IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

ASSOCIATION OF PRIVATE SECTOR
COLLEGES AND UNIVERSITIES,

Plaintiff,

v.

ARNE DUNCAN, in his official capacity as
Secretary of the Department of Education, and
U.S. DEPARTMENT OF EDUCATION,

Defendants.

Department of Education
34 C.F.R. Parts 600, 668

Program Integrity: Gainful Employment; Final Rule
Docket No. ED-2014-OPE-0039, October 31, 2014

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American Student Assistance, Managing Default, 2014 ................................ AR-G-000031
Baum, Sandy and O’Malley, Marie, College on Credit: How Borrowers Perceive Their Education Debt, Results of the 2002 National Loan Survey, Final Report, Nellie Mae, 2003 .......................................................... AR-G-000278
Baum, Sandy and Schwartz, Saul, How Much Debt is Too Much? Defining Benchmarks for Manageable Student Debt, College Board, Apr. 20, 2006 ................. AR-G-000292
Baum, Sandy, and Payea, Kathleen, Trends in Student Aid, College Board, 2013 ... AR-G-000315
Baum, Sandy, Ma, Jennifer, and Payea, Kathleen, Education Pays 2013: The Benefits of Education to Individuals and Society, College Board, 2013 .................. AR-G-000359

Brown, Meta, and Caldwell, Sydnee, *Young Student Loan Borrowers Retreat from Housing and Auto Markets*, Liberty Street Economics, Apr. 17, 2013 ........................................ AR-G-000892


DeVry University, *Form 10-Q for the quarterly period ended Sept. 30, 2013*, Nov. 5, 2013 ............................................................. AR-G-001153


Egan, Matt, *Corinthian Colleges Crumbles 14% on SEC Probe*, Fox Business, June 11, 2013 ............................................................. AR-G-001289

Egan, Matt, *Corinthian Colleges Crumbles 14% on SEC Probe*, Fox Business, June 11, 2013 ............................................................. AR-G-001289


*For Profit Higher Education: The Failure to Safeguard the Federal Investment and Ensure Student Success*, Committee on Health, Education, Labor and Pensions (HELP), United States Senate, July 30, 2012


*For-Profit: Large Schools and Schools that Specialize in Healthcare Are More Likely to Rely Heavily on Federal Student Aid (GAO-11-4)*, United States Government Accountability Office Report to Congressional Committees, Oct. 2010


Goldrick-Rab, Sara and Sorensen, Kia, *Unmarried Parents in College, Future of Children*, Journal Issue: Fragile Families, Vol. 20, Fall 2010


v


Kantrowitz, Mark, *What is Gainful Employment? What is Affordable Debt?* FinAid.org, Mar. 11, 2010 ......................................................................................... AR-G-002092

Keller, Josh, *Facing new cuts, California’s colleges are shrinking their enrollments*, Chronicle of Higher Education, Jan. 13, 2011 .......................................................... AR-G-002117


Lauerman, John, *For-Profit Colleges Face New Wave of State Investigations*, Bloomberg, Jan. 29, 2014 ............................................................................................... AR-G-002306
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</tr>
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National Center for Education Statistics, *Unemployment Rates of Persons 16 to 64 Years Old, By Age Group and Educational Attainment: Selected years, 1975 through 2013* .......................................................................................................................... AR-G-002760


Simone, Sean Anthony, *Transferability of Postsecondary Credit Following Student Transfer or Coenrollment: Statistical Analysis Report (NCES 2014-163) (Table 8), National Center for Education Statistics, Aug. 2014* .......................................................................................................................................................... AR-G-003013

Social Security Administration, *Annual Benefits Paid from the OASI Trust Fund, by type of benefit, calendar years 1937-2013* .......................................................................................................................................................... AR-G-003155

Social Security Administration, *Introduction to Section 218: State and Local Coverage, 2008* .......................................................................................................................................................... AR-G-003160


Student Outcomes Vary at For-Profit, Nonprofit, and Public Schools (GAO-12-143), Government Accountability Office, Dec. 7, 2011 .......................................................................................................................................................... AR-G-003215


U.S. Department of Health and Human Services, Office of the Assistant Secretary for Planning and Evaluation, *2011 Poverty Guidelines* ......................................................... AR-G-003491


U.S. Department of Labor, Wage and Hour Division, *Minimum Wage* .................. AR-G-003506


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