives. The Bureau disagreed with any alternative and while the alternatives are not based on changes to this modification, for clarity the Bureau will examine each alternative. First, after the proposal was noticed and following the hearing, SB 410 was passed and signed which changed the definition in the reporting article from "graduate" to "on-time graduate," which reverts "graduate" to that defined earlier in the definitions portion of the statute. If the comment refers to 74112(d)(2), this was inserted to clarify the term "on-time graduates" as the statute simply referred to them as "graduates" prior to SB 410, which caused some confusion. Thus, the Bureau specified the definition. Now, the definition matches the statute. None which split "graduate" from "on-time graduate." If the comment is toward section 74112(d)(3), then term "on-time" was removed leaving only "graduate." Again, nothing is split. Indeed, except for the completion rates (section 74112(h)), the term "on-time" is removed so information may be collected on all graduates which was the intent of SB 410. If the comment is in regard to section 74112(h) or completion rates, then the split between "on-time graduate" and "graduate" has always been in place and is unchanged.</p>
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B, G	74112(d)(3)	Commenters suggested that the Bureau should use the U.S. Department of Education's definition for "gainful employment."	<p>The Bureau disagreed. The definitions are for different purposes. The U.S. Department of Education's definition is a comparison of Title IV loans to the income or discretionary income of the graduate. It also uses 3 year loan default rates. The definition is based on Title IV loans, and not all institutions the Bureau oversees participate in Title IV funding. In the end, their definition is comparing loans and income. However, the Bureau's statutory mandate to define "gainful employment" includes standards for fulltime and part-time as well as self-employment. Most of all, the definition is used to determine whether someone can be counted as employed for the purposes of reporting job placement. This must be within six months of graduation or a period extended by taking an exam. The U.S. Department of Education's definition uses numbers based on a minimum of two or three years. Their definition is to serve a different purpose than the Bureau's statutory mandate.</p>
H, J, Q, R, S, T	74112(d)(3)(A)	Commenters stated that the Bureau requires institutions to find students "permanent employment."	<p>The Bureau disagreed. First, the word "permanent" does not appear in this proposal. Second, commenters point toward the requirement of 30 hours per week for 21 days. These are the standards by which fulltime employment is to be measured. Once these are attained, the requirement is met. Finally, if commenters are referring to the language regarding "reasonable expectation of continued employment," that is addressed below.</p>

AA, AB, AC, AD	74112(d)(3)(A)	Commenters suggested that any regulation requiring employers to report on their individual employees' status, progress and plans should be deleted.	This is a general comment which is not specifically directed at a particular change in the proposal in this modification.
C, H, N, O, P, Q, Y, Z, AE, AH, AI	74112(d)(3)(A)(i)	Commenters stated that their programs are unique and they would have problems fitting their job titles into the SOC codes or that not every job falls within a pre-ordained category or that the SOC is too restrictive or does not cover the employment areas for certain programs.	The Bureau disagreed. The SOC stands for Standard Occupation Classifications. It was created and maintained by the Bureau for Labor Statistics inside the U.S. Department of Labor. It is not a listing of job titles, it is a system to classify occupations. Each detailed code is specific to the work being done, not the title held by the worker. Furthermore, the detailed level has specific definitions of what work is included or may be included. The intent of the list is to be as encompassing as possible.
I, J, Q, R, T	74112(d)(3)(A)(i)	Commenters stated that changing from the broad group (also referred to as 4 digit level) to the detailed group was a mistake as the detailed level is too narrow and many workers can be covered by multiple detailed level codes.	The Bureau disagreed. First, the change to the detailed level was not a part of this modification. The only change in this modification to the subsection referring to SOC codes was grammatical. Additionally, the response above addresses the same issue of the SOC being too narrow. Furthermore, while it is true that some jobs encompass multiple detail level codes, there are instructions with the codes to classify the worker under whichever code the worker does the most work and jobs may also encompass multiple broad level groups as well.
G	74112(d)(3)(A)(i)	Commenter stated that placing SOC codes in the catalog is not necessary and will be confusing for students without context.	The portion of the regulation regarding listing SOC codes in the catalog was not changed for this modification and would therefore be irrelevant.

N, O, P, AE	74112(d)(3)(A)(i)	Commenters stated the SOC codes are too restrictive. That while a person is trained in one area, they may choose to practice in another similar area for which the graduate is qualified but is under a different code.	The Bureau disagreed. The list to be provided can be an encompassing list of the various SOC codes the program trains its graduates towards. It doesn't have to be one code, nor does the student need to pick which code they are going to pursue. The list represents the occupations for which the program prepares graduates. As long as the graduate is employed under one of the SOC codes listed, they meet the SOC code requirement for being counted as gainfully employed, which is the primary purpose of the SOC codes and the list of codes associated with that particular program.
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<p>A, B, C, D, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, V, W, X, Y, AE, AF, AH, AI</p>	<p>74112(d)(3)(A)(ii)</p>	<p>Commenters objected for various reasons to the restriction that would not allow a graduate to be counted if the graduate was hired by the institution or someone who shares ownership in the institution. Comments ranged from broad accusations that the Bureau had exceeded its authority, to specific personal examples of graduates hired by the institution or an owner of the institution.</p>	<p>The Bureau agreed. The restriction was deleted. The Bureau finds compelling the many comments showing the hiring of graduates. Some are in significant numbers, others have been with the employer for extended (20 years) periods of time. While there are claims that fraud has been committed by institutions hiring their own graduates to inflate their job placement rate, the Bureau has no evidence of such practice being common. There are countless good jobs available to graduates through the institutions and more so through ownership which may as an example own long term nursing facilities which hire graduates from the institution's nursing programs. Additionally, the Bureau believes that the SOC code requirement for a job placement will help to deter abusing this practice. The graduate must still be hired into an occupation listed with the program. A make-up student hired as an administrative assistant (if prepared for a different job) would not count as placement whether the graduate was hired by the institution or an outside employer.</p>
<p>E, G, K, L, M, N, O, P, Q, R, S, V, W, X, Y, AA, AB, AC, AD, AE, AF, AH, AI</p>	<p>74112(d)(3)(A)(ii)</p>	<p>Commenters objected to the requirement that to be counted as part-time job placement, the graduate must have signed a statement prior to the enrollment that he or she only intended to seek part-time work. Commenters stated that there are many life events which can change the goals of an individual, thus being able to predict an intention prior to graduation can be problematic.</p>	<p>The Bureau agreed and removed the requirement that the intention to be employed part-time be declared prior to enrollment. The Bureau recognizes that life changes and the more time that passes the more variables might effect someone's plans and intentions. However, while the requirement for a pre-enrollment statement has been deleted, to be counted as part-time job placement, there must still be a signed statement from the graduate that part-time work was what they intended to pursue at that time.</p>

<p>D, H, I, J, K, L, M, N, O, P, Q, X, AE</p>	<p>74112(d)(3)(A)(ii)</p>	<p>Commenters objected to the hours per week and number of days employed requirements.</p>	<p>The standard for fulltime job placement has been unchanged since the proposal was first noticed. The part-time standards were introduced with the first modification. Neither has been changed with this modification. Therefore, the comments regarding these standards are irrelevant.</p> <p>However, the Bureau will restate its basis for these standards as provided in response to earlier comments. The 30 hour per week for fulltime job placement is a direct reflection of the Affordable Care Act which requires a minimum of 30 hours per week to be counted as fulltime employment. 20 hours per week for part-time is based in part on the old 40 week, which is still used for things such as overtime. Additionally, working less than 20 hours per week constitutes approximately 2 days of work per week or the equivalent of a weekend job. The 21 day requirement is based in part on the standard of 15 days set by an accrediting agency. Other accrediting agencies did not have a requirement for minimum number of days.</p>
<p>K, L</p>	<p>74112(d)(3)(A)(ii)</p>	<p>Commenters suggested that therapists work less than the 30 hours required to be fulltime. Commenters provide an example of a therapist who sees clients one day a week and state that less or fewer clients is necessary to maintain "sensitivity."</p>	<p>The Bureau first suggests that it seems that these therapists being referred to appear to be self-employed and thus would be covered under subsection (d)(3)(C) as the number of hours is not relevant to that subsection. Additionally, while therapists may only "see patients" for so many hours, required record keeping, notes and such would extend their "working hours" beyond just those when seeing a client.</p>

AA, AB, AC, AD	74112(d)(3)(A)(ii)	<p>Commenters suggested that any proposal that requires students to report on their pre and post graduation plans and professional progress should be deleted. Students should be free to matriculate through postsecondary institutions and professional assignments without being required to report to any governmental entity their intentions or progress.</p>	<p>This is a general comment which is not specifically directed at a particular change in the proposal in this modification.</p>
C, D, F, G, H, I, J, M, N, O, P, Q, V, W, X, Y, AE, AF, AG, AH	74112(d)(3)(A)(iii)	<p>Commenters objected to "reasonable expectation of continued employment" specifically. Previously, some commenters made comments that the Bureau was requiring "permanent employment." Here various commenters point to this specific subsection as the root of their interpretation of this as permanent. Commenters cite that California is an at-will employment state which might be in conflict with the requirement.</p>	<p>The Bureau agreed and removed all of subsection (d)(3)(A)(iii). While the Bureau's intent was to provide a method for more than just 21 days of employment through a concept of an expectatoin of continued employment, the requirement is problematic because of the at-will employment law.</p>
I, J, O, P, AE	74112(d)(3)(B)	<p>Commenters suggested that multiple uses of the word "or" throughout the subsection provides so many caveats that it may be difficult or confusing to follow the intent.</p>	<p>The Bureau agreed. Subsection (3)(d)(B) was rewritten to first provide that it refers specifically to situations in which the student/graduate is employed by the same employer as when they enrolled in the program. This subsection allows for three distinct ways in which the student may be counted as gainfully employed. The new subsection is broken into three (i), (ii), & (iii) to make clear each different way the graduate can be counted. This should help to separate the caveats in a manner that will not be confusing.</p>

G, M, N	74112(d)(3)(B)	Commenters suggest that students would not know prior to enrollment that the program is required for their continued employment.	The Bureau disagreed. Perhaps there was some confusion as subsection (d)(3)(B) didn't adequately identify that it was for circumstances for counting a student as gainfully employed when the student/graduate works for the same employer after graduation as he or she did prior to enrollment. Alternatively, it is not unheard of for an employer to hire an employee on the condition that the employee obtain some degree, program certificate, or license. In these circumstances, the employee (and employer) are aware at the time of enrollment that the program is required for the employee to keep the job.
G	74112(d)(3)(B)	Commenter stated that a similar problem (reasonable expectation of continued employment) arises with the proposal requiring a graduate to be employed in a different SOC code than prior to enrollment.	The Bureau disagreed. The subsection (d)(3)(B) deals with the circumstance that a student is employed by the same employer after graduation. A change in the SOC code provides a presumption that the graduate moved into a new occupation type based on the graduate's successful completion of the program (graduation).

M, N, O, P, AE	74112(d)(3)(C)	Commenters suggested that electronic correspondence of self-employment or electronic evidence of self-employment should be sufficient.	The Bureau agreed and in its response to a comment to the originally noticed proposal, the Bureau recognized that we live in a digital/electronic world and that a self-attestation can be electronically signed.
X	74112(d)(3)(C)	Commenter stated that it was burdensome to verify that a graduate was self-employed and suggested that self-reporting be acceptable.	Subsection 74112(d)(3)(C) allows for an attestation signed by the graduate of self-employment or freelance work. This would be self-reporting.
Y	74112(d)(3)(C)	Commenter stated that it is burdensome to collect evidence to verify that a graduate is self-employed along with an attestation from the graduate.	Subsection 74112 (d)(3)(C) allows for either evidence of verification of self-employment or an attestation by the graduate. It doesn't require both.
AA, AB, AC, AD	74112(d)(3)(C)	Commenters suggested that any reference to institutional reporting requirements related to self-employment/freelance workers be deleted.	The Bureau disagreed. Education Code section 94928(e)(2) provides that the Bureau shall define specific measures and standards for determining whether a student is gainfully employed in a full-time or part-time position for which the institution represents the program prepares its graduates, including conducting self-employment or conducting freelance work. The Bureau is statutorily mandated to include standards for self-employment and freelance work.
I, J, AG, AI	74112(e-k)	Commenters stated that there is an overuse of initialing and the statement suggesting students only initial after they have had time to read and understand the information. Commenters question whether this makes other mandated disclosures without this requirement unnecessary for the student to understand.	The Bureau disagreed. While this is not a change in this modification, it is important to note that countless forms contain sections to be initialed. The intent is to draw attention to areas of extra importance.

AA, AB, AC, AD	74112(f)	Commenters suggested that any reference requiring that "total charges may be higher for students that don't complete on time" should be deleted. Commenters believe this is self-evident.	The Bureau disagreed. Again, this was not changed by this modification. Yet it is important to note that not all programs are the same. Some charge for the program, while others charge by the class. This affects whether a student will face additional charges for not completing on-time.
O, P, AE	74112(f)	Commenters stated that information in this subsection is redundant and reported in other places, thus it is a burden to report it again on the performance fact sheet.	The Bureau disagreed. As noted previously, this language was not changed in this modification. Still, it is important to recognize that the Bureau's requirements and those of the U.S. Department of Education may overlap. In such instances, the information is already available.
AA, AB, AC, AD	74112(g)	Commenters suggested that any reference to an institution's eligibility to participate in federal student aid programs should be deleted as it is pejorative. Furthermore, commenters stated that only participation is necessary to report, eligibility is irrelevant to consumer protection purposes.	The Bureau disagreed. The language was not changed for this modification; however, it is important. Whether an institution is eligible for federal aid is relevant. While it might be a choice by the institution, it can also be that the institution was rendered ineligible to participate - a fact which can be relevant for students and consumer protection.
O, P, AE	74112(g)	Commenters stated that the Bureau does not need to be concerned with the Federal Student Loan Debt information. Commenters stated that said information is monitored closely by the U.S. Department of Education.	The Bureau disagreed. The language was not changed for this section. Yet, even if much of this information is required by the U.S. Department of Education, the purpose of the performance fact sheet is to inform prospective students of the information. Something such as the average federal loan debt of a recent graduate might be important to someone considering whether to enter the same program.

N, O, P, AE	74112(h)	Commenters stated that reporting the number of on-time graduates is confusing and meaningless, as it does not correspond to any Federal cohort.	The Bureau disagreed. Again, this comment does not address a change in this modification. Still, the reporting of on-time graduation rates can have significant meaning to a prospective student looking to start a new career because whether students generally complete on-time or not may have a significant impact on whether to enter the same program.
X	74112(i)	Commenter suggested changing the name from "job placement" to "job employment."	The Bureau disagreed. The use of "job placement" is consistent with statute. References and definitions are provided as "job placement" in statute, the Bureau desires to maintain consistent terminology so as to not create confusion in its own regulations.
N, O, P, AE	74112(i)(2)	Commenters suggested that the Bureau align with accrediting agencies and allow anyone employed during the annual reporting period to be counted, not just within 6 months from graduation.	The Bureau disagreed as this is the time period set in statute (Education Code 94928(e)(1))
K, L, N, O, P, X, AE	74112(i)(2)	Commenters suggested that the first "available" exam tracking is burdensome. For example, commenters K and L suggested that certain license exams require graduates to have earned a certain number of hours before taking the exam, but most of those graduates earn those hours between 12 to 60 months after graduation, therefore the school cannot determine what is the first examination available. Commenters believe that it requires almost individualized tracking where continuous enrollments and graduations are concerned. Additionally, commenters point out that not all students take the first available exam either by choice or by life events.	The Bureau disagreed as this is the time period set in statute (Education Code 94928(e)(1)) and the language used in statute, i.e., "first examination available after a student completes an applicable educational program."

X	74112(i)(4)	<p>Commenter suggested that an additional column for "No Employment Information Available" be added. Commenter compares this to the "No Salary Information available" which can be reported regarding a later table on salary and wages.</p>	<p>The Bureau disagreed. The salary reporting is different because the Bureau realizes that obtaining salary information for individual graduates can be more difficult than simply finding out whether or not a graduate is employed. Additionally, such an option could serve as a disincentive for institutions to make a full effort to collect any basic employment information.</p>
G	74112(i)(5)	<p>Commenters question how an institution determines if there is a majority of graduates who are self-employed or free-lance, how will they ever be able to obtain enough data to know if they've crossed that majority point, and believe the purpose of this "data point" is unclear and that the disclosure is not useful to students.</p>	<p>An institution should presumably be informed about its own programs and whether the programs prepare students to enter the workforce as self-employed or free-lance workers. Moreover, the new regulations allow institutions to include as "gainfully employed" graduates that are self-employed or working freelance, so presumably, the institution will track these students for the purpose of counting them as gainfully employed and will be able to subsequently determine if the majority, or more than half, of its graduates are categorized within this type of work style. The purpose of this majority "data point" is to determine if the self employment/free-lance disclosure to prospective students is required at all. The disclosure is useful to students because it informs them that either a majority or all graduates of the program are self-employed/free-lance. Not all prospective students may wish to pursue such a program. So, having them be notified of the fact prior to enrollment may save a prospective student time, money, and aggravation they might otherwise experience if they were to graduate and only then find that the work available is usually for self-employment/freelance.</p>

I, J, N, O, P, T, V, AE, AG	74112(i)(5)	<p>Commenters stated that the language is subjective and imposes unclear judgmental criteria on institutions. Commenters further provided that the prospect must sign the disclosure before they know exactly what job they want.</p>	<p>The Bureau disagreed. First, the standard is whether "either a majority or all of this schools graduates are employed in this manner." A majority is more than half. Furthermore, as collecting job information on self-employed/freelance working graduates will now be a part of the job placement standard, institutions have only to look at their own job placement numbers to ascertain whether a majority of their graduates go into self-employment/freelance. Second, it is not necessary that a student know exactly what job they want at the time of signing. This is a disclosure that is required when a majority of students graduating from the program are self-employed/freelance workers, not an attestation that the particular student wishes to pursue self-employment/freelance work.</p>
I, J, N, O, P, T, AE	74112(j)	<p>Commenters again stated their objection to first available exam, rather than first exam taken for the same reasons as discussed above in section 74112(i)(2).</p>	<p>The Bureau disagreed for the same reason as previously cited. "First available" is statutory language found in section 94928(e)(1) of the Code.</p>
N	74112(k)	<p>Commenter stated "obtaining individual salary information from graduates is all but impossible and that since the information is available from other sources it should not be on the performance fact sheet."</p>	<p>The Bureau disagreed. First, the only changes to this subsection were format so that the provided example would meet the formatting requirements in subsection (a), thus the comment is not relevant to a change in this modification. However, it is worth noting that the Bureau has been receiving performance fact sheets for several years from thousands of institutions with salary and wage data included, refuting that individual collection is "all but impossible."</p>

O, P, AE	74112(k)	Commenters stated that the wage and salary data is redundant as the information is available by SOC code from the U.S. Department of Labor or collected by other entities such as the U.S. Department of Education or the Internal Revenue Service.	The Bureau disagreed. Again, this subsection was only changed for format for this modification, so the comment is irrelevant. However, while some information may be available through the SOC code, this information is an average and does not necessarily reflect the outcome of students from a particular program at a particular institution. Likewise, any information of this nature released by either the U.S. Department of Education or the Internal Revenue Service would be an average, and not specific to the institution.
U	74112(l)	Commenter recognized that this section was not among the second modified text under consideration. Commenter pointed out that since the original notice, a consent judgment had been reached in Iowa among 40 State Attorney Generals and an institution regarding the definition for "Graduates Unavailable for Employment" and suggested that this definition be considered as a replacement for the current definition.	The Bureau disagreed. Setting aside the fact that the California Attorney General was not a part of the consent judgment, the definition for "Graduate Unavailable for Employment" is set in statute (section 94928(f)).
Z	74112(l)	Commenter suggested adding the definition for "Number of Students Who Began the Program" to this subsection as defined earlier in subsection (d)(1).	The Bureau disagreed, as the definition is already included in this subsection.

I, J, K, L, T, AG	74112(m)	Commenters stated that the Bureau is asking for the same data over and over again and that most data elements have already been reported to the Bureau in other formats and that the Bureau is requiring an excessive amount of documentation.	The Bureau disagreed. First, this is a general comment which is not directed to any specific change in this modification. However, in the alternative, subsection (m) requires maintaining for a specific term the information and data used to produce both the annual report and the performance fact sheets. The subsection does not require any additional reporting, it is about keeping information to verify what has been submitted to maintain the proof to support the reported information.
H, I, J, T	74112(m)(3)	Commenters stated that reporting the date the graduates employment was verified is burdensome and unnecessary and is already being reported in other formats.	The Bureau disagreed. First, this requirement is not a change in this modification. However, it is worth pointing at that subsection(m) is the documentation required to be maintained, not a reporting requirement. Additionally, the date the employment is verified is extremely important under the new gainful employment standards under subsection (d)(3)(A) which require a graduate to be employed at least 21 days. If the verification was only ten days after employment, that would not meet the new regulatory requirement.
M	74112(m)(3) & (4)	Commenter stated that mandating documentation of salary, hours per week, employer contact information and written communication verifying graduate's employment and salary is burdensome.	The Bureau disagreed. These subsections were not changed by this modification, thus the comment is irrelevant. However, maintaining documentation or proof of reported information is a requirement used elsewhere, such as maintenance of tax records for a certain period of time after filling a tax return.

<p>I, J, K, L, Q, T, AG</p>	<p>74112(n)</p>	<p>Commenters objected to the requirement provided in subsection (n) which calls for an institution to give a reasonable amount of time for a student to read the document prior to obtaining the student's initials. Commenters state various reasons from the requirement being illogical, unverifiable, immeasurable and assumes the adult reading is incapable of reading the document. Commenters also stated that the use of the term "reasonable" which can mean so many different things to so many different people is ambiguous and undefined.</p>	<p>The Bureau deleted this subsection from the following modification. While this was not a change to this modification, the Bureau believed that the requirement was duplicative of the statement accompanying the student initial requirements under specific sections of the performance fact sheet. It is worth noting that in Black's Law Dictionary "reasonable" is defined as "agreeable to reason; just; proper. Ordinary or usual."</p>
<p>D, F, I, J, T, U, V</p>	<p>74117</p>	<p>Commenters stated that "clear and conspicuous" is vague and subjective. Some commenters point out that they have multiple schools on one website thus questioning the term "homepage." Additionally, some commenters stated that this is an overstep of authority.</p>	<p>The Bureau disagreed. Conspicuous as defined at dictionary.com means "easily seen or noticed; readily visible or observable." Using the same source, homepage means "the initial page of a site on the World Wide Web." Finally, making specific statutory requirements is one of the purposes of regulations and the regulation makes the statute specific by requiring the statutorily mandated link(s) to be "clear and conspicuous"; and not hidden or obscured.</p>