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Free Desk Guide and Webinars: ED's Final Financial Value Transparency and Gainful Employment Rule

On October 10, 2023, the U.S. Department of Education published its new [Financial Value Transparency and Gainful Employment](#) rule (the "GE Rule"). This rule represents the agency's third effort at installing a "gainful employment" or "GE" framework in the law. Significantly, this latest version of the GE Rule has been expanded to cover all Title IV-participating programs at all Title IV-participating institutions of higher education. Even institutions with high-performing programs will be meaningfully impacted, as they work to satisfy the new rule's significant reporting and disclosure requirements.

In an effort to assist institutions as they seek to understand and comply with this new rule, Thompson Coburn's Higher Education Practice is releasing its [Desk Guide for the 2023 Final Financial Value Transparency & Gainful Employment Rule](#). This 26-page Desk Guide, which is divided into three parts, is designed to be a practical tool for institutions. In Part I, we provide an overview of the new regulatory framework, including a discussion of reporting obligations, metrics, processes, and consequences. In Part II, which is the primary focus of this Guide, we detail a step-by-step process institutions can follow to project debt-to-earnings ("D/E") rates under the GE Rule. And in Part III, we offer guidance regarding how institutions can project an Earnings Premium for each program.

In conjunction with the Desk Guide, our Higher Education Practice also presented a two-part webinar series, which is now available free and on demand. [Part 1](#) includes a detailed discussion of the regulatory framework, the key metrics, the Department's new program information website, reporting and disclosure requirements, consequences of failure, and program certifications. [Part 2](#) takes a closer look at the Department's D/E calculations and details the step-by-step process institutions can follow to project D/E rates and an Earnings Premium for their programs.

We hope you and your institution find the Desk Guide and webinars helpful as you navigate the new GE Rule. If you have questions regarding the new rule or the projection methodology contained in the Guide, please do not hesitate to reach out to Aaron Lacey at alacey@thompsoncoburn.com or Hope Watson at hwatson@thompsoncoburn.com.

Aaron Lacey is the Chair of Thompson Coburn's Higher Education practice, host of the firm's popular Higher Education Webinar Series, and editorial director of [REGucation](#), the firm's higher education law and policy blog. Hope Watson is an attorney in the Higher Education practice who works on regulatory and corporate matters for postsecondary institutions and has a particular focus on the proposed Financial Value Transparency and Gainful Employment rule.

Finally, we invite you to visit our [Higher Ed Resources](#) page, which includes our most recent webinars, desk guides, whitepapers, and blog posts.



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