

August 2, 2010

Ms. Jessica Finkel
U.S. Department of Education
1900 K Street, NW
Room 8031
Washington, DC 20006-8502

Re: Docket ID: ED-2010-OPE-0004

Dear Ms. Finkel:

On behalf of our institution, Career Quest, I would like to submit the following in response to the above identified Notice of Proposed Rules.

Career Quest has been serving the San Antonio and surrounding community for the past 14 years. We provide valuable job skills to social economically deprived students which are almost 70% Hispanic. The community counts on our school and others like it to provide a means for them that will change their situation and enable them to become stable, responsible individuals. The shorter programs that we offer move the students into the workforce quickly and help serve a need that was mandated by the governor of our state, Rick Perry, for allied health personnel. The students in our demographic would not be able to attend 2 or 4 year institutions, therefore they would not be receiving any training to become a marketable employee.

Because of the administrative impact some of the proposed rules may have, I am concerned that this will generate additional program costs when the continued cost of education in our country is already of great concern.

Gainful Employment (Sections 600.2, 600.5, 668.8)

- There were some sections that were not included in the negotiations and did not have proper representation at the negotiations
- .We feel that regulations should apply to all schools whether private, for profit, certificate or degree granting.
- The financial burden on the administration to provide reporting and data collection for the proposed rules could cause program costs to go up, a complete contradiction to the purpose of this rule.
- The proposed rules require reporting on a per student basis. This is against the students Right To Privacy Act.

- The on time graduation proposed rule would contradict the departments 150% maximum time frame SAP rule. It does not provide guidance for LOA, emergencies, or natural disaster events.
- Asking schools to track placement data for 6 months after leaving school is an unrealistic request. The department would not be able to track the accuracy of this data.
- This proposed rule does not give a fair picture in reporting wages for some programs. Vocational Nursing is one of those programs. Given the average tuition for most schools, the 1st year wage is that of a lower level medical worker, say a medical assistant. However after the nurse has 1 year of work experience, they are capable of increasing their salary almost annually and could realistically earn six figures given the right circumstance.

Definition of a Credit Hour (Sections 600.2, 600.24(f), 603.24, 668.8)

- This regulation could cause a small program to lose their current eligibility for Pell
- This proposed rule could require some credit hour to go back to clock hour which is in violation of some state agency regulations

State Authorization (Section 660.4, 600.5, 600.6, 600.9)

- This proposed regulation would put the school at risk because the state agencies are not equipped to handle this enormous increase in responsibility and workload
- If the agency were to close down due to economic reasons, etc., the school would immediately lose eligibility
- The students in our state and community would be left without possibilities.

Incentive Compensation (Section 668.14)

- We oppose this propose regulation in regards to removing the safe harbors. The safe harbors ensured that all schools used a consistent plan in administering incentives
- There have been no reported discrepancies, therefore should not be changed.
- In many schools, owners and directors contribute in day to day activities which would mean that no employee would be able to earn well deserved bonuses and raises. Our school strives to keep very talented and dedicated employees. This proposed rule would cause employees to constantly be searching “for the best deal” putting the consistency and continuity of the school at risk .

Misrepresentation (Subpart F of Part 668)

- We would like to oppose this entire proposed rule, as a for profit school. We are being forced to disclose untrue information putting us out of compliance with Misrepresentation. This could potentially cause schools to fail.
- Schools should not be held accountable for information provided by others, such as unsolicited testimonials or endorsements. Removing the capability of using the internet in the future seems undue and unfair to all schools. The internet is the way of the future and as long as we meet standards should have this marketing tool to showcase our schools.

Thank you in advance for your consideration.

Sincerely,

Sandy Clauss
Director of Financial Aid/ Compliance
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