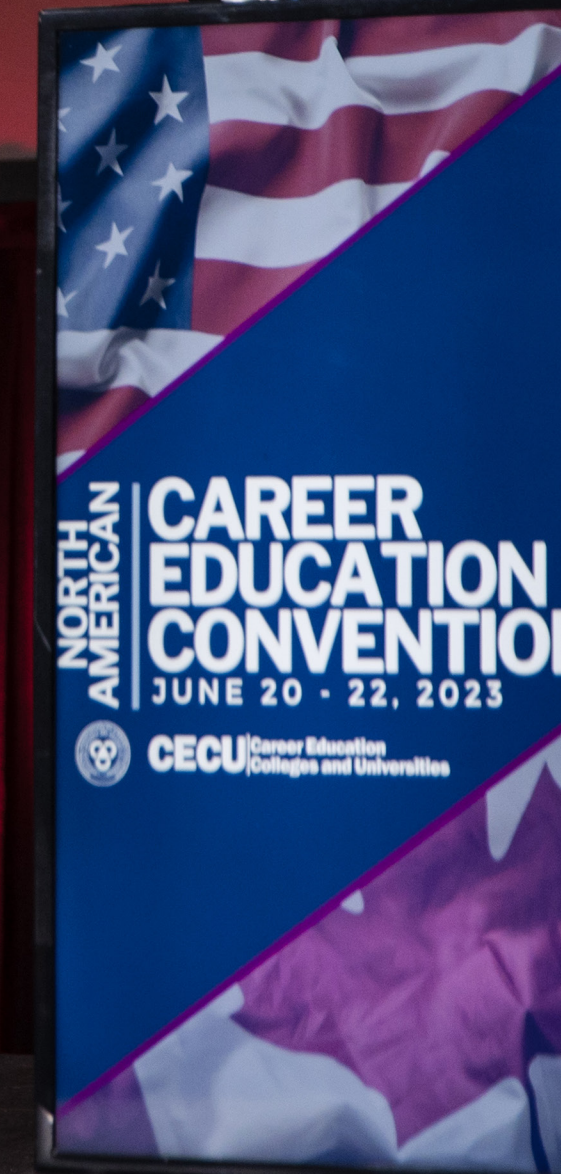


# Career Education Review

*A Publication of CECU, the Voice of Career Education*

Robert Herjavec speaking to CECU members about the importance of career education



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A Publication of CECU, the Voice of Career Education

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*By Dr. I-Chant A. Chiang, Executive Diversity Officer, Sprott Shaw College*

Career colleges have some of the most diverse students and employees, provoking many questions about ways to bring a sense of belonging to the whole college community. Evidence from research has given us many tools, from quick, practical tips to comprehensive strategies for creating campus culture to be an inclusive, welcoming space for all.

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Over the past five years, the perception of higher education in America has shifted significantly, with doubts emerging about its value. Career schools are positioned to address this shift, but only through thorough adaptation. Centura College, Aviation Institute of Maintenance, and Tidewater Tech are examples of successful transformation, illustrating that institutions must reinvent themselves, prioritize community engagement, and offer compelling, lifelong education strategies beyond traditional degrees.

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A photograph of two people, a woman and a man, high-fiving on a stage. The woman, on the left, has long brown hair and is wearing a black strapless top and black pants. She is wearing a lanyard with a badge that reads "Nikki England, President, Southern Careers Institute, ATTENDEE". The man, on the right, is balding and wearing a light blue polo shirt and dark pants. He is wearing a lanyard with a badge that reads "Ted Murphy, Life and Career Success, ATTENDEE". The background is a blue stage backdrop with a large white star graphic. The text "HIGHLIGHTS FROM THE 2023 NORTH AMERICAN CAREER EDUCATION CONVENTION" is overlaid in white at the bottom of the image.

# Highlights From the 2023 North American Career Education Convention

*By Jenny Faubert, Vice President of Communications, Career Education Colleges  
and Universities (CECU)*



In June, the 2023 North American Career Education Convention in Kansas City, MO, proved to be an unforgettable gathering of career school professionals. Jointly hosted by CECU and Canada's NACC, this event marked a pivotal moment for the career education sector.

The convention's agenda was meticulously curated to offer attendees fresh perspectives, innovative ideas, and strategic analysis to enhance student outcomes and drive transformative changes. At the heart of the event was the commitment to equip institutions with the tools they need to elevate the quality of postsecondary career education programs.

The numbers spoke volumes: 746 registrants, 99 exhibition spaces filled, 3 keynote speakers and 1 keynote panel, 34 breakout sessions, 17 roundtable discussions, and 1,700 lunch snacks packed for Operation Breakthrough.

Day one began with various preconvention events, such as a golf outing and a tour of the Super Bowl champion Chiefs' home stadium. Sector champion Congressman Burgess Owens (R-UT) joined CECU members for breakfast, and the Regulatory, Compliance, and Human Resources Workshop drew 70 registrants. Led by legal experts, attendees found it extremely valuable to exchange insights and explore best practices in a confidential setting.



**"Every detail of the CECU conference was intentional this year. The tour of Arrowhead Stadium, the after-hours networking events, and getting to know the members of NACC were all complimentary to forming a great experience. Further, the sessions reaffirmed the sector's unity through information sharing on new regulations, governmental updates, and best practices." - Noah Brandon, MBA, Chief Executive Officer, Unitech Training Academy**

Kicking off the convention, keynote speaker Shannon McKain delivered a captivating talk on leadership. In her role as a motivational speaker and workplace culture expert, McKain emphasized the idea that stepping out of our comfort zones can amplify leadership, using audience participation in the process. Following her presentation, McKain, a former Kansas City Chiefs cheerleader, introduced the Chiefs drumline and cheerleaders, who energized the crowd and led them to the sold-out exhibit hall for the opening reception.

The event also featured an engaging keynote panel discussion centered on "Opportunities for Cross-Border Business Collaboration Among U.S. and Canadian



Noah Brandon and members of the Unitech Training Academy team tour the Super Bowl champion Chiefs' home stadium.

Schools." Moderated by Henry Herzing, Ph.D., President of Herzing College and Chancellor Emeritus of Herzing University, the panel included notable participants such as Sonette Magnus, Partner at Thompson Coburn and Canada's Honorary Consul for the greater St. Louis area; Henry Devlin, President and CEO of Summit2; Rex Spaulding, President of North American Trade Schools Inc.; and Aaron Annable, Consul of Foreign Policy and Diplomacy Service at the Consulate General of Canada in Chicago, representing the Government of Canada. During the discussion, the panel explored various avenues through which colleges and universities in the U.S. and Canada have collaborated.



**"I had the most incredible time as a sponsor and speaker at the convention in Kansas City! The event showcased the powerful bond between Canadian and American educators, fostering an enriching exchange of ideas and collaboration. It was truly a testament to the strength of the CECU and NACC partnership, and I am grateful to have been a part of such a remarkable experience." - Craig Tucker, President, Keyin College**





Attendees prepared more than 1,700 snack bags for local charity Operation Breakthrough.

Other notable keynote speakers included Dan Gingiss, the author of "Winning at Social Customer Care" and "The Experience Maker." He enthralled the audience by underscoring the paramount importance of memorable experiences in what people remember and discuss. Additionally, Robert Herjavec, renowned for his role as a shark on "Shark Tank," delivered a memorable closing keynote that left a lasting impact on attendees, sharing inspiring insights and expertise that resonated deeply with the audience. Because of the immense popularity of these two keynote speakers, we have dedicated separate articles to each of them.

Continuing the tradition of partnership with the local community, our partners at Elsevier sponsored a convention-wide service activity onsite. Attendees joined the staff from a local Kansas City charity, Operation Breakthrough, to prepare more than 1,700 snack bags for campers.

The highly anticipated breakout sessions featured topics of utmost relevance to the sector, with some sessions drawing such immense interest that attendees found themselves standing outside the room. Among the notable sessions was the 2023 Title IV Audit Guide: Balancing Audit Burden and Federal Stewardship Responsibilities, presented by Amy Bales and

Mark Priebe from the U.S. Department of Education's Office of Inspector General. This edition features some of the most popular breakout sessions as articles.

The exhibit hall offered a diverse range of activities, including billiards, caricature drawings, and a book signing session by keynote speaker Dan Gingiss. It proved to be a valuable space for attendees to connect with both fellow participants and companies dedicated to the career education sector. Networking is a primary focus for attendees, and this dynamic space provided opportunities to build connections, gain insights, and explore innovative solutions and services offered by a wide array of industry experts.



**"The convention is the best place for us to reconnect with clients and sector leaders each year. As a longstanding sponsor and exhibitor, Becker Media has had the chance to watch the convention develop and grow into the leading event for education professionals. It is great to see familiar faces each year as well as the chance to meet with new contacts. We are excited to continue our partnership with CECU for years to come." -Bill Buchanan, President, Becker Media**

In the evenings, sponsored events provided attendees with the chance to socialize with both familiar faces and



One of the most popular breakout sessions at the convention.





**The World Needs More Canada gathering hosted by NACC.**

new acquaintances. The entertainment options were diverse, ranging from the lively dueling pianos at Howl at the Moon, hosted by CourseKey and EdwardSchoen, to the World Needs More Canada gathering hosted by NACC, and the Roaring 20's Soiree presented by Gragg Advertising, ensuring that attendees had a truly memorable and enjoyable time.

During the closing session, CECU paid tribute to individuals making significant contributions to the future of career education. Marilyn Lim-Carreon, Campus Director at Unitek College in Reno, was awarded the 2023 CECU Leadership Award. Yasith Weerasuriya, President and CEO of Stanbridge University in Southern California, received the Commitment to Service Award. Additionally, CECU recognized Education Evolve, IntelliTec College, and StrataTech Education Group with the Committed to Excellence Awards for their commitment to adopting the CHEP certification.

The 2023 North American Career Education Convention came to a close with a sense of achievement and community spirit. Beyond the numbers, it was an event that highlighted the dedication and passion of career education professionals in the sector. Attendees left with new insights, valuable connections, and a renewed commitment to advancing career education for the benefit of students across North America.



**Recipient of the 2023 CECU Leadership Award, Marilyn Lim-Carreon, Campus Director at Unitek College in Reno.**



**Recipient of the 2023 CECU Commitment to Service Award, Yasith Weerasuriya, President and CEO of Stanbridge University in California.**

**“I have found the North American Career Education Convention to be not only valuable, but also well-organized and fun. As Canadians, we always look to the south of the border to discover new trends and technological advances in education. The convention provided an opportunity to directly discuss these trends, and exchange ideas with leaders from U.S.-based schools. Numerous partnerships and friendships were developed during this exceptional event.” -Ramona Buda, MBA, Chief Operating Officer, CBBC Career College and Willis College**





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# 2023 North American Career Convention

## Keynote Speakers and General Session Activities



Keynote speaker Shannon McKain brings audience members on stage.



Attendees during a general session.



Keynote speaker Robert Herjavec.



Dr. Jason Altmire, President and CEO, CECU.



Keynote speaker Dan Gingiss.



Kansas City Chiefs Rumble drumline.



Keynote speaker Shannon McKain.



Opportunities for Cross-Border Business Collaboration Among U.S. and Canadian Schools panel.



Attendees during lunch general session.



Audience during a keynote session.



Kansas City Chiefs Cheerleaders.



Michael Sangster, CEO, NACC - Canada.



# 2023 North American Career Convention In the Exhibit Hall





A full-page photograph of a man, Dan Gingiss, speaking on a stage. He is bald with a goatee, wearing a light-colored patterned shirt under a grey blazer, and blue jeans with a brown belt. He is gesturing with both hands, holding a small black device in his right hand. The background is a dark red curtain with faint white text that includes "North America", "ion", "tio", and "23".

# Keynote Speaker Dan Gingiss on Elevating the Customer Experience

*By Jenny Faubert, Vice President of Communications, Career Education Colleges  
and Universities (CECU)*



The 2023 North American Career Education Convention left attendees buzzing with excitement following the keynote address by the renowned author Dan Gingiss, whose works include "Winning at Social Customer Care" and "The Experience Maker." With a wealth of expertise in customer care and experience design, Gingiss delivered a presentation delving deep into the intricacies of the customer experience.

In today's world, where institutions often echo each other's attributes and accomplishments, the importance of standing out cannot be overstated. Gingiss highlighted that the contemporary landscape hungers for genuine, memorable experiences rather than an inundation of content and marketing. Furthermore, competing solely on the basis of product or service quality is growing progressively challenging as nearly every industry faces some degree of commoditization.

Gingiss' first tip underscores the significance of sharing. He acknowledges that while it is natural for people to share both positive and negative experiences, a notable imbalance exists. Approximately 30% of U.S. consumers, and likely a similar proportion of Canadians, are willing to share negative experiences on social media or write unfavorable reviews. In contrast, nearly half of consumers are equally inclined to share positive experiences. This inclination suggests that people genuinely want to share moments that bring them joy and satisfaction.

Consider your own behavior on social media platforms like Instagram. You will likely find that you eagerly share the highlights of your life – the vacations, celebrations, and achievements. This inclination to share the best aspects of our lives extends to experiences as well.

Gingiss asserted that by crafting exceptional experiences, individuals naturally become enthusiastic sharers. These experiences have the potential to not only transform entire industries but also create a legion of devoted brand advocates who eagerly share their positive encounters with others.

How do you create these experiences? Gingiss discussed the concept of being WISE, which stands for Witty, Immersive, Shareable, and Extraordinary. These principles, he suggests, can transform businesses and make them memorable in the eyes of the customer.

**Witty:** Witty does not necessarily equate to humor; it is more about cleverness and a refusal to be boring. Employing language effectively and thoughtfully can infuse wit into communication. It is about making interactions memorable by engaging students' minds and eliciting smiles.

**Immersive:** Immersive experiences are those that resonate deeply with individuals,

touching them on emotional or sensory levels. The best way to create an immersive experience is to either appeal to one of the five senses or to appeal to people's emotions. When we can hit on their emotions, we are going to keep them with us.

**Shareable:** Shareable experiences are those that compel individuals to capture and share them spontaneously. These moments are not forced; they are genuine expressions of joy and satisfaction. Crafting such experiences necessitates a strategic approach, ensuring that they are worthy of being shared.

**Extraordinary:** Extraordinary does not mean extravagant; it simply implies going a bit further than the ordinary. It involves identifying areas where institutions can break away from the commonplace providing something exceptional to students.

Gingiss reassures institutions that becoming extraordinary does not necessarily require a substantial financial investment. Often, it is a matter of shifting perspective, being attentive to the details, and constantly seeking ways to elevate the educational journey.

To truly embrace the principles of being WISE, Gingiss encourages institutions to put themselves in their students' shoes. Become your own customer. Take a walk through the student experience – fill out forms, navigate online systems, and engage with the institution as if you were an applicant or student.

This approach offers a unique vantage point from which to identify areas for improvement. It is an opportunity to discover what might be considered ordinary about the institution's experience and how to make it extraordinary.



Dan Gingiss autographs copies of his book, "The Experience Maker," for attendees at Cengage's booth.

The process of self-assessment becomes the first step toward creating exceptional educational experiences.

Being WISE is not just about crafting extraordinary experiences; it is also about being responsive. When students or stakeholders begin sharing their experiences, institutions must be part of that conversation. Responsiveness involves taking action based on feedback and actively engaging with students.

In essence, institutions need to listen to what students are saying and use that information to enhance their offerings continually. Responsiveness ensures that students feel heard, valued and understood.

In a world saturated with information and choices, the key to success for educational institutions lies in providing remarkable experiences. The principles of being WISE – Witty, Immersive, Shareable, and Extraordinary – provide a roadmap for institutions to create memorable experiences that differentiate them from the competition.

By embracing these principles, institutions can not only enhance the educational journey but also create a community of enthusiastic advocates who share their positive experiences. As Gingiss aptly puts it, it is about transforming satisfied students into the best salespeople an institution could hope for.

The transformation to being WISE is not only achievable but also sustainable, giving institutions a path to growth and success. By focusing on the power of experiences, educational institutions can secure a lasting place in the hearts and minds of students, ensuring their continued success in an increasingly competitive landscape.

**“The 2023 CECU convention was a great way for us to connect with leaders around a topic they are passionate about – the student experience. We were thrilled to have the keynote speaker come to connect with people in our booth while continuing this conversation. CECU created a dynamic environment to network and share. We look forward to future years of collaboration.”**

**-Jennifer Pesci-Kelly, Senior Director of Marketing, Institutional, Cengage**



**“Given all that is happening in the higher education landscape, I cannot imagine a better investment of time than the few days spent at the annual CECU convention. The breakout sessions offer timely regulatory and compliance tips that have meaningful suggestions for school operators. The keynotes are always entertaining and inspiring and the comradery with peer school leaders is rewarding. Kansas City captured many of our hearts in 2023, and I am looking forward to seeing what Indianapolis has to offer in 2024!”**

**-D. Scott Casanover, General Counsel/Sr. Vice President of Government Affairs, West Coast University and American Career College**





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# The Inspiring Story of Closing Keynote Speaker Robert Herjavec's Success

*By Jenny Faubert, Vice President of Communications,  
Career Education Colleges and Universities (CECU)*



**R**obert Herjavec's captivating closing keynote session at the 2023 North American Career Education Convention took the audience on a journey through entrepreneurship, television, and the unexpected turns that life can take. With a candid and humorous approach, he shared his experiences from Canadian TV sensation "Dragons' Den" to the American hit show "Shark Tank," while also delving into his personal life and the lessons he learned along the way.

Herjavec began by describing his unexpected foray into television. Before becoming a television star, Herjavec had a thriving tech company in Canada that he eventually sold. This was a significant milestone in his career, making headlines in national newspapers. Little did Herjavec know that this success would lead him to a completely different world - television.

When the network approached Herjavec, he expected they wanted his financial expertise for investment purposes. To his surprise, they wanted him to star in a new TV show called the "Dragons' Den." There was no script, and nobody anticipated its success. However, against all odds, the show became a monumental hit in Canada.

As "Dragons' Den" crossed borders to the United States, it underwent a transformation under the guidance of renowned producer Mark Burnett. While the format remained similar, the show needed a new name. Mark famously rebranded it as "Shark Tank," instantly giving it a fresh identity.

Beyond entertainment, Herjavec believes in using the show as an educational platform. He recognizes that most people want to improve their lives but often lack the resources, training, or education to do so. "Shark Tank" plays a role in teaching people about business and inspiring entrepreneurs.

One of the show's unique aspects is its authenticity. When entrepreneurs step through the doors, the "sharks" know nothing about them, not even their names. This genuine approach keeps the show engaging and real, making viewers feel connected to the contestants' journeys.

Having won multiple prime-time Emmy Awards, the series continues to thrive in the ratings department as it ventures into its 15th season. Herjavec, along with Kevin O'Leary, who appeared together on "Dragons' Den," are the show's longest sharks.

Herjavec emphasized the importance of entertainment in communication. Drawing on his television experience, he highlighted the significance of not just what is said, but how it makes people feel. With this principle in mind, he engaged the audience, ensuring that his presentation remained engaging and memorable.

Herjavec's personal journey is intertwined with his immigrant background. He arrived in Canada at the age of eight with his family, leaving their homeland of Yugoslavia



Closing keynote speaker Robert Herjavec.

(now Croatia) behind. After crossing the border in Italy, they arrived in Canada by boat. With one suitcase and enough money for a train to Toronto, they started their new life. While both parents worked hard, his mother's unwavering determination left a lasting impression on him, instilling a strong work ethic and resilience.

Herjavec's journey to television fame took an unexpected turn when his mother, battling ovarian cancer, would watch *Dancing with the Stars* while in the hospital. Every Monday, Herjavec would go to the hospital for a *Dancing with the Stars* watch party. One day, his mother asked, "Why are you not on this show?" That day he made a promise to her that if asked, he would join the show.

Unbeknownst to him, *Dancing with the Stars* would prove to be a life-altering experience. Amidst a challenging period in his life, he took on the role and eventually found love, tying the knot with his dance partner. Their marriage has thrived for a decade, and they now have five-year-old twins.

Despite not having a technical background, Herjavec broke into the tech industry by learning on the job and persistently pursuing opportunities. He stresses that in fields with high entry barriers, like tech, developing strong communication skills can be a game-changer.

Herjavec emphasizes the importance of effective communication in any field, especially in a highly technical one. His ability to communicate and sell his ideas set him apart in the tech industry. He believes that being able to convey the value of technology to customers is crucial for success.

Outside of television, Herjavec owns a global



cybersecurity firm that he started in 2003 with two other people. At the age of 19, he produced the Winter Olympics for Canada, which he thought would lead to a career. However, the aftermath was not as promising as one might expect. There were no opportunities in television production at the time, leaving him at a crossroads. It was during this uncertain period that his life took a pivotal turn.

His roommate, equipped with a doctorate in mathematics and computer science, introduced him to the world of computers. Initially disinterested, Herjavec's perspective shifted when he learned about the starting salary of \$30,000 a year for positions in this burgeoning field. Driven by the desire to secure such a promising opportunity, he embarked on a path with no prior experience.

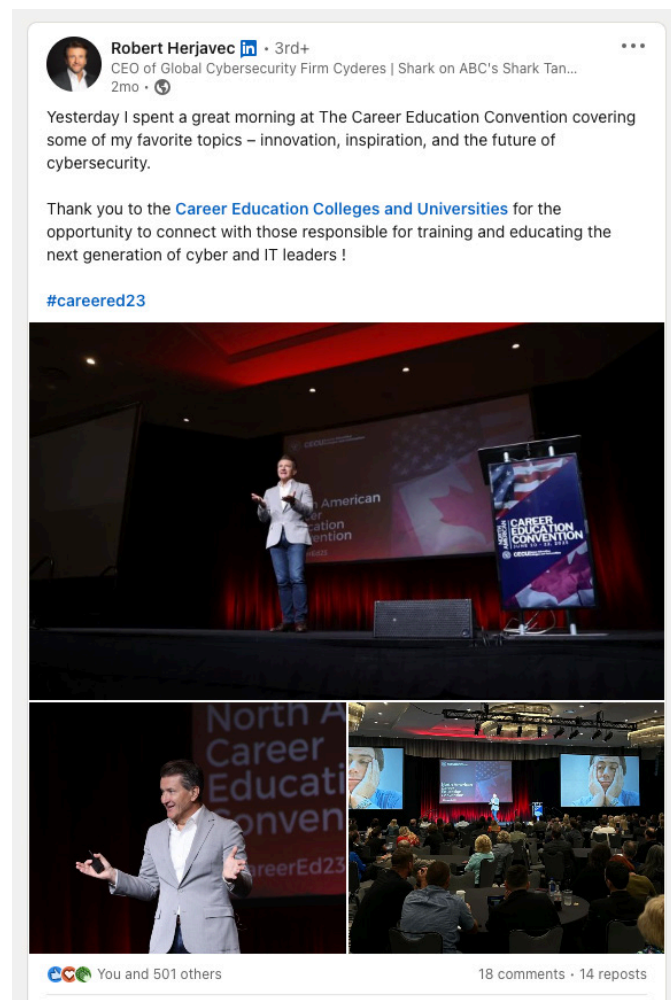
Undeterred by his lack of formal qualifications, Herjavec took the bold step of contacting a potential employer. He managed to persuade the company to hire him despite his unconventional background. The deal was struck. Herjavec would work without pay for six months, with the promise of receiving the salary he would have earned if he had the necessary experience.

Herjavec realized that he lacked the technical expertise of his competitors, who were mostly engineers. Instead of attempting to compete on their terms, he honed his skills in communication and sales. His unique strength was in translating the potential of technology into practical solutions that met the needs of customers.

Herjavec's invaluable advice to those aspiring to excel in highly technical fields is clear: the ability to communicate effectively is the key to success. Regardless of how skilled one is, the talent to convey ideas, build relationships, and bridge gaps between technology and the end user is indispensable. This lesson learned through Herjavec's own journey, underscores the importance of adaptability and leveraging one's strengths in any career

path.

Herjavec's journey through entrepreneurship, television, and the tech world serves as an inspiring tale of the limitless possibilities that await those willing to embrace change and seize the opportunities before them.



**"The convention is always one of the professional highlights of my year. Annually, I look forward to reconnecting with friends in the sector, discovering emerging trends and innovations, sharing ideas, and expanding my professional network. I am consistently inspired by thoughtful keynote presentations like the one recently delivered by Robert Herjavec of Shark Tank fame. This year, I was also thrilled to meet our Canadian colleagues and learn more about career education north of the border. Year after year, I find the Convention worth the time and investment and always encourage my Nightingale collaborators to join me in attending."**

**-Mikhail Shneyder, Chief Executive Officer, Nightingale Education Group**



# 2023 North American Career Convention



**The World Needs More Canada party.**



**Attendees in a breakout session.**



**Congressman  
Burgess Owens  
(R-UT).**



**David Vice and Dr. Mindy  
Brown of IntelliTec College  
accept the Committed to  
Excellence Award.**



**Roaring 20's Soiree sponsored by  
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**Breakout session.**



**The University of Advancing  
Technology team.**



**Attendees during a breakout session.**



**Howl at the Moon party sponsored by  
CourseKey and EdwardSchoen.**



**Michael Marino and Tammy Taft  
of Education Evolve accept the  
Committed to Excellence Award.**



**CECU's Jordan Wicker  
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# Enhancing the Student Journey: Using ChatGPT and AI for Attracting and Engaging Students

*By Stephen Arthur, Director of Data Analytics, ECPI University*

The world has been in a technological revolution for the past several decades, and education is no stranger to the promises of developing education. Just twenty years ago, computers in every school and then in every classroom were going to revolutionize education. Now, ChatGPT and other large language models (LLMs) are the next generation's game changer. LLMs are artificial intelligence (AI) models that can understand and generate text in a way that seems human. This new technology stands to revolutionize the way students learn and bring yet another paradigm shift to the education sector.

Around 10,000 BC, the invention of agriculture allowed for the emergence of small towns and, eventually, larger cities. Schools began forming in these cities – the first formalized education arising in ancient Sumer in 3,000 BC.

In 1440, the Gutenberg printing press was invented. For the first time books, newspapers, and pamphlets were mass-produced and literacy rates began to slowly increase. More people gained access to first-hand educational material than ever before. Only a small percentage of the world's population had the luxury of a formal education,

but it was progress.

In 1983, the Internet prompted the next revolution. Shortly after the Internet's inception, the world wide web exploded in popularity and usage. Before long, over half of the world had access to 90% of human knowledge via a small, portable device in their pocket or purse. People could hardly believe that they could access so much information so easily and began wishing for a way to better control and harness this wealth of information.

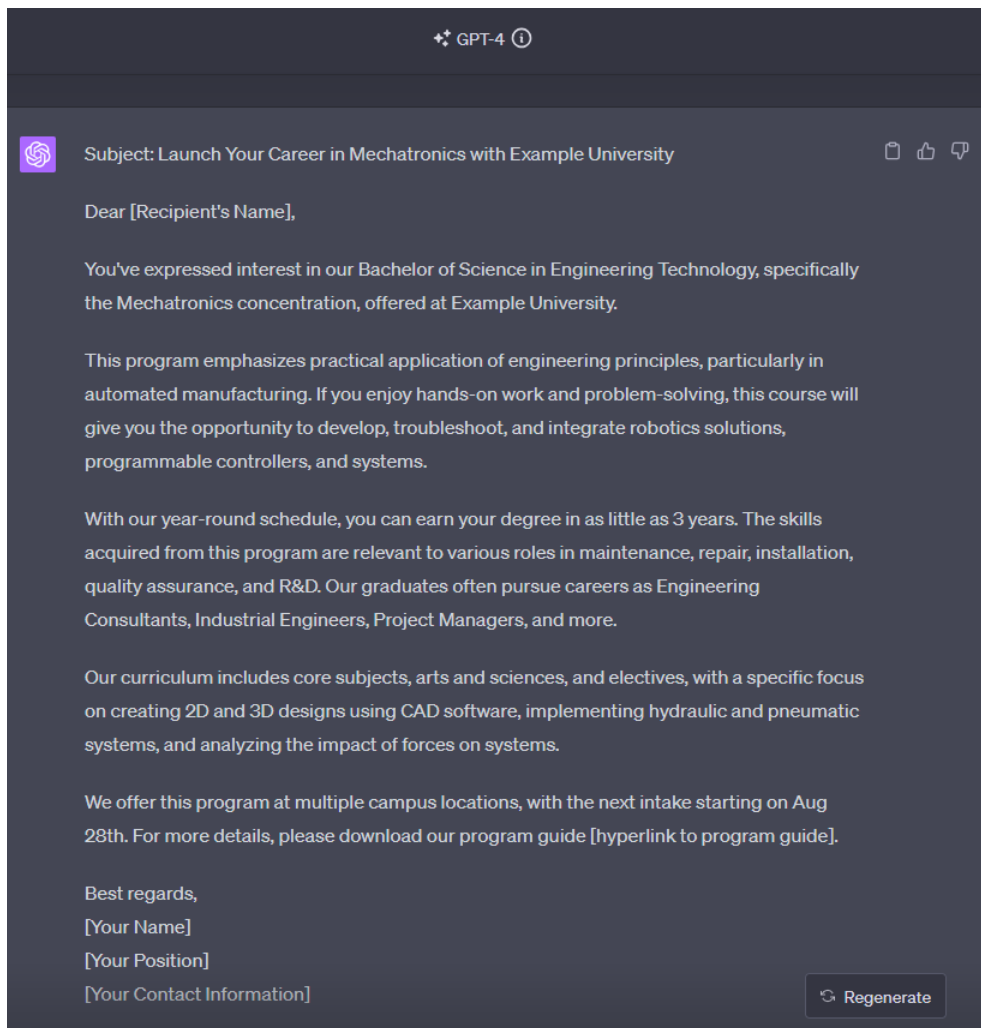
Little did they know that ChatGPT was mere decades away.

On November 30, 2022, the foundation for the future of learning was released to the public – ChatGPT. Shortly after, other LLMs such as Google's Bard, Bing Chat and Facebook's LLaMa were released. Now everyone not only has in their pocket the entirety of human knowledge, but also a personal tutor that can answer questions, break things down, teach using metaphors, and suggest more topics. In many ways, ChatGPT acts as a guide to the internet at large – it can find, analyze and even synthesize the internet's knowledge.

## Student Recruitment

For most students, their first experience with a college is with that college's marketing. For state universities, the most common marketing tactics are word-of-mouth and collegiate sports. For career colleges, social media posts or Google search results might be a prospective student's first experience. If prompted correctly, LLMs have the ability to create highly effective social media posts, Google search ads, email campaigns and much more.

Here is an example prompt given to ChatGPT-4 and the resulting artifact: "Example University offers a bachelor's degree in Mechatronics. Here is the content on their website that describes the program. Create an email that would be directed to someone who said they want to learn more about the program."



In a few short minutes, you have a full email describing all the main points of your program, including subject material, example career options, locations offered, start date and a place to link to the program guide. This can be further altered, augmented, or made more concise with a simple follow-up prompt such as "add a paragraph describing some of the core courses." It will rewrite it

within seconds, following the new instructions. If you're not happy with the results, you can simply adjust your prompt and get an entirely new document in seconds.

Other places where ChatGPT can support a school's marketing efforts are:

- Competition analysis
- Ad generation
- Social media post analysis
- Messaging personalization
- Sentiment analysis

Admissions can use AI tools to automatically communicate with potential students. However, using an LLM for this communication is more than a little risky. Savvy students can cause the AI to become "jailbroken"

with certain prompts, bypassing any restrictions you might place on them. You do not want to accidentally mislead potential students by having your AI chatbot say something incorrect, offensive, or non-compliant.

Luckily, there are other types of AI communication tools, such as Google's Dialogflow, that attempt to determine the intent behind messages submitted to the bot. It will then sort through only the previously selected and approved responses to determine what makes the most sense in the context of the conversation.

Some use cases include:

- AI live chat
- AI inbound call line
- AI texting platform

## Academics

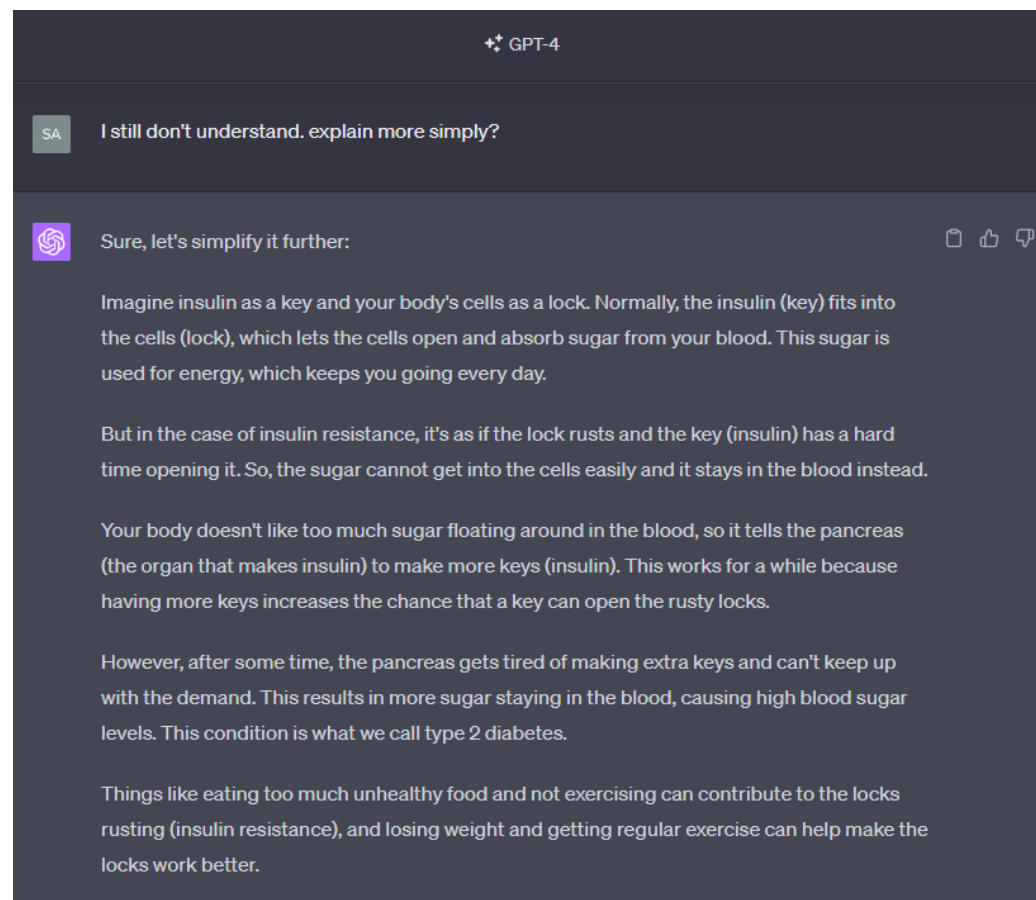
Personalized tutoring is the major student-enhancing use case for higher education. Does the student need help with problem number five on the Module 2 homework assignment? The student just needs to ask the personal tutor live-chat about it and the AI tutor will already know the problem, how to solve it and will break down the problem step by step, all without

human involvement.

Even if the curriculum is difficult to understand, an LLM can "improvise" to help the student. For example, nursing textbooks describe the role of insulin resistance in type 2 diabetes in abstract medical terms that can be difficult to follow. If you tell your ChatGPT tutor to explain how this works more simply, here is an example



response:



Comparing insulin to rusty locks is the type of explanation that normally requires a human instructor, but here it was done automatically at the prompting of the student. Not only that, but the explanation supplied is remarkably easy to understand!

Tutoring is not the only application of ChatGPT. Curriculum development can be streamlined as well. No longer do you need to pull Subject Matter Experts' (SME's) teeth to get written content and assignments for your new or revamped courses. Simply tell an LLM about your course and tell it to write the content itself – now all the SME needs to do is confirm and tweak the new AI-generated content. It is certainly easier to review an AI's work than to do it all yourself!

### Student Services and Administration

Financial aid is another area that is rife with regulation that makes the use of LLMs too risky for direct communication. However, you can still use them to generate outreach emails and texts, explain complex financial terms to students and facilitate communication between students and financial aid. The same applies to student success teams.

Some LLMs like ChatGPT know how to write computer code in most languages! IT and software

development teams can streamline their coding and technical documentation processes and also help debug code. It is important to remember, though, that **anything you type into these models is now known and owned by that company**. Do not type anything into these models that are proprietary, or you will be giving trade secrets to a company that will potentially use that information to train the next edition of ChatGPT.

If your college offers software development programs, students can use them to help with their own coursework. It is important to tell students not to use these models to do their work for them, but to use them to help understand the concepts.

### Career Services

The last phase of a student's journey is with career services. Does the student need help fixing or augmenting his/her resume? Simply copy and paste the resume into the LLM and tell it to suggest improvements. It will suggest best practices for writing resumes tailored to the individual student. This can greatly reduce the amount of time and effort that your career services personnel must spend manually reviewing resumes.

ChatGPT and other LLMs can also instantly tailor your students' resumes and cover letters to each company and job position they apply for. Your students will apply with cover letters that point out their relevant strengths and how their specific job experience and training are relevant to that company, that industry and that job position. It only takes a few additional minutes to double the response rates of your students' applications.

### AI's Limitations and Future Potential

When OpenAI's ChatGPT was released to the public, it had five major limitations:

1. Limited mathematical capability – because it is a language model, it can only solve math problems that occur frequently in written language. This has been solved in ChatGPT by using the Wolfram plug-in.
2. Limited knowledge as of 2021 – As ChatGPT will frequently remind you, its knowledge base has a

cutoff date of September 2021. This is now largely solved with the Bing plug-in and with other models such as Bard.

3. Hallucinations – ChatGPT can sometimes make up references or facts. Famously, an attorney took ChatGPT at its word when it made up a legal precedent and he was disbarred. This, among other reasons, is why you must ALWAYS review ChatGPT's output before putting it into use.
4. Security risks – many companies have banned the use of ChatGPT due to security concerns. Some employees have uploaded trade secrets into ChatGPT, effectively giving OpenAI that information.
5. Bias – LLMs are only as good as the data they are trained on. This will continue to get better as companies experiment more with employing diverse data sources.

There are many limitations for specific use cases. For example, an AI tutor cannot fully replace the human touch in teaching – empathy, context, and nuance are vital elements of education that AI struggles to replicate. Language models also lack a personal memory. ChatGPT does not have the ability to recall or store personal information from past interactions unless explicitly programmed to do so for a specific session. This lack of continuity might result in fragmented conversations or inconsistencies across sessions.

Learning Management Systems (LMS's), such as Canvas and Blackboard, will soon start inserting AI features into their platforms. These features include:

1. AI Live Chat Assistance – If a student is struggling with homework problem #8, now there will be a live chat box where the student can ask how to solve problem #8 and the AI knows what "problem #8" means in context.
2. Automated Essay Grading – ChatGPT can already grade papers if prompted correctly but it is a manual and painstaking process. When LMS's start integrating this feature directly into their platforms, students will be able to see their "estimated grade" immediately after they upload their essay, and instructors will spend much less time grading papers.
3. Retention Scores – Predictive models that calculate the likelihood of graduation already exist, but the rise of sophisticated AI models will continue to improve. This can lead to more specific outreach methods and improve retention, graduations rates

and more.

4. Instructor Notes – There are many possibilities with instructor notes. For example, transcription software will be able to not only dictate lectures but summarize them and let the instructor know if they missed anything in the curriculum. An AI can provide suggestions to instructors throughout the term, like increased focus on a certain topic based on student performance.

As we continue to navigate the challenges and opportunities of the digital age, higher education stands at a critical juncture. The innovative application of AI tools, particularly LLMs like ChatGPT, offers a promising avenue to revolutionize the learning experience and streamline administrative processes. Like any technological advance, it will require sober, thoughtful and careful inclusion into the process.

While the future world is inherently unpredictable, one thing is certain: as technology evolves, so must our institutions. The promise of AI is only as strong as our commitment to adapt, evolve and seize the opportunities it presents.



**Stephen Arthur** is the Director of Data Analytics for ECPI University. He started his career in digital marketing analytics with ECPI University where, among other things, he designed predictive models.

He later began to work on a little bit of everything, resulting in him being named the Director. Stephen has experience designing AI predictive models, using ChatGPT and AI to solve university challenges, and automating many of the university's processes.

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# From Floundering to Effective Teams, an Actionable How-To

*By Rex Spaulding, President, North American Trade Schools, Inc., Peter Dykstra, Vice-President, Career College Group, and Dr. Scott Fitzgibbon, The Pacific Institute*

**B**uilding a constructive culture that drives an organization's strategic initiatives should always keep the mission of the organization top of mind. This helps retain employees and students, by considering the whole school team and not just departmental silos. When department goals become the focus rather than overall school initiatives, this often happens by accident and not by intent. If we are not careful, we can get so consumed with driving the results of individual departments that our team can lose sight of the bigger picture. The overall organizational team deteriorates because departments start seeing under-achievement in other departments as a "you" problem rather than a "we" problem. We run too lean to work in verticals that do not collaborate effectively in order to achieve strategic initiatives and the overall mission of the school.

To begin building a constructive culture, an organizational identity is critical in developing the "whole school" team. Unfortunately, many organizations operate blindly day after day without an easy to understand core identity. A core identity is defined as a mission statement (your purpose) and core values (your guiding principles). When establishing a core identity, an organization should

consider a three-step vision the staff can get behind:

1. Easy to follow guiding principles
2. Expectations of the organization's leadership
3. A useful tool for helping make daily decisions

Most importantly, make it part of the organization's routine by including these three steps as part of regular staff meetings, employee reviews and daily communication. As Jim Collins wrote in his book, "Built to Last," "highly visionary companies institutionalize their core ideology by weaving it into the very fabric of the organization. The very best companies are so clear about what they stand for and what they are trying to achieve that they simply do not have room for those unwilling or unable to fit their exacting standards."

An innovative organization will develop a clear and compelling sense of "WHY" they do what they do - and having the whole team live and breathe that "why" daily is critical to its success. A successful "why" is specific to the organization and helps teams connect their daily work to their company's purpose. Identifying and committing to the "why" gives the team perspective to see what they really want to accomplish. It provides a direction to move

towards and, more importantly, it inspires them.

Another important tool to measure an organization's pulse is conducting regular employee surveys. When executed with care, these surveys have the potential to create a lasting positive impact on your business. Everyone wins when companies take the time to listen to their employees, invest in the employee experience and build a strong workplace culture. Keep it anonymous because it is much better to know what they said rather than who said it. Next, share the survey results – the good *and* the bad – with your staff, along with a proposed action plan that will drive meaningful change. This will help employees feel heard and improve overall company culture. And since employee engagement can be directly linked to business profitability, it is in your leadership team's best interest to make this a key priority.

With the organizational identity established and the process to keep it firmly entrenched through daily routines, the focus can shift to our team. Creating a successful team is often elusive, not because team members are unwilling, but many have never participated on a highly functioning and effective team. Building a great team is far more attainable with a common language, identifiable behaviors, a structured process that is understood by all so it becomes actionable. Without a "how to," many teams flounder, often leading to endless meetings that go nowhere, increased frustration, finger-pointing and ultimately the deterioration of both short-term strategic initiatives and long-term goals.

The Five Behaviors of a Cohesive Team® model is applicable at both the department and organizational level to drive strategic initiatives and the organizational mission. The result is a unique and impactful team development solution that empowers teams to rethink their approach to teamwork, shape new, more constructive behaviors to increase productivity, and create a common language that completely redefines how teams work together.

At the foundation of The Five Behaviors of a Cohesive Team® model is **Trust**. Building trust within the organizational team takes effort, disciplined practice, consistency, and the pursuit of what Patrick Lencioni calls "Vulnerability-Based Trust." Lencioni partnered with Wiley Publishing Everything DiSC® several years ago to approach the model with a tangible tool to assist teams in separating what he calls "predictive-based trust" from the pursuit of vulnerability-based trust. Vulnerability-based trust is the true driver behind high functioning and effective teams, but too often teams get stymied by predictive-based trust - behaviors from team members that are predictable and easily identified, but those predictable actions shut down teammates and subsequently deteriorate trust on a team. For example, certain styles have a predictive tendency to "give away" trust, whereas others have a predictive tendency to have team members "earn it." Growing vulnerability-based

trust on a team does not happen because team members change their tendency, but rather the team applies understanding of preferences and continues to build trust on a team when most other teams stop. Another key tool is to get to know your teammates on a personal level. Show them you truly care to help move them to places you need them to go. Never underestimate the importance of a personal connection with your teammates. Your organizational and personal success is determined more by your team than anything else.

By establishing a common knowledge base on both style preference (Everything DiSC®) and understanding The Five Behaviors of a Cohesive Team® model, teams can move past those behavioral impediments and begin to build much stronger and more effective teams. Through the understanding of predictive-based trust, the behavioral tendencies and preferences of team members, we can identify those behaviors that are getting in the way, call them out in "real-time" and move past those actions that would otherwise impair trust building on a team.

With vulnerability-based trust established, the team can begin to work through the process of driving team results. The next step to drive results is healthy **Conflict**, which is the ability of the team to have unfiltered, ideological debate of topics and initiatives most needed to drive results. Team members have to be willing to be uncomfortable with each other and argue about what each feels is the best option for the whole of the team, which seems obvious, but often does not happen on most teams. In fact, Lencioni says that most teams he has worked with over his career "operate in artificial harmony," never really getting at the real issues necessary to arrive at the best decisions. If the team does achieve the healthy conflict necessary to arrive at the best decision, the next step is **Commitment**. This is the "buy-in" from the whole team and organization to support the decision. The level of Commitment is often seen and realized in the next step, which is the capacity of the team to hold one another **Accountable** for the actions and behaviors of teammates that are running contrary to those necessary to achieve the **Results** the team has decided, which is the final step: the Results of the team, not of individuals, but the team.

Great organizations:

- Have a core identity.
- Have team members that understand the WHY we do what we do.
- Have an intentional common language to call out behaviors that run counter to team building.
- Have a relentless pursuit of building vulnerability-based trust so Conflict, Commitment, Accountability, and Results happen.
- Have a process in place to survey team members to uncover how we are doing at each level of the model.
- Have a culture where team results of the whole organization are sought over individual or



departmental results.

Great teams make our organizations more enjoyable places to be, so it is worth the effort to invest in these tools for the benefit of both our employees and our students.

#### References:

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**Rex Spaulding** is President of North American Trade Schools Inc. with US locations in New Castle, PA, Baltimore, MD, East Liverpool, Ohio and four Canadian campuses in Ontario operating under the brand of Medix College/North American Trade School. The schools currently serve over 2,700 students in trade/technical and healthcare related programs.

He has served as President of the Pennsylvania Association of Private School Administrators (PAPSA) and Chairman of the Pennsylvania Department of Education's Private License School Board.

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**Peter Dykstra** is no stranger to career colleges as he followed in the footsteps of his father, Peter Dykstra Sr., who operated Career Canada College for over two decades. So, it was only natural for Peter to enter the sector in 2003 as an Admissions Representative,

working with two of the leading career colleges in Ontario: CDI College and Herzing College. In 2006, Peter made the move to Medix College and has spent 17 years in a variety of positions across all departments, providing him with keen insight into all areas of operations. In 2011, Peter was promoted to Vice President of Medix College and North American Trade Schools. In November 2018, alongside his father Peter Sr. and partner Rex Spaulding, Peter completed a series of purchases to become the sole owners of the Career College Group. CCG has since expanded its offerings and added an online division, continuing to focus on the best interests of the students and the communities in which they operate. Peter has also served for seven consecutive years as a Director, Vice President, and President of the Ontario Association of Career Colleges (Career Colleges Ontario), a non-profit organization dedicated to advocacy and quality assurance in post-secondary education on behalf of private career colleges in Ontario.

Peter obtained his Bachelor's Degree in Sociology from the University of Ottawa and also holds a Project Management Certificate from George Washington University. Peter resides in Markham, Ontario with his wife Tanya and their two sons, Jacob and Jaxson, who play high level hockey and baseball. When not at the ice rink or baseball diamond, you can find Peter and his family on the golf course, at their cottages, or travelling the world enjoying the beach or mountains.

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**Dr. Scott Fitzgibbon** has been involved in higher education since 1991 with wide-ranging experience in teaching, admissions, student services, and career services. Scott has worked extensively with school administrators and

faculty specializing in cognitive-behavioral training, adult learning, learner-centered approach toward management and teaching, student persistence and retention, residence life, student services, personal coaching, and behavioral management. He has taught thousands of employees and students to apply behavioral understanding toward teaching, learning, teamwork, admissions, and student services. He has earned a doctorate in education, a master of education degree in counseling, and a bachelor's degree in business finance. He is a Licensed Professional Counselor.

Dr. Fitzgibbon is a distributor and consultant for both Wiley Publishing and The Pacific Institute. Using the Everything DiSC® assessment since 1998, Dr. Fitzgibbon has taught behavioral understanding as it relates to communication, sales, teamwork, conflict resolution, customer service, leadership, and management in hundreds of organizations to tens of thousands of employees. Having been involved with higher education since 1991, Dr. Fitzgibbon has worked extensively with The Pacific Institute and DiSC® assessment with school administrators, faculty, and students specializing in cognitive-behavioral training, adult learning, learner-centered approach toward management and teaching, student motivation and retention, personal coaching, and behavioral management.

Dr. Fitzgibbon is the co-author of The Pacific Institute's Mindsetting for Success and Well-Being in the Digital Age™ curriculum. This student success curriculum has been implemented in over 500 career schools across North America reaching over 1,600,000 students and 35,000 school employees. He has guest lectured for numerous state, national, and international associations.

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# The Gainful Employment Rule: Understanding ED's New Final Rule

*By Dan Brozovic, Principal, Powers Pyles Sutter & Verville PC*

With a newly-issued final rule, the U.S. Department of Education has opened another chapter in its efforts to regulate the meaning of the phrase “gainful employment in a recognized occupation.” Under its most recent iteration of a so-called Gainful Employment (or GE) Rule, programs face loss of Title IV eligibility unless they satisfy two independent eligibility metrics – a set of Debt-to-Earnings Rates and an Earnings Premium metric.

This article provides an overview of the final rule, including a summary of changes from the proposed rule.<sup>1</sup> The rule is set to take effect on July 1, 2024, though certain disclosure provisions are delayed until July 2026.

## The GE Rule: A Brief History

Many observers will recognize this as the third iteration of a GE Rule. While the Higher Education Act of 1965 has for decades required that certain Title IV-eligible programs provide “training to prepare students for gainful employment in a recognized occupation,”<sup>2</sup> the notion that such requirement should be accompanied by a detailed regulatory regime – with loss of Title IV eligibility for programs failing to meet ED’s prescribed standards – first gained serious traction early in the Obama administration. The administration’s short-lived 2011 rule was invalidated by a federal court in 2012. The administration published a successor GE Rule in 2014, which the Trump administration formally rescinded in 2019. The new rule is broadly similar to the 2014 GE Rule – but different and more stringent in several important respects.

Gainful employment was addressed in an omnibus negotiated rulemaking proceeding in early 2022. Among the various topics covered, GE was arguably the most controversial. Half of the negotiated rulemaking committee – including institutional negotiators representing every sector of higher education – withheld their consensus.

With no consensus reached during negotiated

rulemaking, the Department developed its own GE Rule proposal, via a Notice of Proposed Rulemaking (NPRM) published on May 19, 2023.<sup>3</sup> Following its review of the over 7,500 public comments submitted, the Department then released its final rule on September 27, 2023.<sup>4</sup>

## Final GE Rule – What (Has Not) Changed?

As noted, ED received thousands of public comments, many of which were detailed and comprehensive. Several resulting changes to the final rule are highlighted below. Ultimately, however, the central elements of the GE framework – including the two eligibility metrics and their underlying methodology – are unchanged from the NPRM. On the other hand, institutions in Puerto Rico and other U.S. territories have been effectively exempt from the GE Rule, as detailed below.

The Department clarified that the first official GE metrics will be released in “early 2025,” and the first year a program may become ineligible under the rule is 2026.

Institutions’ first deadline will be to complete historical data reporting by July 31, 2024, which will involve organizing and reporting voluminous program- and student-specific data. However, the final rule introduces a “transitional” option allowing all institutions to report data for only the two most recently completed award years (i.e., 2022-23 and 2023-24) in lieu of the larger dataset required in the NPRM. ED will need to prepare reporting templates and instructions, though institutions wishing to plan in advance can find the reporting requirements at § 668.408 of the final rule.

## Accountability Framework

To remain Title IV eligible under the final rule, programs will need to satisfy both a Debt-to-Earnings Rates (“D/E Rates”) measure and a novel Earnings Premium (“EP”) metric<sup>5</sup>:

3. 88 Fed. Reg. 32300 (May 19, 2023).

4. As of this writing, the final rule has not been printed in the Federal Register and is not considered formally “published” until that occurs. In the interim, an unofficial version is available at <https://www2.ed.gov/policy/highered/reg/hearulemaking/2021/nfrgeunofficialcopy.pdf>.

5. 34 C.F.R. §§ 668.402; 668.602. The rule also includes a certification requirement, which is not discussed in this article.

1. This article is for informational purposes and does not constitute legal advice. It is not intended to be comprehensive of all applicable requirements. No party should act or refrain from acting before seeking individualized advice from counsel as appropriate.

2. *E.g.*, 20 U.S.C. § 1002(b).

– Annual Debt-to-Earnings Rate

- Annual loan payment  $\leq$  8% of annual income

– Discretionary Debt-to-Earnings Rate

- Annual loan payment  $\leq$  20% of discretionary income

~and~

– Earnings Premium Metric

- Median program earnings > median earnings of HS grads aged 25-34

~or~

However, only so-called “GE programs” – those required by the HEA to provide training for gainful employment in a recognized occupation – face a loss of eligibility for failing the metrics.<sup>8</sup> GE programs include virtually all programs at proprietary institutions, and only non-degree programs at public and non-profit institutions. (For all GE rule purposes, a “program” is the combination of: 6-Digit OPEID + 6-Digit CIP Code (as listed on institution’s Eligibility and Certification Approval Report (ECAR)) + Credential Level, regardless of an institution’s labeling.)

D/E Rates compare program completers’ debt to their earnings about three years after graduation. Despite now being more stringent, the D/E Rates are broadly similar to the Obama-era concept and will be familiar to many observers.

Arguably the more significant development is the new EP metric, under which a Title IV program’s graduates must have greater median earnings than that of all high school graduates in the workforce aged 25-34. If a program’s median earnings is equal to or below the median high school earnings threshold, the program is considered failing.<sup>6</sup>

The new eligibility metrics are discussed in more detail below.

### Transparency for All, Consequences for Some

The final rule requires public disclosure of every program’s performance under the GE accountability metrics, among a range of other information.<sup>7</sup> In a significant departure, ED will calculate and disclose the D/E Rates and EP for *all* Title IV-eligible degree and certificate programs, including all such programs at public and nonprofit institutions (subject always to minimum completer counts, discussed below). Under the final rule, these disclosures will begin July 1, 2026.

6. Many commenters asserted several inherent conceptual flaws with the EP metric. For example, the metric compares the earnings of recent postsecondary completers to a universe of high school graduates who may have substantially more experience in the workforce and higher earnings levels as a result. The EP also involves an arguably apples-to-oranges comparison of different occupations with different educational entry requirements (particularly for allied health and cosmetology fields) and different workforce conditions (union participation, etc.). The Department responded to these comments in the final rule. Of course, whether it responded adequately is beyond the scope of this article.

7. *Id.* § 668.43(d). These are similar to the disclosures required by the 2014 GE Rule, though they will now appear on an ED-maintained program information website rather than institutional websites. While ED has discretion to add or remove certain disclosure elements, it revised the final rule to provide it will always disclose a program’s: (i) D/E Rates, (ii) EP metric, (iii) length, (iv) enrollment, (v) cost, (vi) borrowing levels, (vii) median loan debt, (viii) median earnings, and (ix) programmatic accreditation. Additional potential disclosure elements are listed in § 668.43(d)(1)(ii).

Significantly, GE programs will need to pass *both* the D/E Rates and EP metric to remain Title IV-eligible.<sup>9</sup> A program will lose eligibility if it fails the same metric (D/E Rates or EP) twice in two of three consecutive years for which metrics are calculated.<sup>10</sup>

Following a loss of eligibility, institutions would then have to wait three years before re-establishing eligibility for the same program (i.e., same 6-digit CIP Code + credential level).<sup>11</sup> During the three-year period, institutions would also be prohibited from establishing eligibility for “substantially similar” programs (meaning programs with a common 4-digit CIP Code prefix + credential level), though already-existing “substantially similar” programs will not be impacted.

### Warning and Acknowledgement Requirements

For GE programs, the final rule requires student warnings for any program at risk of losing Title IV eligibility based on its next set of GE metrics.<sup>12</sup> This is similar to a requirement under the 2014 rule, and institutions would need to provide warnings directly to enrolled and prospective students, in accordance with specific delivery requirements. The warnings will also appear on the Department’s program information website, where prospective students will need to acknowledge having seen them. However, in response to public comment, the final rule does not require any warnings be issued before July 1, 2026.

The exact form of the warning remains to be established, but per the rule, it will include statements that the program has not passed standards established by ED based on the amounts students borrow for enrollment and their reported earnings, and that the program could lose access

8. *Id.* § 668.602.

9. The ability to appeal a GE-related loss of eligibility is limited (permitted only on the basis that ED erred in the calculation of GE metrics), though institutions will have an opportunity to correct certain data during the metrics calculation process.

10. When measuring if a program failed in “two of three consecutive years,” any years in which no metrics were calculated are disregarded; however, metrics would not be considered “consecutive” if calculated more than five years apart.

11. *Id.* § 668.603.

12. *Id.* § 668.603.



to Title IV aid based on the next calculated metrics.

Because a program would lose Title IV eligibility based on a failure in two of three consecutive years, the warnings would be triggered upon a program failing either the D/E Rates or EP a single time. In that event, the warnings will remain in effect for that program until it receives two consecutive passing outcomes on both the D/E Rates and EP.

The rule also includes a three-day “cooling off” period. When a warning requirement is in effect, prospective students will not be allowed to enroll, register or make a financial commitment until three business days after the institution delivers the warning.

Non-GE programs (i.e., degree programs at public and non-profit institutions) remain exempt from the warning requirements. However, at least for graduate degree programs at public and non-profit institutions, a prospective student’s pre-enrollment “acknowledgement” is required if the program has failing D/E Rates.<sup>13</sup> Again, no acknowledgements would be required before July 1, 2026.

### A Note on Earnings

The Department will calculate the D/E Rates and EP using the median annual earnings of completers during the applicable cohort period (discussed below). For those institutions wishing to project their programs’ performance in advance, obtaining reliable earnings data may be the largest challenge.

As with the 2014 GE Rule, ED plans to obtain earnings information directly from the IRS or another federal agency with earnings data, meaning institutions cannot access the precise earnings figures that would be used until ED releases them in the future. Even then, institutions (and ED) will receive only a list of earnings amounts, and not the identity of the completer to whom each amount relates.

Significantly, the rule does not include an alternative earnings appeal concept. Readers may recall the 2014 GE Rule included two appeal mechanisms, one of which allowed institutions to directly survey graduates for their earnings amounts. This appeal mechanism was particularly important in programs leading to occupations in which income may be meaningfully underreported to the IRS. While the NPRM and final rule acknowledge underreporting is a concern, and we understand this issue attracted significant public comment, the final rule persists in measuring all programs solely based on the IRS data.

Despite the unavailability of exact earnings data, there

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13. The NPRM would have extended this acknowledgement requirement to all non-GE programs with failing D/E Rates. The final rule narrows this significantly, exempting any undergraduate degree (bachelor’s or associate’s) at a public or non-profit institution. Note also, the non-GE program acknowledgements apply only to D/E Rate, not EP, failures.

are several resources available to institutions wishing to project median earnings levels for their diagnostic and planning purposes. Perhaps most important is the “2022 Program Performance Data” (2022 PPD), which the Department released together with the NPRM.<sup>14</sup> The 2022 PPD contains test D/E Rates and EP calculations for all Title IV eligible programs (with sufficient completers) that were being offered as of 2022 (hence the label, 2022). While these are not official metrics and the underlying data relates to different time periods, the 2022 PPD contains the closest available earnings data of which we are aware to what would be used in the first official calculations.

Unlike many other sources of earnings data, the 2022 PPD use earnings obtained directly from the IRS based on an institution’s actual graduates. The 2022 PPD also follow much (but not all) of the methodology used in the official rates. Key differences between the 2022 PPD and the official methodology include:

- In the 2022 PPD, metrics are calculated at the 4-digit CIP code level, meaning any programs at the same credential level and sharing the same 4-digit CIP code prefix were reported as a single program in the 2022 PPD. The final rule defines programs at the 6-digit CIP code level.
- The 2022 PPD uses earnings obtained from the IRS for calendar years 2019 and 2018 (inflation-adjusted), whereas the first set of official GE metrics are likely to use earnings from calendar years 2021 and 2022.
- The 2022 PPD also uses somewhat older median debt information (based on AY 15/16 and 16/17 completers), whereas the first set of official GE metrics is expected to use primarily AY 17/18 and 18/19 completers.
- The 2022 PPD also took a somewhat different approach to median debt. First, unlike in the official metrics, debt amounts used in the 2022 PPD are not capped at a student’s direct costs. Second, the official metrics include private loan and institutional debt, whereas the 2022 PPD include Title IV loan debt only. These two factors likely offset each other to some degree.<sup>15</sup>

While the 2022 PPD is imprecise for the reasons noted above, it is still likely to be a valuable resource for projection and planning purposes. Other potential sources of earnings data include prior GE-related releases by the Department, as well as institutional data from graduate surveys. In addition, general information on earnings by occupation is available from the Bureau of Labor Statistics and other sources, though such information is of limited use for projections because it is not specific to an institution’s own graduates.

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14. The 2022 PPD can be accessed at: <https://downloads.regulations.gov/ED-2023-OPE-0089-0086/content.xlsx>.

15. 88 Fed. Reg. at 32410-32412

Ultimately, limited data may be better than no data. However, given the importance of using realistic earnings figures in any projections, we urge institutions to base their analyses on multiple sources, and to work with their counsel or other advisors to carefully craft any projections and to understand the limitations in the data.

### Understanding the D/E Rates

This section breaks down the D/E Rates in step-by-step format. The basic equations can be summarized as follows:

<p>Annual Debt-to-Earnings Rate (“aDTE”):</p> $\frac{\text{Annual Loan Payment}}{\text{Median Annual Earnings}} = 8\% \text{ (less than or equal to)}$ <p>~ OR ~</p> <p>Discretionary Debt-to-Earnings Rate (“dDTE”):</p> $\frac{\text{Annual Loan Payment}}{(\text{Median Annual Earnings} - 1.5 \times \text{Poverty Guideline})} = 20\% \text{ (less than or equal to)}$
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Unlike the 2014 Rule, the final rule omits any concept of a “zone” (or “high fail”) performance. However, the final rule restores a “transition period” whereby, for the first six years under the rule, institutions will effectively be permitted to substitute debt of more recent graduates (i.e., the transition concept will benefit programs with recent decreases in debt levels).

The calculation of both the aDTE and dDTE involves three components: (1) Cohort Period, (2) Annual Loan Payment and (3) Annual Earnings.

#### 1. Cohort Period

The “cohort period” defines the set of program completers (Title IV-funded only) whose debt and earnings are measured in a GE metric calculation. A cohort period may consist of either two historical award years (a “2YP”) or four historical award years (a “4YP”).<sup>16</sup>

A 2YP consists of the third and fourth award years prior to the year for which earnings data are obtained, and is used if a program had thirty or more completers during the 2YP. If not, the calculation is based on a 4YP, consisting of the third through sixth award years prior to the year for which earnings data are obtained.<sup>17</sup> If a

16. 34 C.F.R. § 668.2.

17. For certain graduate programs whose graduates must complete a legally-required residency, an extended lookback period will be used for both the 2YP and 4YP. Limited to medical and dental programs under the NPRM, the final rule extends this accommodation to other graduate programs (e.g., psychology and counseling programs) if certain requirements are met. See new definition of “qualifying graduate program” at § 668.2.

program does not have at least thirty completers in either the 2YP or 4YP, no GE metrics will be calculated for that program in the relevant year.

In concrete terms, ED will calculate a set of GE metrics each year to evaluate program performance (remember, failing either metric twice in three years results in loss of eligibility). The first such set of metrics will be issued in early 2025, and ED projects<sup>18</sup> they will use the following inputs:

- 2YP consisting of Award Years 2017/18 and 2018/19, meaning the GE metrics will use the median debt of completers during those years, and their earnings in calendar years 2021 and 2022, respectively.<sup>19</sup>
- 4YP consisting of Award Years 2015/16 through 2018/19, meaning the GE metrics will use the median debt of completers during those years, and their earnings in calendar years 2019 through 2022, respectively.<sup>20</sup>

While debt and earnings are generally based on all Title IV-aided completers during the applicable cohort period, students will be excluded from both sides of the equation in certain cases – most importantly, when they are enrolled full-time in another Title IV-eligible program during the year for which their earnings would be measured.<sup>21</sup>

#### 2. Annual Loan Payment

Once the applicable cohort period is established, a program’s Annual Loan Payment can be calculated. The Annual Loan Payment is an amortization of the median debt of completers during the cohort period, and is the numerator of both D/E Rates. Determining a program’s Annual Loan Payment involves: (a) a list of completers in the cohort period, (b) debt per completer, (c) median debt of all completers, (d) repayment term, and (e) interest

18. We use “projects” because ED will always use the most recent available earnings data—it projects that to be CY2022, with the cohort period years determined accordingly.

19. Where an institution opts for transitional reporting, median debt would be based on a more recent group of completers, but median earnings would still be obtained for completers during the applicable cohort period.

20. To project GE metrics for later years, shift each of the above periods forward by one award or calendar year.

21. In addition to exclusion based on full-time enrollment, completers are excluded from GE metrics calculations if they were approved or are under consideration for Total and Permanent Disability discharge; the student subsequently completed a higher-credentialed program at the same institution (due to debt attribution rules, discussed below); the student is enrolled in a prison education program or comprehensive transition and postsecondary program; or the student has died.



rate.<sup>22</sup>

### 2(a). Completers During Cohort Period

As discussed above, this includes all non-excluded completers who graduated from their program during the relevant cohort period (2YP or 4YP).

### 2(b). Debt per Completer

The overarching principle is that debt included for a given completer is the lesser of their actual debt associated with the program, or the total amount they were assessed for tuition, fees, and books, equipment and supplies (minus institutional grants, scholarships and discounts).<sup>23</sup>

The debt for each completer in the applicable cohort period includes (1) the amount of Title IV loans borrowed for the relevant program (other than Parent PLUS loans and loans converted to TEACH grants), minus the amount of any cancellations or adjustments (not including adjustments due to a false certification, borrower defense or national emergency discharge), (2) the amount of “private education loans” borrowed for the program, and (3) the amount of any other debt owed to the institution as of graduation for any program the completer attended at the institution. Note the total amount of Title IV and private education loans borrowed for the program are included, even if a lower amount is outstanding as of graduation.

Debt from other programs at the same institution will also be included in many cases. Specifically, ED will attribute all loan debt for any undergraduate program the student attended at the institution (whether or not completed) to the highest credentialed undergraduate program subsequently completed as of the end of the prior award year. Similarly, ED will attribute all loan debt for any graduate program the student attended at the institution (whether or not completed) to the highest credentialed graduate program subsequently completed as of the end of the prior award year.<sup>24</sup>

As noted, if the debt amount calculated for a student is less than the total amount they were assessed for tuition, fees, and books, equipment and supplies (minus institutional grants and scholarships), only the latter amount is included in the D/E Rates calculation.

### 2(c). Median Debt

The D/E Rates use the median of the completer-specific

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22. 34 C.F.R. § 668.403(b).

23. *Id.* § 668.403(b), (d).

24. Debt amounts attributed from a lower-credentialed to higher-credentialed program will be excluded from any metric calculations for the lower-credentialed program. Also, to be clear, debt from an undergraduate program will never be attributed to a graduate program.

amounts discussed in the preceding section (lesser of actual debt or direct costs). The median is simply the midpoint of these completer-specific amounts (or, for programs with an even number of completers, the average of the two midpoints).

### 2(d). Repayment Term

To derive a program’s Annual Loan Payment, the median debt figure is amortized over a repayment term that varies by program type:

- 10-year repayment term: certificates (undergraduate or graduate), associate’s degrees
- 15-year repayment term: bachelor’s degrees, master’s degrees
- 20-year repayment term: doctoral degrees or first professional degrees (e.g., MD, DDS, JD)

### 2(e). Interest Rate

Finally, the interest rate applied when amortizing the median loan debt also varies based on time and program type. The Rule uses a rolling average of historical interest rates for Unsubsidized Direct Loans, tied to the end of the applicable cohort period. As one example, the interest rate used in D/E Rates for an undergraduate certificate program is the average of the interest rates for unsubsidized loans to undergraduates in the three award years ending in the last year of the applicable cohort period.

### 2(f). Annual Loan Payment Calculation

Based on the above inputs, the program’s Annual Loan Payment is determined using a loan amortization calculation. For example, for a bachelor’s degree program (15-year repayment term), with \$10,000 median debt, at 4.35% interest, the Annual Loan Payment would be \$921.56.<sup>25</sup>

## **3. Median Earnings**

Next, the D/E Rates use the median earnings of completers during the applicable cohort period, based on amounts they reported to the IRS.<sup>26</sup> ED will gather earnings data directly from the IRS, and there is presently no way for institutions to learn the precise amounts in advance (though limited information is available for projection purposes, as discussed above). The earnings used will be for the calendar year roughly three years after

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25. Microsoft Excel users can test amortization calculations using the function “=PMT([rate],[nper],[pv])”, where “pv” is the median debt, “nper” is the repayment term, and “rate” is the interest rate. In the example given, the Excel function would be “=PMT(0.0435,15,10000)”.

26. 34 C.F.R. §§ 668.403(c); 668.405.

the relevant cohort of completers graduated from their program.<sup>27</sup>

#### 4. D/E Rates Calculation – An Example

Assume a program has (1) a \$1,000 Annual Loan Payment, (2) \$20,000 median earnings, and (3) earnings data is for calendar year 2019 (1.5x Poverty Guideline = \$18,735).

- aDTE:
  - Annual Loan Payment / Median Earnings
  - \$1,000 / \$20,000 = 5% (Pass)
- dDTE:
  - Annual Loan Payment / (Median Earnings - 1.5x Poverty Guideline)
  - \$1,000 / (\$20,000 - \$18,735) = 79% (Fail)

A program must pass one of the two D/E Rates (aDTE or dDTE). In this example, the program thus has an overall passing result under the D/E Rates.

#### Understanding the EP Metric

In short, to pass the EP metric, the median annual earnings of Title IV-aided graduates during the applicable cohort period must exceed the applicable earnings threshold. Under the rule's terminology, an "Earnings Premium" is the amount by which program median earnings exceed the earnings threshold.

The EP metric is based on the following data points: (1) cohort period; (2) median earnings; and (3) earnings threshold. The first two elements are derived in the same manner as for the D/E Rates (see Sections 1 and 3 of the above discussion).

The last element – the earnings threshold – will be based on the median earnings of high school (or equivalent) graduates aged 25-34, without postsecondary experience, who either worked during the year or indicated they were in the workforce when interviewed. ED will look to high school graduates in the state in which the institution is located, or nationwide if fewer than 50% of program students come from the state where the institution is located while enrolled.<sup>28</sup>

The Department will calculate and publish earnings thresholds based on earnings data from the Census Bureau's *American Community Survey*.<sup>29</sup>

As noted above, observers have identified a number of issues with the EP metric, some of which are evidenced in the proposed approach to earnings thresholds. Using a statewide (or even nationwide) median figure for all high school graduates aged 25-34, regardless of occupation, will apparently capture persons with substantially more work experience than the postsecondary completers to whom they would be compared, potentially working in substantially different occupations. Moreover, even a statewide median figure can be seen as a blunt tool given that prevailing wages and living expenses can vary widely within the same state. While the NPRM requested specific public comment at least on this latter issue, the approach taken in the final rule is largely unchanged.

#### Exemptions for Puerto Rico, U.S. Territories and Small Institutions

Institutions in Puerto Rico and other U.S. Territories and Freely Associated States are exempt from the final rule's accountability framework, meaning their GE programs will not be subject to loss of eligibility for failing the GE metrics. Only limited information about such institutions' programs (apparently not including D/E Rates or EP metrics) will appear on ED's disclosure website. In explaining this departure from the NPRM, ED cited earnings data quality and availability issues in Puerto Rico and other territories.

Finally, very small institutions – those offering no groups of substantially similar programs (i.e., same 4-digit CIP prefix) with 30 or more total completers over the past four years – are also exempt from the final rule.



**Dan Brozovic** has closely followed the gainful employment rule since the first version was proposed over a decade ago. Dan is a Principal in the Education Group at Powers Pyles Sutter & Verville PC, where he represents institutions of higher education and others in the education space. Dan focuses on advising clients in transactions regulated by the U.S. Department of Education and in regulatory matters and administrative litigation before the Department and other regulatory agencies. Dan also counsels educational institutions regarding compliance with federal, state, accrediting agency, and grant funding agency standards.

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27. For the discretionary debt-to-earnings rates, discretionary income will be derived by subtracting 1.5 times the applicable Federal Poverty Guideline (household size of 1) from the median amount. The Guideline used is that associated with the calendar year for which earnings data are obtained, and can be accessed at: <https://aspe.hhs.gov/topics/poverty-economic-mobility/poverty-guidelines>.

28. 34 C.F.R. §§ 668.2; 668.404.

29. The earnings threshold amounts used in the 2022 PPD can be found in the Department's spreadsheet (linked above) and on page 32413 of the NPRM.





# Creating Inclusive College Culture

*By Dr. I-Chant A. Chiang, Executive Diversity Officer, Sprout Shaw College*

**I**nclusivity is the hallmark of a robust institution, and at some point in our lives, inclusion affects everyone. Whether it is policies or practices, institutions can all benefit from broadening their strategy to include more diverse groups to bring people from different backgrounds, circumstances and identities together. This not only benefits these diverse groups, but the institution as a whole and each of the members within the institution.

Although some strategies for inclusion take years to implement, some methods take very little time and can immediately make a difference. Consider the context in your school to decide what might work best for your students, staff, and faculty.

**Learn to pronounce people's names.** Names are sacred and can convey important aspects of a person's identity, such as gender, culture, linguistic background, and family history. Instructors learning their students' names can reduce feelings of nervousness in class (Bosch, 2023) as well as help students feel valued and invested in the course (Cooper, Haney, Krieg, & Brownell). More broadly, hearing one's own name activates a unique response in the brain (Carmody & Lewis, 2006) and helps the individual feel closer to the person saying their name, whether it is an instructor, supervisor or co-worker. If

your pronunciation is not perfect at first, do not worry! Most people are more than happy to demonstrate the correct pronunciation of their name to someone earnestly seeking to get it right. To model correct name pronunciation for others, consider linking to an audio file of your name in your email signature.<sup>1</sup>

**Set default email/display settings for visual inclusion.** If someone is dyslexic or visually impaired, a few small changes in font can help with reading comprehension. Rello, Pielot, Marcos and Carlini (2013) found benefits when the font was 18 point size and Rello and Baeza-Yates (2013) recommend sans serif, monospaced, roman fonts (Arial, Courier, Helvetica, and Verdana) to improve reading performance, particularly for people with dyslexia.

**Allow for different processing speeds.** Software companies update software for the most recent and fastest computing speeds, but they must allow for slower speeds as it is not possible that everyone has the latest version with the highest computing speed. Our brains are similarly variable in processing speed and designing for those differences will allow everyone to contribute effectively. Documents, such as instructions, agendas or

1. <https://namedrop.io> is a useful and free site for this purpose.

even interview questions, can be sent out in advance. Our oral communication can include more pauses and an overall slower speech rate.

**Reconsider common idioms and expressions.**

Idioms and expressions are often derived from a culturally-specific context that has been obscured by time. Learning their origins<sup>2</sup> may cause us to question whether the original reference is appropriate today. Updating our language is less about restricting speech and more about ensuring harm is not further perpetrated. Familiarizing yourself with the list does not mean you must commit all of the terminology to memory. Rather, it is an opportunity to question the origins when a phrase comes up. Often, I catch myself saying a phrase in a meeting and then questioning aloud “Is that the best way to say that? Where does that come from?” This invites my colleagues to look it up and we can have a discussion about an alternative phrase with the same meaning but without the fraught history.

**Write a diversity statement.** If your organization is serious about reaching and recruiting diverse students, staff and faculty, then publishing a diversity statement is an opportunity to speak directly to that audience about your organization’s intentions. An educational institution that stands up for principles of diversity, equity and inclusion has an opportunity to declare their stance publicly in their annual reports, student handbook, employee handbook, website and even job descriptions. Georgeac and Rattan (2023) recommend short statements that do not make a “business” case about the statements (i.e., that diversity is good for business) but merely stating a commitment without justification.

**Note subtle cultural signals of belonging in the physical environment.** Cheryan, Plaut, Davies, and Steele (2009) found that female students were less interested in pursuing computer science as a major when they were in a room filled with “geeky” signals (e.g., a Star Trek poster, comics, video game boxes, soda cans, junk food, electronics) than with neutral signals (e.g., nature poster, art, water bottles, healthy snacks). Feeling a lack of ambient belonging may dissuade people from joining an institution because they cannot see themselves in that environment. Walk around your facilities and see what your institution is signaling about its culture and who it might be encouraging or dissuading.

**Create an equity, diversity and inclusion strategic framework.** To change an environment towards a more inclusive climate, a well-managed strategy will need to be implemented with support from the organization, especially the leadership. Think about what your institution’s goals are, who will help you reach them, and how to operationalize the steps. There are many different

possible frameworks that could be adopted: multicultural, decolonized, anti-oppressive, inclusive, intersectional or others. What works best for each organization will depend on the location, existing culture, history, context and population. Consult with key stakeholders on what they feel are priority areas and identify the initiatives that align with your institution’s existing mission, vision and values.

**Review policies – employee and student – with a lens towards inclusion.** As our society shifts and evolves in its understanding of how groups have felt the effects of exclusion, it is wise to periodically review policies with the goal of including everyone. Whether it is language that needs updating or adjustments to the policy, cast a critical eye to test the policy against a variety of circumstances. This review can create more clarity and allow more people to understand how the policy applies to them.

**Create and support affinity groups, such as Employee Resource Groups or student associations.** Affinity groups where people share a common social identity trait can have positive effects on the larger organization. Employee Resource Groups have been found to increase employee engagement and workplace inclusion (Cenkci, Zimmerman, & Bircan, 2019) while students who join identity-based clubs and associations may feel a higher sense of belonging and persist longer in their education (Miller & Vaughn, 2023). With adequate support, affinity groups can enhance the overall experience of those with marginalized identities.

**Audit curriculum and teaching materials to include diverse voices and ways of knowing.** Unless course material is developed with an intention to include diverse voices, those voices often are left out. Diversity can come from a multicultural array of authors represented, names of the people in examples, or simply allowing space for input from smaller or marginalized groups. By including more variety, not only are students exposed to a variety of perspectives that may allow them to feel represented or approach topics differently, but the courses will also benefit from a rich tapestry of experiences beyond just the mainstream point of view. Many online tools<sup>3</sup> are available to begin this audit.

**Collect data.** The best way to understand what areas of your institution could benefit from more inclusion is to gather evidence to guide your decisions. Examples of relevant data include student admissions, job recruitment, student and staff surveys, persistence and retention rates. Disaggregated data analysis will help pinpoint how specific demographics are answering that may be different from the overall average. Ask and track attitudes about belonging so that there is a better understanding of which policies and efforts making lasting impacts.

2. <https://haas.berkeley.edu/equity/industry/playbooks/language-for-racial-equity-inclusion> is an excellent resource that lists out common terms, possible origins, and suggestions for alternatives.

3. [https://uncommonschoools.ams3.digitaloceanspaces.com/wp-content/uploads/2021/08/20100935/20210818\\_ImpactBlog\\_BP9\\_DEILens\\_Framework.pdf](https://uncommonschoools.ams3.digitaloceanspaces.com/wp-content/uploads/2021/08/20100935/20210818_ImpactBlog_BP9_DEILens_Framework.pdf) is an example of one such tool.



**Build in flexibility and choice.** Two of the main tenets of Universal Design for Learning is to offer flexibility and choice to meet the needs of all students in the classroom (Takacs & Zhang, 2020). This approach toward employees is also a good practice as both students and staff will have a wide range of backgrounds, experiences and circumstances when they enter your institution. Creating an environment where flexibility and choice are possible will reassure the community that the institution recognizes people as whole individuals with different needs to thrive.

**Practice land acknowledgments.** The land that we live and work on continues to give us a tremendous amount every day. Showing gratitude for the land and for the people who were stewards of the land long before we arrived is a small gesture for the abundance of food, shelter, and joy that the land provides us with. Find out who the Indigenous caretakers of the land you are on and at the next class or meeting, acknowledge them at the start of the session and share a story about your personal connection with the land.

**Listen.** One simple but crucial and underutilized tool in our toolkit is to listen to people. Whether opinions are expressed through surveys or feedback is given at town hall meetings or advisory councils are formed, what people say about their experiences and what you need to do to achieve your institution's mission matters. Feeling heard is a key component of feeling a sense of belonging and showing that your institution is listening will indicate that you care about your community members and will support them.

Belonging is a fundamental part of our needs and appears third on Maslow's hierarchy of needs, above physiological needs (food and water) and safety needs (security) but below esteem (respect, accomplishment) and self-actualization (reaching one's potential). To support our students and staff to reach their fullest potentials, we must provide inclusive environments so that they can feel a sense of belonging. With a supported and thriving diverse community of students and staff, the most ambitious visions of your educational institution can be fulfilled.

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Secretary of Transportation Pete Buttigieg visits with Aviation Institute of Maintenance students along with Robert Isom, CEO of American Airlines, and Evie Garces, Vice President of Maintenance at American Airlines.

# Transformation: The Path to Thriving in a Hyperchanging World

*By Wallace K. Pond, Ph.D., Founder and CEO, Transformation Collaborative, and Joel English, Ph.D., Executive VP, Centura College, Aviation Institute of Maintenance, and Tidewater Tech*

Let us start with what we know: Over the past five years, the American attitude toward higher education has changed dramatically. Ten years ago, the four-year university degree was still blindly held up as the standard for a young person becoming a legitimate citizen, and as the marker for success as a parent – “If my kid got accepted into one of the first, second, or third tier universities, then I have done it.” But, as a July 2022 article in Inside Higher Ed concludes, “Most Americans agree: there is increasingly limited value to higher education. Over the last decade, the American public has increasingly lost confidence in the economic benefits of a college degree.” And, in a world

where nature abhors a vacuum, career schools stand to fill in the gaps as a logical and meaningful answer to the “what is next” for students leaving high school.

But career schools can only fill this gap if they are prepared to adapt themselves. Simply playing around the edges of higher education is no longer viable for the vast majority of career colleges or any other sector of education. Just because America is no longer believing in the “what is next” answer that it accepted for decades does not mean parents and students will automatically *believe* in career education as the automatic alternative.

We cannot make minimal, incremental changes

to our plans when every foundational assumption on which our story was based has changed. Demographics, economics, markets, public opinion, revenue models, consumer behavior, alternatives to college, a pandemic, and other fundamentals have completely changed since most schools were founded. So, the question is: Are you ready to change? Is your institution prepared to drop its old approaches and adopt a new identity?

Today, 1,500 institutions of higher education no longer exist that were teaching students in 2010. These include four-year universities, private and public colleges, and career schools. Many closed, merged, or were acquired under duress, and importantly: almost none of them did anything different up until the day they closed their doors. They may have cut expenses in emergency fashion, laid people off, borrowed money, sold assets, or otherwise scurried about while the sky was falling, but in most cases, they did nothing to become more compelling in a declining market of students, let alone directly address the foundational changes that challenged their viability. Overall, there are nearly 4.5 million fewer students in Title IV-eligible schools today than 13 years ago and about 1.4 million fewer since 2020. In a declining market, for any college that has more seats than applicants, there are only two ways to grow: take market share from other schools or enter new markets.

How does a school transform? *How does an institution not change a little, but become a completely different animal?* A colt changes into a horse and walks on the same appendages as before; a caterpillar transforms into a butterfly so it can fly on completely new appendages. How does a career college transform? In most cases it starts by acknowledging that “doubling down” on what used to work is no longer viable and will likely make the situation worse. We advocate that institutions embrace the very difficult and sometimes frightening but powerful notion of reinvention.

To be clear, this requires a radical departure from the status quo in key areas of a school’s existence and operation. In fact, it is so challenging that it almost never happens. So often, the last person willing to admit that the current mission, vision, and identity will not work in the future is the person or people who have been operating under those core principles for so long – those people who invented those principles in the first place. A college president who excelled under a set of strategies 10 years ago is unlikely to say “these strategies suck” today, and a college owner whose family has thrived for two or three generations under one core identity is highly unlikely to abandon those old ways going into a changing world. In most cases, colleges will actually choose to fail before they will choose the hard work of transformation!

But not everybody.

In 2015, the 20 campuses known as Centura College, Aviation Institute of Maintenance, and Tidewater Tech were suffering some of the same relevance issues that

many now-closed institutions were facing. The schools enjoyed the same ups and withstood the same downs as most institutions during its 50-year history under the same single owner/operator.

However, 2015 was different. In addition to declining enrollments since 2012 like most career schools experienced, the schools had CDR problems, its accreditor Accrediting Commission of Career Schools and Colleges (ACCSC) imposed system-wide reporting for in-field placement classification, and it was losing money for the second year running. Internal communication within the organization were strained, and the institution was failing to communicate externally even the more impressive attributes of the institution (it featured the country’s largest group of aviation maintenance schools; it boasted Virginia’s largest welding program within a shipbuilding community that thrived on welders; and it lived under the roof of one single owner since its existence – all strong attributes of an organization). But, because the school continued to try to use the same play book that it had for five decades without any type of authentic re-invention, it was on the road to irrelevance and probably doom. The owner of the institution himself did not understand that the organization required a complete transformation, but when his chief operator retired at the end of 2014, he understood that he would need to find leadership that would bring change.

In April 2015, he hired Joel English to lead the change. English had been a Campus Director and Regional Director for the organization for 10 years, between 2002-2013. But partly because of the lack of innovative transformation within the organization, he took a role as CEO at another school group and was away for two years. When the Centura College owner asked him to come back as his Vice President of Operations, English asked: “Are you ready for transformation?”

English did not start by trying to change out advertising and increase enrollments. He did not downsize staff or cut costs. English did meet with the Executive Director of ACCSC to understand the regulatory issues that the school faced, but not so he could quickly write a report and get the schools off of reporting status, but rather, so he could transform the institution into something it was not. The first transformative action English took on was to actually create a mission for the institution. He developed and communicated “Seven Strategic Goals” for the institution and presented this vision to every leader within the organization:

1. **Reputation and Record:** Improve and increase schools’ reputation and record with accreditors, states, and the federal government through commitment to excellence, student service, integrity and active diplomacy. Respond quickly to institutional problems or regulatory issues to keep our schools consistently in strong standing.
2. **Community Outreach:** Define ourselves as



members of the community, seeking to serve students, employers, municipalities, organizations, political figures, and citizens in need as an authentic and consistent part of our routine. Serve the community with generosity and compassion to become a valued and trusted resource for higher education, career training, employment needs and benevolence.

3. **Faculty and Staff Morale:** Increase the engagement, morale, collaboration and self-confidence of home office and campus staff. Enhance staff members in every role through engagement, professional development, personal fulfillment and student service, to develop a highly-motivated, high functioning and positive workforce.
4. **Enrollments:** Continue to increase the value of programming and student support, in order to increase enrollments over past performance. Refine advertising, update and upgrade marketing, and refine admissions practices to create a constantly upward value proposition for applicants seeking to enroll.
5. **Program Development:** Refine, phase out, improve upon, and add career-based programs at all campuses. Bring new vocational and avocational programs to all campuses, based on localized employment needs, industry certifications, industry trends and student employment goals. Draw from the knowledge, skills and needs of the local communities, program advisory committees, employers, staff and faculty to continually refine and improve program offerings for students.

6. **Classroom Innovation:** Develop contemporary teaching approaches to enhance the student experience and develop both hybrid and online learning opportunities to provide students with contemporary solutions to their educational needs.
7. **Institutional Growth:** Investigate in opportunities to strategically and conservatively acquire or build schools to add to our student outreach. Improve upon program offerings, student body, and financial status of existing campuses and build upon the profitability and institutional success of all campuses within the network.

The innovative thing about this vision is probably not the individual priorities – everyone wants more enrollments, new programs, and new campuses. But rather, the order of the priorities. English understood that, until the regulatory record and public opinion about the schools were in a good place, the institution had no business opening new campuses. Until the communities around the schools actually appreciated what the students and faculty offered the people around the schools, why would anyone enroll at all? Unless the faculty and staff were content, passionate and engaged with the mission of the school, how could the school create a content, passionate or engaged student body? English understood that the institution itself needed to completely transform into an organization concerned with others, not itself, and he led the organization through transformation.

Within three years, all the school's regulatory concerns were addressed and its record with its regulators was cleansed. In year four, the school designed a



Centura College Dental Assisting students conduct free dental screenings and cleanings for underprivileged residents as part of their required Community Service hours within their program.



**Tidewater Tech faculty and students teach free youth camps in Automotive Maintenance to community groups and underprivileged youth as a part of community outreach efforts.**

community service program where all faculty, staff and students engage in community service projects as part of their vocational programs. At the same time, the school engaged its political leaders, where mayors, governors, representatives, senators and presidential cabinet members were welcomed into their schools to see how they serve their constituents. And the schools engaged in constant internal communications to uplift faculty and staff, making it a fun and engaging place to work, marked by internal promotions and personal opportunity.

The transformation that the schools have undergone over the past eight years have been, make no mistake, profitable. Though the schools lost money in fiscal years 2014 and 2015, they emerged into the black in 2016 and have grown in profitability every year since. The schools have added a dozen new programs since 2016, opened four new campuses since 2019, bought and built out five new campus buildings, and have increased the size of the student body by 33% since 2015. The institution has its strongest EBITDA today, the best in its 50-year history. Over 300 nationally-recognized elected officials have visited the schools, including industry skeptics such as Senator Dick Durbin (D-IL), Representative Bobby Scott (D-VA), and Secretary of Transportation Pete Buttigieg. And companies such as United Airlines, American Airlines, Piedmont Airlines, Southwest Airlines and others not only count on the graduates of these schools, but they also pay tuition dollars directly to the institution's students, in order to secure their workforce for the coming decades. And this enterprise success is not due to its commitment

to its decades-old playbook; it is due to the schools' willingness to burn the playbook and transform.

Centura College understood that, in order to grow the business, they had to become relevant in the market as it is, not how it used to be. The future is almost solely about the market. Policy cannot be ignored. Compliance clearly matters. But no school will grow because they hit their 90/10 ratios or licensure pass rate or placement goals. Those are price of entry items that are nearly irrelevant as a means to thriving now and in the future. Those are things that happen naturally and far in excess of minimums when schools focus on other things such as a compelling product strategy, customer value proposition, life-long customer relationships, deep industry partnerships, workforce development and non-Title IV revenue streams, among other things, and become indispensable in their markets. This is what the Centura Colleges have achieved over the past eight years.

One simple example is the disconnect between the traditional way career colleges have managed political, policy and regulatory issues versus how they must be addressed today and going forward. 90/10 only matters if your institution is dependent on Title IV funding. If employers and other sources pay tuition because what you sell is so valuable in the market, 90/10, 85/15 or any other ratio is no longer relevant.

Defending against political attacks by elected officials disappears when those same officials become advocates because their association with the school has more political value than does attacking the school. English and



his schools have achieved both of those outcomes and more. In a relatively short time, they went from underwater with EBITDA to nearly \$30 million to the positive. This was not a result of wringing another 20 basis points out of lead conversion or driving up admission representatives contact time; it was done through a complete change of heart and mission.

Transformation is hard, but what we have learned at the Transformation Collaborative®, and what Centura College, Aviation Institute of Maintenance, and Tidewater Tech have proven, is that with the right attitude, commitment and leadership, reinvention is possible – and enjoyable. Although the process is somewhat different from institution to institution due to history, culture, programs, markets, etc., the process is pretty straightforward:

1. Make your school a place people want to be (reputation, aesthetics, culture, amenities, etc.).
2. Deliver outcomes that are most critical to students through a value proposition that is life changing and *never in doubt*.
3. Sell what customers want to buy through a compelling product strategy.
4. Become fully integrated in local communities to the point that the school is indistinguishable from the community itself.
5. Drive total engagement by faculty, staff and leadership by making their job the best one they have ever had.
6. Build relationships, internally and externally.

In addition to creating a compelling product strategy and customer value proposition, schools must see their market as the entire postsecondary ecosystem, of which higher education is only a part (and a shrinking part, at that). Postsecondary education is growing rapidly, but if your business is limited to credit-bearing, degree granting, Title IV programs, you are missing out on the markets that students are moving to, en masse.

This does not mean that colleges should abandon traditional higher education programs, but unless you are the only provider of programs required for employment, it will be almost impossible to grow. On the other hand, schools that build deeply vertical product strategies based



**Senator Dick Durbin (D-IL) visits Aviation Institute of Maintenance during its Aviation Summer Camp, offered free to high school students in Southside Chicago.**

on life-long relationships with students, rather than the one and done model most schools follow, will not only stay in the student revenue stream over years or even decades, they will distribute student acquisition costs over multiple programs to the point those costs become negligible. This also requires a combination of degree and non-degree programs, some of which may be offered by partners or even other entities, but that contribute to the student's continued acquisition of credentials over time through your institution. Some programs may be low margin or no margin, but the point is not to generate huge profits with every program enrollment. It is to generate sustainable, mixed revenue with long-term customers over time, often from third-party payers.

Most higher education cultures and organizational structures – even in the career sector – were built to maintain the status quo, not to transform. And possibly most importantly, few leaders have the skills, orientation and courage to take the risk that is inherent in transformative change. Fortunately, reinvention is possible. It often requires people to get far outside their comfort zone, and often, to solicit the support and resources that can supplement institutional bandwidth enough to make change possible. It also requires that many people change what they are currently doing and have always done. Ultimately, the problem is not that there is not enough bandwidth to transform; it is that there is not enough bandwidth to continue all status quo operations and engage in reinvention at the same time.

It is impossible to both crawl around as a caterpillar and fly at the same time. We must replace our old appendages completely to take on the new. We cannot tinker around the edges and call that change; we must abandon old ways to take on transformation.

Many schools will ride the status quo into irrelevance or outright closure. We have already seen that well over a thousand times in the career education sector alone. But for schools that have the vision and courage to reinvent themselves, there have never been more opportunities in the postsecondary education ecosystem than there are now.

*Based on a presentation by Joel English, Executive VP at Centura College, Aviation Institute of Maintenance, and Tidewater Tech, and Wallace Pond, Founder and CEO of the Transformation Collaborative® at the 2023 North American Career Education Convention.*

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In previous positions, Dr. English served as the CEO for the Ohio, Illinois, Colorado, and Miami Media Schools, a family of institutions dedicated to technical education in radio, television, and internet media broadcasting. He oversaw distance learning and school operations at several campuses as a Regional Director and Executive Director at Centura College, and he was formerly an Assistant Professor of English and Distance Learning at Old Dominion University. Dr. English is the author of *Plugged In: Succeeding as an Online Learner*. He holds a Ph.D. in Rhetoric and Composition from Ball State University, an M.A. in Technical and Expository Writing, and a B.A. in English from the University of Arkansas at Little Rock.

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Dr. Pond has lived, worked, and studied in North America, Latin America, the Caribbean, Europe, Asia, and the Middle East. He has presented nationally and internationally and is the author of numerous articles and the books, "The Lights Are On, Is Anybody Home? Education in America" and "Leadership in the Real World: Hard Won Lessons from 20 Years As a Chief Executive in Turbulent Times." His many thought leadership articles are available at [www.WallacePond.com](http://www.WallacePond.com).

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# Top 5 Privacy and Data Security Risks Most Likely to Trigger Significant Liability

*By Michelle Donovan, Partner, Duane Morris, LLP, and Michael Zullo, Partner, Duane Morris, LLP*

There have been several changes in privacy and data security law which have significantly impacted institutions of higher education. Privacy and data security is also receiving additional scrutiny from regulators and is the source of significant class action litigation. This article will focus on the top five risks most likely to cause significant liability and costs to your school, including: (i) Department of Education (Department) and Federal Trade Commission (FTC) enforcement of the updated FTC Safeguards Rule; (ii) audits and administrative actions by the new California Privacy Protection Agency; (iii) data breach class action litigation under the California Consumer Privacy Act; (iv) biometric data privacy class action litigation; (v) wiretapping class action litigation.

## **Department of Education and FTC enforcement of the updated FTC Safeguards Rule**

The Department has issued an electronic notice<sup>1</sup> relating to the updated cybersecurity regulations published by the FTC. On December 9, 2021, the FTC amended

1. <https://fsapartners.ed.gov/knowledge-center/library/electronic-announcements/2023-02-09/updates-gramm-leach-bliley-act-cybersecurity-requirements>

the Safeguards Rule under the Gramm-Leach-Bliley Act (GLBA). This comprehensive amendment updated data security requirements for financial institutions, including all Title IV institutions of higher education and loan servicers. The Department also updated the Audit Guide to include compliance with the updated Safeguards Rule.

In its notice, the Department has stated that any finding of non-compliance will be resolved by the Department as part of its final determination of an institution's administrative capability. GLBA-related findings will have the same effect on an institution's participation in Title IV programs as any other determination of non-compliance. In cases where there has been no breach, the Department may require the school to implement a Corrective Action Plan outlining the steps to come into compliance and a timeline for the same. Repeat findings of non-compliance may result in an administrative action. Additionally, if the FSA cybersecurity team determines the institution poses a substantial security threat, it may temporarily or permanently disable the institution's access to Federal Student Aid Application Systems. Audit findings will also be reported to the FTC for potential enforcement.

Schools will need to be prepared to provide evidence

of compliance with the updated Safeguards Rule, which will include:

- Designating a single “Qualified Individual” responsible for information security programs.
- Written Risk Assessment.
- Written Incident Response Plan.
- Specific critical controls for information security program, including encryption, multifactor authentication, data retention, access controls, inventories and change management procedures.
- Monitoring and testing.
- Security training and personnel qualification requirements.
- Oversight of service providers.

You can find a detailed description of these new requirements in *FTC Strengthens Data Security Requirements Applicable to Institutions of Higher Education*.<sup>2</sup>

### **Audits and Administrative Actions by the New California Privacy Protection Agency**

The California Consumer Privacy Act (CCPA), as amended, provides consumers with rights to access, correct and delete their personal information, to opt out of sales, targeted advertising, and automated decision making, and to limit the processing of sensitive person information. It also imposes obligations on covered business, including requiring detailed privacy notices, response to consumer requests, data minimization and purpose limitations, and contractual limitations for service providers’ use of personal information. Previously, this law could only be enforced by the California attorney general. However, starting July 1, 2023, a newly created government agency, the California Privacy Protection Agency (CPPA), will begin enforcing this law. The CPPA’s sole function is to implement and enforce the CCPA. Consumers can file sworn complaints through the Agency’s online form. Upon receipt of complaint or on its own initiative, CPPA will investigate potential violations and administer fines after a probable cause hearing. The Agency can also audit a business at any time to determine its compliance with applicable law and regulations - *announced or unannounced*. The CPPA has stated that it will focus on three areas of enforcement:

1. Privacy notices and policies;
2. Consumers’ right to delete personal information; and
3. Handling and implementation of consumer requests.

The California attorney general’s office has recently made it clear that they intend to continue enforcement of this law, having announced an investigative sweep

<sup>2</sup> [https://www.duanemorris.com/alerts/ftc-strengthens-data-security-requirements-applicable-institutions-higher-education\\_0122.html](https://www.duanemorris.com/alerts/ftc-strengthens-data-security-requirements-applicable-institutions-higher-education_0122.html)

through inquiry letters sent to large California employers requesting information on the companies’ compliance with the CCPA with respect to the personal information of employees and job applicants.

Although this is a California law, its impact can be felt nationally because California residents represent one of the largest groups of consumers nationally. Businesses outside California must determine whether and how this new law applies to their data collection, use, and disclosure practices. It applies to for-profit businesses that collect personal information from California consumers and meets one of the three criteria:

- Annual gross revenue in excess of 25 million dollars;
- Alone or in combination, annually buy, received, sell or share the personal information of more the 100,000 consumers, households or devices; or
- Derive 50% or more of your annual revenue from the sale of personal information.

If your school meets any one of these thresholds, consult with a legal privacy expert to ensure that you are compliant with this comprehensive privacy law.

### **Data Breach Class Action Litigation Under the California Consumer Privacy Act**

In addition to the privacy protections outlined above, the CCPA also requires covered business to implement reasonable security measures to protect personal information from unauthorized use and disclosure. It also provides a private right of action to file class action litigation if there is a breach of sensitive personal information that is caused by a failure to implement reasonable security measures. The private right of action under the CCPA provides for an amount of statutory damages set between \$100 and \$750 dollars per consumer per incident. This means that if you have a data breach of 10,000 records, statutory damages may range from 1 to 7.5 million dollars.

Sensitive personal information includes information commonly collected by schools, including username and password, social security numbers, drivers license, passport or other government issued identification, medical information and biometric information. This is the same information that requires a Notice of Data breach under the state breach notification laws. This means that the likelihood class action litigation following a Notice of Data Breach is significantly higher than before. Additionally, the breach notification law requires reporting to the attorney general if more than 500 consumers are affected. This may trigger enforcement actions by the CPPA, the attorney general, or the Department.

Notably, implementing reasonable security measures is a defense to these class action claims. Schools should work with legal counsel and cybersecurity experts to ensure that they have a robust information security program in place to protect personal information. This



should minimally comply with the requirements under the Safeguards Rule and the 18 CIS Critical Security Controls.<sup>3</sup> Most importantly, the Department, FTC and the California attorney general have made it clear that these controls should be a floor, not a checklist. This means that this is the starting point from which your security program should build up. Complying with these minimum controls may not be found “reasonable” in the event of a breach or investigation by regulators. Indeed, the Department states that it will issue guidance on NIST 800-171 compliance in a future Electronic Announcement, but again encourages institutions to begin incorporating the information security controls required under NIST 800-171 into the written information security program required under GLBA as soon as possible. NIST 800-171 controls are significantly more robust than GLBA or the CIS Critical Security Controls.

### **Biometric Data Privacy Class Action Litigation**

Illinois became the first state to enact a Biometric Information Privacy Act (BIPA). BIPA protects individuals’ privacy rights over their biometric information against business collecting, storing or using biometric data. Schools collect biometric information when using testing software and remote proctoring services. BIPA prohibits the collection, use, storage, transmission and destruction of biometric identifiers and biometric data without consent. It also requires private entities in possession of biometric data to develop, publish and comply with a written policy for retaining and destroying biometric data. BIPA has become one of the most litigated privacy laws with the highest penalties, with statutory damages available at \$1,000 per violation or \$5,000 per violation for reckless or intentional violations. The first federal jury trial under this law awarded \$228 million in damages. This verdict was calculated on a per person basis prior to a recent Illinois Supreme Court decision that held that a separate claim accrues *each time* a business collects or discloses biometric data without consent.

One positive recent development is that a district court held that colleges and universities are exempt because they are financial institutions under the GLBA. However, it is not clear whether schools will be exempt from vicarious liability for its service providers’ failure to comply with the law. As such, schools will need to ensure that any collection of biometric data, either by the school or through third-party vendors, complies with the requirements of BIPA.

### **Wiretapping Class Action Litigation**

Another emerging trend over the past few years concerns use of old privacy statutes as the foundation of

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3. Available <https://www.cisecurity.org/controls/cis-controls-list>. The California Attorney General has previously stated that failure to comply with these critical controls constitutes a failure to implement reasonable security measures.

claims against businesses that employ chat features and web tracking technologies on their websites. In suits filed in California, Pennsylvania, and Florida, plaintiffs assert that the use of these technologies on websites violates state wiretap and privacy laws. These suits potentially expose businesses to substantial penalties, with fines ranging from \$1,000 to \$50,000 *per violation*, depending on the state. Since a violation arguably occurs every time a user accesses a website in one of these states, the amount of penalties to which a business may be subject can rise rather quickly.

Plaintiffs ground their claims in the electronic interception provisions of state laws – for example, the California Invasion of Privacy Act (CIPA). In the lawsuits, Plaintiffs are generally alleging that companies hosting websites are aiding and abetting eavesdropping in violation of CIPA when they employ third-party vendors to manage the following services:

- **Web Session Replay Software**
  - Technology that enables companies to record and visually play back a user’s session on its websites.
- **Live Chat**
  - Website messaging platforms that facilitate real-time communication with users.

The decisions in CIPA cases so far have primarily focused on three issues:

1. The “party exemption,” which exempts a participant in a communication from liability for eavesdropping.
2. Aiding and Abetting, which prohibits a participant in a communication from permitting a third party to listen in on it.
3. Interception in Transit, which concerns whether the eavesdropping occurs in real time or after the fact.

Recent federal decisions out of California have refined the analysis courts are undertaking. These decisions, from the Northern, Southern, Eastern and Central District Courts, represent the latest entries to the jurisprudence and clarify the growing majority view that:

1. The “party exception” remains a viable defense even when companies use a third party to provide the chat services at issue;
2. Third-party vendors that simply provide a service as opposed to benefitting from the alleged wiretapping themselves are more akin to a tape recorder, and thus do not give rise to liability; and
3. Plaintiffs must provide more than boilerplate, conclusory statements to plausibly allege “eavesdropping” and data use by a vendor to survive a motion to dismiss.

Schools can employ several proactive measures to

protect them from exposure to a class action lawsuit or potentially incurring fines under state wiretap statutes.

First, because user consent is a defense under state wiretap statutes, schools should review their websites' terms of use and privacy policies and consider whether they provide substantive disclosures of how a user's interactions with the website are recorded and shared with service providers. Schools should ensure that the disclosure of those terms is conspicuous enough to make users' consent to them enforceable. Given that there is not yet a clear standard as to what constitutes enforceable consent to the use of these technologies, obtaining affirmative consent from website users before starting any recordings or chat transcriptions may be the strongest safeguard against lawsuits alleging violations of state wiretap statutes.

Second, schools should seek counsel to consider what defenses exist under the relevant statutes. The case law in this area is still developing, and each state wiretapping statute provides a set of defenses, from showing that a user expressly or impliedly consented to the use of the technology, to establishing that the party accused of intercepting or disclosing an electronic communication was a direct party to the communication.

**Disclaimer:** *The content of this article does not constitute legal or regulatory advice or counsel. No person or entity should act, or refrain from acting, on the basis of the information discussed herein without seeking individualized, professional counsel as appropriate.*



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**Categories:** *Advertising & Marketing Services, Internet Services*

Becker Media is a full-service marketing agency that specializes in marketing for higher education. We offer a full range of digital media services including pay-per-click, social media and SEO. We also provide all traditional media services including TV, Radio, and out-of-home. Becker Media has offices in Oakland, CA, Baltimore, MD, Long Island, NY and Santa Ana, CA.

## **Ed-Exec, Inc.**

**Contact:** Vincent Scaramuzzo, President

**Phone:** 860-781-7641

**Email:** [vincent@ed-exec.com](mailto:vincent@ed-exec.com)

**Website:** [www.ed-exec.com](http://www.ed-exec.com)

**Category:** *Education Search & Selection Services*

Ed-Exec, Inc. is a boutique Education Search Firm that gives you more. Candidates you never dreamed existed, Game Changing Hires, Unprecedented Transparency. In doing so, we consistently outperform traditional search firms by making search smarter and significantly faster.

## **EducationDynamics**

**Contact:** Tracy Kreikemeier, Chief Relationship Officer

**Phone:** 201-377-3000

**Email:** [tkreikemeier@educationdynamics.com](mailto:tkreikemeier@educationdynamics.com)

**Website:** <https://educationdynamics.com>

**Category:** *Advertising & Marketing Services*

EducationDynamics is the higher education leader in finding high-quality prospects, at scale, who are most likely to enroll and complete their degrees. We offer a full suite of enrollment management, marketing and inquiry generation services to help your institution tap into the post-traditional and online student market.

# Supplier Directory

## **Enrollment Resources**

**Contact:** Shane Sparks, President & CEO

**Phone:** 250-391-9494

**Email:** [shane@enrollmentresources.com](mailto:shane@enrollmentresources.com)

**Website:** <http://www.enrollmentresources.com/>

**Categories:** *Admissions Support, Admissions Training, Advertising & Marketing Services, Consulting, Internet Services, Mystery Shopping, Online Development*

Since 2003, Enrollment Resources has outpaced the competition with proven and reproducible Marketing and Admissions systems that represent the very best practices the industry has to offer. Their core business mission is to find the most profitable, ethical, and effective avenues of improving Enrollment Management performance for their clients.

## **Gragg Advertising**

**Contact:** Lisa Olmedo

**Phone:** 816-931-0050

**Email:** [lolmedo@graggadv.com](mailto:lolmedo@graggadv.com)

**Website:** [www.graggadv.com](http://www.graggadv.com)

**Category:** *Advertising & Marketing Services*

GRAGG ADVERTISING is a full service, integrated marketing EDU agency with expertise in all media channels and how each media channel works with others to give you the greatest results. We have expertise in creative and brand development, traditional media, PPI, PPC, Social, SEO, Web development, referral strategies, admissions training and a host of proprietary products and services. All in-house. No outsourcing.

## **MaxKnowledge, Inc.**

**Contact:** Tarlon Moghadam, Chief Learning Officer

**Phone:** 888-626-2407

**Email:** [info@maxknowledge.com](mailto:info@maxknowledge.com)

**Website:** [www.maxknowledge.com](http://www.maxknowledge.com)

**Categories:** *Admissions Training, Faculty Training, Student Retention, Training Providers Personnel*

Employee Training and Certification For Career Education Institutions – MaxKnowledge is the leading provider of online employee training solutions for career-oriented, higher education institutions. Over 2,000 institutions use MaxKnowledge to meet the professional development needs and continuing education requirements of their faculty and staff. Completion of MaxKnowledge certified courses provides credit toward the Certified Higher Education Professional (CHEP) certification.

## **McClintock & Associates, P.C.**

**Contact:** Dave McClintock, Managing Director

**Phone:** 412-257-5980

**Email:** [dmcclintock@mcclintockcpa.com](mailto:dmcclintock@mcclintockcpa.com)

**Website:** [www.mcclintockcpa.com](http://www.mcclintockcpa.com)

**Categories:** *Accountants, Acquisitions/Mergers & Financing, Compliance*

McClintock & Associates is a nationally recognized accounting firm leader, serving the postsecondary education market for more than 40 years. Our clients tell us we have a degree of consideration and passion that goes beyond our accounting work – we develop long-term, personal connections and work to solve your larger business challenges.

## **Powers Pyles Sutter & Verville, PC**

**Contact:** Sherry Gray, Principal

**Phone:** 202-466-6550

**Email:** [Sherry.Gray@PowersLaw.com](mailto:Sherry.Gray@PowersLaw.com)

**Website:** [www.powerslaw.com](http://www.powerslaw.com)

**Category:** *Legal Service*

As a higher education law firm, Powers employs a practical, creative and collaborative approach to helping colleges and universities, vocational schools, investment firms, lenders, servicers, and others active in postsecondary education design and implement strategies to achieve their educational and operational goals in a compliant manner within a highly complex regulatory framework.

## **Tuition Options LLC**

**Contact:** Tamela Butler, EVP – Administration and Compliance

**Email:** [tamela.butler@tuitionoptions.com](mailto:tamela.butler@tuitionoptions.com)

**Website:** [www.tuitionoptions.com](http://www.tuitionoptions.com)

**Category:** *Financial Aid, Student Loan Services*

Tuition Options is a software provider and licensed third-party private student loan servicer. Through a compliant origination system, tailored servicing strategies, comprehensive reporting and flexible borrower repayment options, Tuition Options helps to relieve the administrative workload for schools to manage their AR which allows school administrators to remain focused on providing the best educational experience for their students.



A nighttime photograph of the Indianapolis skyline. In the foreground, a large, modern fountain with multiple tiers of water is illuminated with blue and white lights. The water reflects the city lights. In the background, several tall office buildings are lit up, with their windows glowing. The sky is dark blue.

# Save the Date

## Career Education Convention

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JUNE 11 - 13, 2024  
INDIANAPOLIS, IN

For more information, visit [career.org/convention](https://career.org/convention)

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