



Memorandum

To: Bellus Academy Management – All Campuses
From: Lynelle Lynch, President
Re: Election for Early Implementation of Gainful Employment Rescission
Date: July 17, 2019

On July 1, 2019, the U.S. Department of Education (“Department”) published final regulations in the Federal Register rescinding the 2014 gainful employment regulations which appear at 34 CFR part 668 subpart Q and subpart R. *Final Regulations*; 84 Fed. Reg. 31,392 (July 1, 2019)(“2019 Final GE Rescission Regulations”).

Although the effective date of the final regulations is July 1, 2020, the Secretary of Education exercised her authority under the Higher Education Act of 1965, as amended, to permit institutions affected by the 2014 gainful employment regulations to elect to early implement the rescission of subpart Q and subpart R as soon as July 1, 2019 or any date thereafter. *Implementation Date of These Regulations*; 84 Fed. Reg. 31,395 (July 1, 2019).

On June 28, 2019, the Department also published sub-regulatory guidance describing how affected institutions can, at their discretion, early implement the rescission of subpart Q and subpart R. *Gainful Employment Electronic Announcement #122 – Early Implementation of the Rescission of the Gainful Employment Rule* (June 28, 2019). The guidance states, in part, that “[a]n institution that early implements the rescission must document its early implementation internally. It does not have to publish its decision to do so; however, it must make such documentation available upon request by the Department.”

Pursuant to the final regulations published on July 1, 2019 (84 Fed. Reg. 31,392) and the sub-regulatory guidance published on June 28, 2019 (Electronic Announcement #122), Bellus Academy, OPE ID #02343400, OPE ID #02343401, OPE ID #0070500, and OPE ID #01202600, hereby elects to early implement the 2019 Final GE Rescission Regulations, including the rescission of the regulations at 34 CFR part 668 subpart Q and subpart R, effective as of July 17, 2019.

From this date forward, Bellus Academy, having opted for early implementation of the 2019 Final GE Rescission Regulations, will no longer be subject to any of the requirements in the gainful employment regulations, and, consequently, will cease to provide gainful employment disclosures for any of its academic programs, will not provide any gainful employment reporting by October 1 and will no longer provide any gainful employment certifications for any of its academic programs.

Please ensure that these changes are reflected in the Bellus Academy catalog, website, advertising and social media.

Lynelle Lynch
President