

institutions are attempting to move away from paper formats to electronic means of transmitting and disseminating information.

*Discussion:* The Secretary interprets this provision of the statute to require the notification of the parent who acts as the student's guardian.

The Secretary agrees that general guidelines will allow institutions flexibility in adapting to technological changes, and believes the regulatory text is consistent with that intent. However, the Secretary also believes that institutions should have paper copies available for parties who do not have electronic access.

*Changes:* None.

#### Definitions

*Comments:* Most commenters requested the Secretary to require the use of standard definitions. Their reasoning was to ensure uniformity, comparability among institutions, and ease of understanding for the consumer of this information. The commenters stated that flexibility with many of the definitions proposed in the NPRM is undesirable because it will produce noncomparable data that would be confusing to the consumer.

Most of the commenters recommended that the regulations require the use of IPEDS definitions. The commenters explained that institutions are already familiar with these definitions, that they are already being used by the Secretary, and they would not require additional classifications of students beyond those already used. As such, these definitions would significantly reduce burden on institutions.

A much smaller number of commenters appreciated the flexibility provided by the NPRM to use varying definitions so long as the definitions were part of the information disclosed. A considerable number of commenters recommended that the Secretary require the definitions used by JCAR. JCAR also uses some of the IPEDS definitions. In particular, most commenters recommended the IPEDS definitions for the following terms: full-time, certificate or degree-seeking, first-time freshman student, and undergraduate student.

*Discussion:* Upon reviewing the comments, the Secretary agrees that statutory definitions of key terms will increase comparability and benefit consumers. The Secretary also agrees that any definitions promulgated in these regulations should be definitions with which institutions are already familiar.

*Changes:* Particular changes to the "definitions" section of these regulations are addressed below.

*Comments:* A majority of commenters argued that the amount of flexibility in these proposed rules with regard to the definition of "normal time" would result in incomparable data. Many of these commenters asked that the sector (less than two year, two year, and four year) definitions promulgated by IPEDS be placed in the regulations. Many others asked that the JCAR definitions of catalog award-time, extended award-time, and eventual award-time be adopted as mandatory definitions.

One commenter believed that defining "normal time" as "minimal time" is inappropriate, given the number of students who enter institutions with a large number of credits by means such as Advanced Placement Tests and summer sessions, as well as the number of students who take overloads and independent study courses. This commenter believed that normal time instead be defined as "designated completion time." One commenter maintained that normal time should be the advertised time to graduation or completion published in an institution's advising worksheets, catalog, or similar publications, and that if the institution does not publish such information, that normal time for that institution be one year (twelve months) for a certificate program, two years (twenty-four months) for an associate degree, and four years (forty-eight months) for a bachelor's degree.

One commenter supported the use of normal time rather than average time, because the latter would tend to change. One commenter supported the definition of normal time as minimal time to complete or graduate from a certificate or degree program, but asked that this be clarified to exclude summer terms.

Several commenters supported the use of some type of "average" time rather than minimal time as the definition of normal time, given that outside factors, such as family commitments, work time, and availability of funds, affect the time students need to graduate or complete. These commenters suggested that institutions be permitted to determine "normal time" using other means, for example, measuring the "normal time" to completion experienced by the most recent cohort of students, or using sampling techniques of student populations. One commenter believed that the concept of normal time itself as used in the statute and defined in these regulations was a misnomer, given that students now routinely switch between

full-time and part-time status, and are affected by a whole range of non-academic factors.

Several commenters believed that the definition of normal time should not include the term full-time, given that full-time represents only a minimum number, not a particular number, and so two students who take different full-time loads would have different normal times to graduation or completion. One commenter believed that the definition of normal time could contain the term full-time only if the latter term was clarified to mean the greater of the institution's definition of full-time, or the title IV, HEA definition of full-time.

Several commenters asked the Department to mandate that institutions report their definition of normal time as part of their graduation rate report.

*Discussion:* The Secretary agrees that the term "normal time" should not include the term "full-time" because the meaning of the term "full-time" with regard to academic workloads may vary from student to student.

The Secretary agrees with the commenters who concurred that "normal time" not be defined to mean "average time." The Secretary believes that Congress meant to address such issues as stop outs, work, remediation, and other factors when it set the time for graduation or completion at 150% of normal time. The Secretary also believes that Congress meant "normal time" itself to be the standard, traditional time to degree, e.g., four years for a bachelor's degree, two years for an associate degree, and the scheduled time for clock hour programs. The Secretary agrees that to make these points clear, the definition of "normal time" in the regulations should make reference to an institution's catalog time. The Secretary also agrees to include the specific time in standard terms (semesters, trimesters, or quarters, not including summer terms) to completion that have been traditionally associated with degrees. The Secretary acknowledges that measuring time to completion in standard terms (semesters, trimesters, or quarters) rather than months for degree programs is a change from earlier guidance, but believes this change is necessary in order for this information to be provided in a timely fashion. Time to completion measured in months, for example, for a four year institution, would end after the July 30 date for completors or graduates to count, and would therefore delay disclosure for up to 15 months after the end of the students' 150% of normal time, given the change to the January 1 disclosure date discussed below. Measured in standard terms, the data will only be six