



## DEPARTMENT OF EDUCATION

[Docket No.: ED-2018-ICCD-0111]

### Agency Information Collection Activities; Comment Request; Student Assistance

#### General Provisions - Non-Title IV Revenue Requirements (90/10)

**AGENCY:** Department of Education (ED), Federal Student Aid (FSA)

**ACTION:** Notice

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, ED is proposing an extension of an existing information collection.

**DATES:** Interested persons are invited to submit comments on or before [INSERT THE 60TH DAY AFTER PUBLICATION OF THIS NOTICE].

**ADDRESSES:** To access and review all the documents related to the information collection listed in this notice, please use <http://www.regulations.gov> by searching the Docket ID number ED-2018-ICCD-0111. Comments submitted in response to this notice should be submitted electronically through the Federal eRulemaking Portal at <http://www.regulations.gov> by selecting the Docket ID number or via postal mail, commercial delivery, or hand delivery. *Please note that comments submitted by fax or e-mail and those submitted after the comment period will not be accepted.* Written requests for information or comments submitted by postal mail or delivery should be addressed to the Director of the Information Collection Clearance Division, U.S. Department of Education, 550 12<sup>th</sup> Street, SW, PCP, Room 9086, Washington, DC 20202-0023.

**FOR FURTHER INFORMATION CONTACT:** For specific questions related to collection activities, please contact Beth Grebeldinger, 202-377-4018.

**SUPPLEMENTARY INFORMATION:** The Department of Education (ED), in accordance with the Paperwork Reduction Act of 1995 (PRA) (44 U.S.C. 3506(c)(2)(A)), provides the general public and Federal agencies with an opportunity to comment on proposed, revised, and continuing collections of information. This helps the Department assess the impact of its information collection requirements and minimize the public's reporting burden. It also helps the public understand the Department's information collection requirements and provide the requested data in the desired format. ED is soliciting comments on the proposed information collection request (ICR) that is described below. The Department of Education is especially interested in public comment addressing the following issues: (1) is this collection necessary to the proper functions of the Department; (2) will this information be processed and used in a timely manner; (3) is the estimate of burden accurate; (4) how might the Department enhance the quality, utility, and clarity of the information to be collected; and (5) how might the Department minimize the burden of this collection on the respondents, including through the use of information technology. Please note that written comments received in response to this notice will be considered public records.

*Title of Collection:* Student Assistance General Provisions - Non-Title IV Revenue Requirements (90/10)

*OMB Control Number:* 1845-0096

*Type of Review:* An extension of an existing information collection

*Respondents / Affected Public:* Private Sector

*Total Estimated Number of Annual Responses:* 1,872

*Total Estimated Number of Annual Burden Hours:* 2,808

*Abstract:* As enacted by the Higher Education Opportunity Act (Pub. L. 110-315), the regulations in 34 CFR 668.28 provide that a proprietary institution must derive at least 10% of its annual revenue from sources other than Title IV, HEA funds, sanctions for failing to meet this requirement, and otherwise implement the statute by 1) specifying a Net Present Value (NPV) formula used to establish the revenue for institutional loans, 2) providing an administratively easier alternative to the NPV calculation, and 3) describing more fully the non-Title IV eligible programs from which revenue may be counted for 90/10 purposes. The regulations require an institution to disclose in a footnote to its audited financial statements the amounts of Federal and non-Federal revenues, by category, that it used in calculating its 90/10 ratio (see section 487(d) of the HEA). This is a request to extend the information collection that identifies the reporting burden for this regulation.

Dated: October 22, 2018.

**Kate Mullan,**

*Acting Director,*

*Information Collection Clearance Division,*

*Office of the Chief Privacy Officer,*

*Office of Management.*

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