



UNITED STATES DEPARTMENT OF EDUCATION

FEDERAL STUDENT AID

SCHOOL ELIGIBILITY AND OVERSIGHT SERVICE GROUP

PROGRAM PARTICIPATION AGREEMENT

[PROVISIONAL APPROVAL]

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| Effective Date of Approval: | The date on which this Agreement is signed on behalf of the Secretary of Education |
| Approval Expiration Date: | June 30, 2027 |
| Reapplication Date: | March 31, 2027 |
| Name of Institution: | New Age Training |
| Address of Institution: | 145 West 30th Street 8th Floor, New York, NY 10001 |
| OPE ID Number: | 04102300 |
| Taxpayer Identification Number (TIN): | 261366618 |

The execution of this Agreement by the Institution and the Secretary is a prerequisite to the Institution's initial or continued participation in any Title IV, HEA Program.

The postsecondary educational institution listed above, referred to hereafter as the "Institution," and the United States Secretary of Education, referred to hereafter as the "Secretary," agree that the Institution may participate in those student financial assistance programs authorized by Title IV of the Higher Education Act of 1965, as amended (Title IV, HEA Programs) indicated under this Agreement and further agrees that such participation is subject to the Institution's compliance with the terms and conditions set forth in this Agreement. As used in this Agreement, the term "Department" refers to the U.S. Department of Education.

SCOPE OF COVERAGE

This Agreement applies to all locations of the Institution as stated on the most current ELIGIBILITY AND CERTIFICATION APPROVAL REPORT issued by the Department. This Agreement covers the Institution's eligibility to participate in each of the following listed Title IV, HEA programs, and incorporates by reference the regulations cited.

- **FEDERAL PELL GRANT PROGRAM**, 20 U.S.C. §§ 1070a *et seq.*; 34 C.F.R. Part 690.

- **FEDERAL DIRECT STUDENT LOAN PROGRAM**, 20 U.S.C. §§ 1087a *et seq.*; 34 C.F.R. Part 685.
- **FEDERAL PERKINS LOAN PROGRAM**, 20 U.S.C. §§ 1087aa *et seq.*; 34 C.F.R. Part 674.
- **FEDERAL SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAM**, 20 U.S.C. §§ 1070b *et seq.*; 34 C.F.R. Part 676.
- **IRAQ AND AFGHANISTAN SERVICE GRANT**, §§ 1070h *et seq.*

Additional Considerations

Provisional Conditions, Addendum A

The following additional conditions are set forth in Addendum A which is incorporated herein by reference as if set forth herein: A. Provisional Certification due to CIO; B. New Owner Financial Protection Condition; C. Growth Restrictions; D. Enrollment Limitation with Enrollment Monitoring; E. Bi-weekly and Monthly Financial Reporting; F. Monthly Student Roster Submission; G. Accrediting Agency, Government, and Class Action Reporting; H. Student Complaint Reporting Requirement; I. Open Program Review; J. Reservation for Additional Conditions; and K. Required Signatures.

Signatures, Addendum B

This PPA includes an Addendum on which owners of the institution have agreed to be jointly and severally liable for the performance of the institution of its obligations under this agreement.

PROVISIONAL CERTIFICATION

This provisional certification is granted for a limited period to permit the Institution to participate in the Title IV, HEA programs referenced in this Agreement. During the period of provisional certification, the participation of the Institution will be subject to revocation for cause. Cause for revocation may include, but is not limited to, a failure to comply with any provision set forth in this Agreement, a violation of Department regulations deemed material by the Department, or a material misrepresentation in the material submitted to the Department as part of the Institution's application process for this certification. In the event the Department chooses to revoke this Agreement and the Institution's participation in the Title IV, HEA programs, the Institution will have the right to show cause why this Agreement should not be revoked by presenting its objections in writing to the designated Department reconsideration official. The Institution agrees that this opportunity to show cause by a request for reconsideration of the Department's revocation decision, and not the procedures in 34 C.F.R. Part 668, Subpart G, shall be the sole administrative appeal regarding such revocation. The decision by the designated Department reconsideration official will constitute the final agency action.

Special Requirements for Substantial Changes Made During Term of Provisional Certification

Any institution provisionally certified must apply for and receive approval by the Secretary for expansion or of any substantial change (as hereinafter identified) before it may award, disburse or distribute Title IV, HEA funds based on the substantial change. Substantial changes generally include, but are not limited to: (a) establishment of an additional location; (b) increase in the level of academic offering beyond those listed in the Institution's Eligibility and Certification Approval Report (ECAR); or (c) addition of any educational program (including degree, nondegree, or short-term training programs).

If the Institution applies for the Secretary's approval of a substantial change, the Institution must demonstrate that it has the financial and administrative resources necessary to assure the Institution's continued compliance with the standards of financial responsibility (34 C.F.R. § 668.15 and 34 C.F.R. Part 668, Subpart L) and administrative capability (34 C.F.R. § 668.16).

Reasons and Special Conditions of Provisional Certification

Reinstatement of Certification

The Institution is reinstated to participate in Title IV, HEA programs, and is granted provisional certification to demonstrate that it satisfies the standards of financial stability and administrative capability.

GENERAL TERMS AND CONDITIONS

1. The Institution understands and agrees that it is subject to and will comply with, as they become effective, the program statutes and implementing regulations for institutional eligibility as set forth in 34 C.F.R. Part 600 and for each Title IV, HEA program in which it participates, as well as the general provisions set forth in Part F and Part G of Title IV of the HEA, and the Student Assistance General Provisions regulations set forth in 34 C.F.R. Part 668.

The recitation of any portion of the statute or regulations in this Agreement does not limit the Institution's obligation to comply with other applicable statutes and regulations.

2. a. The Institution certifies that on the date it signs this Agreement, it has adopted and implemented the drug prevention program described in 34 C.F.R. § 86.100.
b. The Institution certifies that on the date it signs this Agreement, it is in compliance with the disclosure requirements of Section 485(f) of the HEA (Campus Security Policy and Campus Crime Statistics).

3. The Institution agrees to comply with --

- a. Title VI of the Civil Rights Act of 1964, as amended, and the implementing regulations, 34 C.F.R. Parts 100 and 101 (nondiscrimination on the basis of race, color or national origin);
- b. Title IX of the Education Amendments of 1972 and the implementing regulations, 34 C.F.R. Part 106 (nondiscrimination on the basis of sex);
- c. The Family Educational Rights and Privacy Act of 1974 and the implementing regulations, 34 C.F.R. Part 99;
- d. Section 504 of the Rehabilitation Act of 1973 and the implementing regulations, 34 C.F.R. Part 104 (nondiscrimination on the basis of disability); and
- e. The Age Discrimination Act of 1975 and the implementing regulations, 34 C.F.R. Part 110.
- f. The Standards for Safeguarding Customer Information, 16 C.F.R. Part 314, issued by the Federal Trade Commission (FTC), as required by the Gramm-Leach-Bliley (GLB) Act, P.L. 106-102. These Standards are intended to ensure the security and confidentiality of customer records and information. The Secretary considers any breach to the security of student records and information as a demonstration of a potential lack of administrative capability as stated in 34 C.F.R. § 668.16(c).

Institutions are strongly encouraged to inform its students of any such breaches. Institutions are required, pursuant to the Student Aid Internet Gateway (SAIG) Agreement, to notify the Department of any suspected data breaches.

4. The Institution acknowledges that 34 C.F.R. Parts 602 and 668 require accrediting agencies, State regulatory bodies, and the Secretary to share information about institutions. The Institution agrees that the Secretary, any accrediting agency recognized by the Secretary, and any State regulatory body may share or report information to one another about the Institution without limitation.
5. The Institution acknowledges that the HEA prohibits the Secretary from recognizing the accreditation of any institution of higher education unless that institution agrees to submit any dispute involving an adverse action, such as the final denial, withdrawal, or termination of accreditation to arbitration prior to initiating any other legal action.
6. The Institution acknowledges that the Department is obligated to take appropriate measures in order to safeguard its systems and information as well as borrowers' personally identifiable information (PII) as required under Federal law, including but not limited to the requirements in the Privacy Act (*see* 5 U.S.C. § 552a(e)), E-Government Act of 2002 (*see* 44 U.S.C. § 3544), the Family Educational Rights and Privacy Act of 1974 (FERPA) (20 U.S.C. § 1232g; 34 C.F.R. Part 99), Federal Information Security Modernization Act (FISMA) of 2014 (44 U.S.C. § 3551, *et seq.*), and OMB Circular No. A-130. If the Institution has a cyber security incident that may negatively affect the Department's systems, the Department may terminate the Institution's access to the Department's systems. Access will be reconnected when the Department determines that the Institution has resolved any cyber security concerns and vulnerabilities to the Department's satisfaction.
7. The Institution acknowledges that any person who knowingly and willfully commits, or attempts to commit, any criminal action described in 20 U.S.C. § 1097, shall be subject to the penalties described therein.

SELECTED PROVISIONS FROM GENERAL PROVISIONS REGULATIONS, 34 C.F.R. § 668.14

An institution's program participation agreement applies to each branch campus and other location of the institution that meets the applicable requirements of this part unless otherwise specified by the Secretary.

(b) By entering into a program participation agreement, an institution agrees that—

- (1) It will comply with all statutory provisions of or applicable to Title IV of the HEA, all applicable regulatory provisions prescribed under that statutory authority, and all applicable special arrangements, agreements, and limitations entered into under the authority of statutes applicable to Title IV of the HEA, including the requirement that the institution will use funds it receives under any Title IV, HEA program and any interest or other earnings thereon, solely for the purposes specified in and in accordance with that program;
- (2) As a fiduciary responsible for administering Federal funds, if the institution is permitted to request funds under a Title IV, HEA program advance payment method, the institution will time its requests for funds under the program to meet the institution's immediate Title IV, HEA program needs;
- (3) It will not request from or charge any student a fee for processing or handling any application, form, or data required to determine a student's eligibility for, and amount of, Title IV, HEA program assistance;
- (4) It will establish and maintain such administrative and fiscal procedures and records as may be necessary to ensure proper and efficient administration of funds received from the Secretary or from students under the Title IV, HEA programs, together with assurances that the institution will provide, upon request and in a

timely manner, information relating to the administrative capability and financial responsibility of the institution to--

(i) The Secretary;

(ii) A guaranty agency, as defined in 34 C.F.R. Part 682, that guarantees loans made under the Federal Stafford Loan and Federal PLUS programs for attendance at the institution or any of the institution's branch campuses or other locations;

(iii) The nationally recognized accrediting agency that accredits or preaccredits the institution or any of the institution's branch campuses, other locations, or educational programs;

(iv) The State agency that legally authorizes the institution and any branch campus or other location of the institution to provide postsecondary education; and

(v) In the case of a public postsecondary vocational educational institution that is approved by a State agency recognized for the approval of public postsecondary vocational education, that State agency;

(5) It will comply with the provisions of 34 C.F.R. § 668.15 relating to factors of financial responsibility;

(6) It will comply with the provisions of 34 C.F.R. § 668.16 relating to standards of administrative capability;

(7) It will submit reports to the Secretary and, in the case of an institution participating in the Federal Stafford Loan, Federal PLUS, or the Federal Perkins Loan Program, to holders of loans made to the institution's students under that program at such times and containing such information as the Secretary may reasonably require to carry out the purpose of the Title IV, HEA programs;

(8) It will not provide any statement to any student or certification to any lender in the case of an FFEL Program loan, or origination record to the Secretary in the case of a Direct Loan Program loan that qualifies the student or parent for a loan or loans in excess of the amount that the student or parent is eligible to borrow in accordance with sections 425(a), 428(a)(2), 428(b)(1)(A) and (B), 428B, 428H, and 455(a) of the HEA;

(9) It will comply with the requirements of Subpart D of this part concerning institutional and financial assistance information for students and prospective students;

(10) In the case of an institution that advertises job placement rates as a means of attracting students to enroll in the institution, the institution will make available to prospective students, at or before the time that those students apply for enrollment--

(i) The most recent available data concerning employment statistics, graduation statistics, and any other information necessary to substantiate the truthfulness of the advertisements; and

(ii) Relevant State licensing requirements of the State in which the institution is located for any job for which the course of instruction is designed to prepare such prospective students, as provided in 34 C.F.R. § 668.43(a)(5)(v);

(11) In the case of an institution participating in the FFEL Program, the institution will inform all eligible borrowers, as defined in 34 C.F.R. Part 682, enrolled in the institution about the availability and eligibility of those borrowers for State grant assistance from the State in which the institution is located, and will inform borrowers from another State of the source of further information concerning State grant assistance from that State;

(12) It will provide the certifications described in paragraph (c) of this section;

(13) In the case of an institution whose students receive financial assistance pursuant to section 484(d) of the HEA, the institution will make available to those students a program proven successful in assisting students in obtaining the recognized equivalent of a high school diploma;

(14) It will not deny any form of Federal financial aid to any eligible student solely on the grounds that the student is participating in a program of study abroad approved for credit by the institution;

(15) (i) Except as provided under paragraph (b)(15)(ii) of this section, the institution will use a default management plan approved by the Secretary with regard to its administration of the FFEL or Direct Loan programs, or both for at least the first two years of its participation in those programs, if the institution --

(A) Is participating in the FFEL or Direct Loan programs for the first time; or

(B) Is an institution that has undergone a change of ownership that results in a change in control and is participating in the FFEL or Direct Loan programs.

(ii) The institution does not have to use an approved default management plan if --

(A) The institution, including its main campus and any branch campus, does not have a cohort default rate in excess of 10 percent; and

(B) The owner of the institution does not own and has not owned any other institution that had a cohort

default rate in excess of 10 percent while that owner owned the institution.

(16) For a proprietary institution, the institution will derive at least 10 percent of its revenues for each fiscal year from sources other than Federal funds, as provided in 34 C.F.R. § 668.28(a), or be subject to sanctions described in 34 C.F.R. § 668.28(c);

(17) The Secretary, guaranty agencies, and lenders as defined in 34 C.F.R. part 682, nationally recognized accrediting agencies, Federal agencies, State agencies recognized under 34 C.F.R. Part 603 for the approval of public postsecondary vocational education, State agencies that legally authorize institutions and branch campuses or other locations of institutions to provide postsecondary education, and State attorneys general have the authority to share with each other any information pertaining to the institution's eligibility for or participation in the Title IV, HEA programs or any information on fraud, abuse, or other violations of law;

(18) It will not knowingly --

(i) Employ in a capacity that involves the administration of the Title IV, HEA programs or the receipt of funds under those programs, an individual who has been:

(A) Convicted of, or has pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds,

(B) Administratively or judicially determined to have committed fraud or any other material violation of law involving Federal, State, or local government funds;

(C) An owner, director, officer, or employee who exercised substantial control over an institution, or a direct or indirect parent entity of an institution, that owes a liability for a violation of a title IV, HEA program requirement and is not making payments in accordance with an agreement to repay that liability; or

(D) A ten-percent-or-higher equity owner, director, officer, principal, executive, or contractor at an institution in any year in which the institution incurred a loss of Federal funds in excess of 5 percent of the participating institution's annual title IV, HEA program funds; or

(ii) Contract with any institution, third-party servicer,

individual, agency, or organization that has, or whose owners, officers or employees have--

(A) Been convicted of, or pled *nolo contendere* or guilty to, a crime involving the acquisition, use, or expenditure of Federal, State, or local government funds;

(B) Been administratively or judicially determined to have committed fraud or any other material violation of law involving Federal, State, or local government funds;

(C) Had its participation in the title IV programs terminated, certification revoked, or application for certification or recertification for participation in the title IV programs denied;

(D) Been an owner, director, officer, or employee who exercised substantial control over an institution, or a direct or indirect parent entity of an institution, that owes a liability for a violation of a title IV, HEA program requirement and is not making payments in accordance with an agreement to repay that liability; or

(E) Been a 10 percent-or-higher equity owner, director, officer, principal, executive, or contractor affiliated with another institution in any year in which the other institution incurred a loss of Federal funds in excess of 5 percent of the participating institution's annual title IV, HEA program funds;

(19) It will complete, in a timely manner and to the satisfaction of the Secretary, surveys conducted as a part of the Integrated Postsecondary Education Data System (IPEDS) or any other Federal collection effort, as designated by the Secretary, regarding data on postsecondary institutions;

(20) In the case of an institution that is co-educational and has an intercollegiate athletic program, it will comply with the provisions of 34 C.F.R. § 668.48;

(21) It will not impose any penalty, including, but not limited to, the assessment of late fees, the denial of access to classes, libraries, or other institutional facilities, or the requirement that the student borrow additional funds for which interest or other charges are assessed, on any student because of the student's inability to meet his or her financial obligations to the institution as a result of the delayed disbursement of the proceeds of a Title IV, HEA program loan due to compliance with statutory and regulatory requirements of or applicable to the Title IV, HEA programs, or delays attributable to the institution;

(22) (i) It will not provide any commission, bonus, or other incentive payment based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid, to any person or entity who is engaged in any student recruitment or admission activity, or in making decisions regarding the award of Title IV, HEA program funds. (A) The restrictions in paragraph (b)(22) of this section do not apply to the recruitment of foreign students residing in foreign countries who are not eligible to receive Federal student

assistance.

(B) For the purpose of paragraph (b)(22) of this section, an employee who receives multiple adjustments to compensation in a calendar year and is engaged in any student enrollment or admission activity or in making decisions regarding the award of Title IV, HEA program funds is considered to have received such adjustments based upon success in securing enrollments or the award of financial aid if those adjustments create compensation that is based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid.

(ii) Notwithstanding paragraph (b)(22)(i) of this section, eligible institutions, organizations that are contractors to eligible institutions, and other entities may make—

(A) Merit-based adjustments to employee compensation provided that such adjustments are not based in any part, directly or indirectly, upon success in securing enrollments or the award of financial aid; and

(B) Profit-sharing payments so long as such payments are not provided to any person or entity engaged in student recruitment or admission activity or in making decisions regarding the award of Title IV, HEA program funds.

(iii) As used in paragraph (b)(22) of this section,

(A) *Commission, bonus, or other incentive payment* means a sum of money or something of value, other than a fixed salary or wages, paid to or given to a person or an entity for services rendered.

(B) *Securing enrollments or the award of financial aid* means activities that a person or entity engages in at any point in time through completion of an educational program for the purpose of the admission or matriculation of students for any period of time or the award of financial aid to students.

(1) These activities include contact in any form with a prospective student, such as, but not limited to—contact through preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution, attendance at such an appointment, or involvement in a prospective student's signing of an enrollment agreement or financial aid application.

(2) These activities do not include making a payment to a third party for the provision of student contact information for prospective students provided that such payment is not based on—

(i) Any additional conduct or action by the third party or the prospective students, such as participation in preadmission or advising activities, scheduling an appointment to visit the enrollment office or any other office of the institution or attendance at such an appointment, or the signing, or being involved in the signing, of a prospective student's enrollment agreement or financial aid application; or

(ii) The number of students (calculated at any point in time of an educational program) who apply for enrollment, are awarded financial aid, or are enrolled for any period of time, including through completion of an educational program.

(C) *Entity or person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid* means—

(1) With respect to an entity engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any institution or organization that undertakes the recruiting or the admitting of students or that makes decisions about and awards Title IV, HEA program funds; and

(2) With respect to a person engaged in any student recruitment or admission activity or in making decisions about the award of financial aid, any employee who undertakes recruiting or admitting of students or who makes decisions about and awards Title IV, HEA program funds, and any higher level employee with responsibility for recruitment or admission of students, or making decisions about awarding Title IV, HEA program funds.

(D) *Enrollment* means the admission or matriculation of a student into an eligible institution.

(23) It will meet the requirements established pursuant to Part H of Title IV of the HEA by the Secretary and nationally recognized accrediting agencies;

(24) It will comply with the requirements of 34 C.F.R. § 668.22;

(25) It is liable for all--

(i) Improperly spent or unspent funds received under the Title IV, HEA programs, including any funds administered by a third-party servicer; and

(ii) Returns of Title IV, HEA program funds that the institution or its servicer may be required to make;

(26) If an educational program offered by the institution on or after July 1, 2024, is required to prepare a student for gainful employment in a recognized occupation, the institution must—

- (i) Establish the need for the training for the student to obtain employment in the recognized occupation for which the program prepares the student; and
- (ii) Demonstrate a reasonable relationship between the length of the program and the entry level requirements for the recognized occupation for which the program prepares the student by limiting the number of hours in the program to the greater of—
 - (A) The required minimum number of clock hours, credit hours, or the equivalent required for training in the recognized occupation for which the program prepares the student, as established by the State in which the institution is located, if the State has established such a requirement or as established by any Federal agency; or
 - (B) Another State’s required minimum number of clock hours, credit hours, or the equivalent required for training in the recognized occupation for which the program prepares the student, if the institution documents, with substantiation by a certified public accountant who prepares the institution’s compliance audit report as required under §668.23 that—
 - (1) A majority of students resided in that State while enrolled in the program during the most recently completed award year;
 - (2) A majority of students who completed the program in the most recently completed award year were employed in that State; or
 - (3) The other State is part of the same metropolitan statistical area as the institution’s home State and a majority of students, upon enrollment in the program during the most recently completed award year, stated in writing that they intended to work in that other State; and
- (iii) Notwithstanding paragraph (a)(26)(ii) of this section, the program length limitation does not apply for occupations where the State entry level requirements include the completion of an associate or higher-level degree; or where the program is delivered entirely through distance education or correspondence courses;
- (27) In the case of an institution participating in a Title IV, HEA loan program, the institution -- (i) Will develop, publish, administer, and enforce a code of conduct with respect to loans made, insured or guaranteed under the Title IV, HEA loan programs in accordance with 34 C.F.R. § 601.21; and (ii) Must inform its officers, employees, and agents with responsibilities with respect to loans made, insured or guaranteed under the Title IV, HEA loan programs annually of the provisions of the code required under paragraph (b)(27) of this section;
- (28) For any year in which the institution has a preferred lender arrangement (as defined in 34 C.F.R. § 601.2(b)), it will at least annually compile, maintain, and make available for students attending the institution, and the families of such students, a list in print or other medium, of the specific lenders for loans made, insured, or guaranteed under Title IV of the HEA or private education loans that the institution recommends, promotes, or endorses in accordance with such preferred lender arrangement. In making such a list, the institution must comply with the requirements in 34 C.F.R. § 682.212(h) and 34 C.F.R. § 601.10;
- (29) (i) It will, upon the request of an enrolled or admitted student who is an applicant for a private education loan (as defined in 34 C.F.R. § 601.2(b)), provide to the applicant the self-certification form required under 34 C.F.R. § 601.11(d) and the information required to complete the form, to the extent the institution possesses such information, including -- (A) The applicant's cost of attendance at the institution, as determined by the institution under part F of Title IV of the HEA;
- (B) The applicant's estimated financial assistance, including amounts of financial assistance used to replace the expected family contribution as determined by the institution in accordance with Title IV, for students who have completed the Free Application for Federal Student Aid; and (C) The difference between the amounts under paragraphs (b)(29)(i)(A) and (29)(i)(B) of this section, as applicable. (ii) It will, upon the request of the applicant, discuss with the applicant the availability of Federal, State, and institutional student financial aid;
- (30) The institution --
 - (i) Has developed and implemented written plans to effectively combat the unauthorized distribution of copyrighted material by users of the institution's network, without unduly interfering with educational and research use of the network, that include --
 - (A) The use of one or more technology-based deterrents;
 - (B) Mechanisms for educating and informing its community about appropriate versus inappropriate use of copyrighted material, including that described in 34 C.F.R. § 668.43(a)(10);

- (c) In order to participate in any Title IV, HEA program (other than the LEAP and NEISP programs), the institution must certify that it--
 - (1) Has in operation a drug abuse prevention program that the institution has determined to be accessible to any officer, employee, or student at the institution; and
 - (2) (i) Has established a campus security policy in accordance with section 485(f) of the HEA; and
 - (ii) Has complied with the disclosure requirements of 34 C.F.R. § 668.47 as required by section 485(f) of the HEA.
- (d) (1) The institution, if located in a State to which section 4(b) of the National Voter Registration Act (42 U.S.C. 1973gg-2(b)) does not apply, will make a good faith effort to distribute a mail voter registration form, requested and received from the State, to each student enrolled in a degree or certificate program and physically in attendance at the institution, and to make those forms widely available to students at the institution.
- (2) The institution must request the forms from the State 120 days prior to the deadline for registering to vote within the State. If an institution has not received a sufficient quantity of forms to fulfill this section from the State within 60 days prior to the deadline for registering to vote in the State, the institution is not liable for not meeting the requirements of this section during that election year.
- (3) This paragraph applies to elections as defined in Section 301(1) of the Federal Election Campaign Act of 1971 (2 U.S.C. 431(1)), and includes the election for Governor or other chief executive within such State.
- ...
- (h) (1) A program participation agreement becomes effective on the date that the Secretary signs the agreement.
- (2) A new program participation agreement supersedes any prior program participation agreement between the Secretary and the institution.
- (i) (1) Except as provided in paragraphs (g) and (h) of this section, the Secretary terminates a program participation agreement through the proceedings in subpart G of this part. (2) An institution may terminate a program participation agreement.
- (3) If the Secretary or the institution terminates a program participation agreement under paragraph (f) of this section, the Secretary establishes the termination date.
- (j) An institution's program participation agreement automatically expires on the date that--
 - (1) The institution changes ownership that results in a change in control as determined by the Secretary under 34 C.F.R. Part 600; or
 - (2) The institution's participation ends under the provisions of 34 C.F.R. § 668.26(a)(1), (2), (4), or (7).
- (k) An institution's program participation agreement no longer applies to or covers a location of the institution as of the date on which that location ceases to be a part of the participating institution.

WILLIAM D. FORD FEDERAL DIRECT LOAN PROGRAM

If an institution participates in the William D. Ford Federal Direct Loan (Direct Loan) Program, the institution and its representatives shall comply with, as they become effective, the statute, guidelines, and regulations governing the Title IV, Part D, William D. Ford Federal Direct Loan Program as required by 20 U.S.C. §§ 1087a *et seq.* (Part C) and 34 C.F.R. Part 685.

The institution will:

1. Provide for the establishment and maintenance of a Direct Loan Program at the institution under which the institution will:

Identify eligible students who seek student financial assistance in accordance with Section 484 of the HEA.

Estimate the need of students as required under Title IV, Part F of the HEA.

Provide a certification statement of eligibility for students to receive loans that will not exceed the annual or aggregate limits, except the institution may exercise its authority, under exceptional circumstances identified by the Secretary, to refuse to certify a statement that permits a student to receive a loan, or certify a loan amount that is less than the student's determination of need, if the reason for such action is documented and provided in written form to a student.

Establish a schedule for disbursement of loan proceeds to meet the requirements of Section 428G of the HEA.

Reconcile institutional records with receipt and disbursement records on at least a monthly basis.

Provide timely and accurate information to the Secretary concerning 1) the status of students while in attendance, 2) any new information pertaining to student or parent borrowers of which the institution becomes aware after the student leaves the institution, and 3) student eligibility and need for Federal funds under Title IV, Part D of the HEA, at such times and in such manner as prescribed by the Secretary.

2. Comply with requirements established by the Secretary relating to student loan information with respect to the Direct Loan Program.
3. Implement a quality assurance system, as established by the Secretary and developed in consultation with institutions of higher education, to ensure that the institution is complying with program requirements and meeting program objectives.
4. Not charge any fees of any kind, regardless of how they are described, to student or parent borrowers for loan application, or origination activities (if applicable), or the provision and processing of any information necessary for a student or parent to receive a loan under Title IV, Part D of the HEA.
5. Comply with the provisions regarding student claims and disputes of 34 C.F.R. § 685.300(d) (borrower defense claims in an internal dispute process), (e) (class action bans), (f) (pre-dispute arbitration agreements), (g) (submission of arbitral records), (h) (submission of judicial records), and (i) (definitions).
6. Originate loans to eligible students and parents in accordance with the requirements of Title IV, Part D of the HEA and use funds advanced to it solely for that purpose.
7. Provide that the note or evidence of obligation of the loan shall be the property of the Secretary.
8. Comply with other provisions that the Secretary determines are necessary to protect the interests of the United States and to promote the purposes of Title IV, Part D of the HEA.
9. Accept responsibility and financial liability stemming from its failure to perform its functions under this Program Participation Agreement.
10. Accept responsibility and financial liability stemming from losses incurred by the Secretary for repayment of amounts discharged by the Secretary pursuant to 34 C.F.R. §§ 685.206, 685.214, 685.215, 685.216, and 685.222.

CERTIFICATIONS REQUIRED FROM INSTITUTIONS

The Institution should refer to the regulations cited below. Signature on this Agreement provides for

compliance with, as they become effective, the certification requirements under 34 C.F.R. Part 82, "New Restrictions on Lobbying," 34 C.F.R. Part 84, "Governmentwide Requirements for Drug-Free Workplace (Financial Assistance), 2 C.F.R. Part 180, Subpart C, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," 2 C.F.R. Part 3485, "Nonprocurement Debarment and Suspension," and 34 C.F.R. Part 86, "Drug and Alcohol Abuse Prevention." Breach of any of these certifications constitutes a breach of this Agreement.

**PART CERTIFICATION REGARDING LOBBYING; DRUG-FREE WORKPLACE;
1 DEBARMENT, SUSPENSION AND OTHER RESPONSIBILITY MATTERS;
AND DRUG AND ALCOHOL ABUSE PREVENTION**

1. Lobbying

As required by Section 1352, Title 31 of the U.S. Code, and implemented at 34 C.F.R. Part 82, for persons entering into a Federal contract, grant or cooperative agreement over \$100,000, as defined at 34 C.F.R. Part 82, §§ 82.105 and 82.110, the undersigned certifies, to the best of his or her knowledge and belief, that:

- (1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement.
- (2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, the undersigned shall complete and submit Standard Form - LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions.
- (3) The Institution shall require that the language of this certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

2a. Drug-Free Workplace (Grantees Other Than Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 C.F.R. Part 84, Subpart B, for recipients other than individuals, as defined at 34 C.F.R. Part 84, §§ 84.200 through 84.230 -

The Institution certifies that it will or will continue to provide a drug-free workplace by:

- (a) Publishing a drug-free workplace statement notifying employees that the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance is prohibited in the grantee's workplace and specifying the actions that will be taken against employees for violation of such prohibition;
- (b) Establishing an on-going drug-free awareness program to inform employees about-

- (1) The dangers of drug abuse in the workplace;

- (2) The Institution's policy of maintaining a drug-free workplace;
 - (3) Any available drug counseling, rehabilitation, and employee assistance programs; and
 - (4) The penalties that may be imposed upon employees for drug abuse violations occurring in the workplace;
- (c) Making it a requirement that each employee to be engaged in the performance of the grant be given a copy of the statement required by paragraph (a);
- (d) Notifying the employee in the statement required by paragraph (a) that, as a condition of employment under the grant, the employee will -
- (1) Abide by the terms of the statement, and
 - (2) Notify the employer in writing if he or she is convicted for a violation of a criminal drug statute occurring in the workplace no more than five calendar days after such conviction;
- (e) Notifying the agency, in writing, within 10 calendar days after receiving notice under this subparagraph (d)(2) from an employee or otherwise receiving actual notice of such conviction. Employers of convicted employees must provide notice, including position title, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202. Notice shall include the identification number(s) of each affected grant;
- (f) Taking one of the following actions, within 30 calendar days of receiving notice under subparagraph (d)(2), with respect to any employee who is so convicted -
- (1) Taking appropriate personnel action against such an employee, up to and including termination, consistent with the requirements of the Rehabilitation Act of 1972, as amended; or
 - (2) Requiring such employee to participate satisfactorily in a drug abuse assistance or rehabilitation program approved for such purposes by a Federal, State, or local health, law enforcement, or other appropriate agency;
- (g) Making a good faith effort to continue to maintain a drug-free workplace through implementation of paragraphs (a), (b), (c), (d), (e), and (f).

2b. Drug-Free Workplace (Grantees Who Are Individuals)

As required by the Drug-Free Workplace Act of 1988, and implemented at 34 C.F.R. Part 84, Subpart C, for recipients who are individuals, as defined at 34 C.F.R. Part 84, § 84.300 -

1. As a condition of the grant, the Institution certifies that it will not engage in the unlawful manufacture, distribution, dispensing, possession, or use of a controlled substance in conducting any activity related to the award; and
2. If any officer or owner of the Institution is convicted of a criminal drug offense resulting from a violation occurring during the conduct of any award activity, the Institution will report the conviction, in writing, within 10 calendar days of the conviction, to: Director, Grants and Contracts Service, U.S. Department of Education, 400 Maryland Avenue, S.W., Washington, DC 20202. Notice shall include the identification number(s) of each affected grant.

3. Debarment, Suspension, and Other Responsibility Matters

As required by Executive Order 12549, Debarment and Suspension, and implemented at 2 C.F.R. Part 180, for prospective participants in primary covered transactions as defined at 2 C.F.R. Part 180, §§ 180.200 and 180.210, the Institution certifies that it and its principals (per 2 C.F.R. § 180.335):

- (a) Are not presently debarred, suspended, proposed for debarment, voluntarily excluded, or disqualified from covered transactions by any Federal department or agency;
- (b) Have not within a three-year period preceding this application been convicted of or had a civil judgment rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public or private agreement or transaction; violation of Federal or State antitrust statutes, including those proscribing price fixing between competitors, allocation of customers between competitors, and bid rigging; commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, tax evasion, receiving stolen property, making false claims, or obstruction of justice; or commission of any other offense indicating a lack of business integrity or business honesty that seriously and directly affects their present responsibility.
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a governmental entity (Federal, State, or local) with commission of any of the offenses enumerated in paragraph (b) of this certification; and
- (d) Have not within a three-year period preceding this application had one or more public transactions (Federal, State, or local) terminated for cause or default.

4. Drug and Alcohol Abuse Prevention

As required by the Drug-Free Schools and Communities Act Amendments of 1989, which added section 1213 to the Higher Education Act, and implemented at 34 C.F.R. Part 86, the undersigned Institution certifies that it has adopted and implemented a drug prevention program for its students and employees that, at a minimum, includes--

1. The annual distribution in writing to each employee, and to each student who is taking one or more classes for any kind of academic credit except for continuing education units, regardless of the length of the student's program of study, of:
 - Standards of conduct that clearly prohibit, at a minimum, the unlawful possession, use, or distribution of illicit drugs and alcohol by students and employees on its property or as part of any of its activities.
 - A description of the applicable legal sanctions under local, State, or Federal law for the unlawful possession or distribution of illicit drugs and alcohol.
 - A description of the health risks associated with the use of illicit drugs and the abuse of alcohol.
 - A description of any drug or alcohol counseling, treatment, or rehabilitation or re-entry programs that are available to employees or students.

A clear statement that the Institution will impose disciplinary sanctions on students and employees (consistent with local, State, and Federal law), and a description of those sanctions, up to and including expulsion or termination of employment and referral for prosecution, for violation of the standards of conduct. A disciplinary sanction may include the completion of an appropriate rehabilitation program.

2. A biennial review by the Institution of its program to:

- Determine its effectiveness and implement changes to the program if they are needed.
- Ensure that its disciplinary sanctions are consistently enforced.

**PART CERTIFICATION REGARDING DEBARMENT, SUSPENSION,
2 DISQUALIFICATION, AND VOLUNTARY EXCLUSION -- LOWER TIER
COVERED TRANSACTIONS**

The Institution is to obtain the signatures of Lower Tier Contractors on reproduced copies of the certification below, and retain the signed certification(s) in the Institution's files.

**CERTIFICATION BY LOWER TIER CONTRACTOR
(Before Completing Certification, Read Instructions for This Part, below)**

- (1) The prospective lower tier participant certifies by submission of this proposal, that neither it nor its principals are presently debarred, suspended, proposed for debarment, voluntarily excluded, or disqualified from participation in this transaction by any Federal Department or Agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

Name of Lower Tier Organization

PR/Award Number or Project Name

Name of Authorized Representative

Title of Authorized Representative

Signature of Authorized Representative

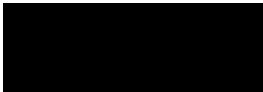
Date


1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to which this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or has become erroneous by reason of changed circumstances.
4. The terms "covered transaction," "debarred," "suspended," "disqualified," "lower tier covered transaction," "participant," "person," "primary covered transaction," "principal," "proposal," "voluntarily excluded," as used in this clause, have the meanings set out in the Definitions and Coverage sections of rules implementing Executive Order 12549. You may contact the person to whom this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include the clause titled "Certification Regarding Debarment, Suspension, Disqualification, and Voluntary Exclusion--Lower Tier Covered Transactions," without modification, in all lower tier covered transactions and in all solicitations for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that is not debarred, suspended, disqualified, or voluntarily excluded from the covered transaction, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the Nonprocurement List.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is suspended, debarred, disqualified, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

NOTE: A completed copy of the "Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion--Lower Tier Covered Transactions" form must be retained by the Institution. The original blank certification must be returned with the PPA.

IN WITNESS WHEREOF

the parties hereto have caused this Agreement to be executed by their duly authorized representatives.

Signature of Institution's
Chief Executive Officer
(CEO)/President/Chancellor:  _____ Date: 8/1/2024
Print Name and Title: LYUDMILA MIRNIK

President  _____ Date: 8/1/2024
For the Secretary: _____
U.S. Department of Education

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**ADDENDUM A - PROVISIONAL CONDITIONS
PROVISIONAL PROGRAM PARTICIPATION AGREEMENT
NEW AGE TRAINING – OPEID 04102300**

A. Provisional Certification due to CIO

When an institution undergoes a CIO, it participates under provisional certification. 34 C.F.R. § 668.13(c)(1)(i)(B). Any institution provisionally certified must apply for and receive approval by the Department for expansion or for a substantial change before it may award, disburse, or distribute Title IV, HEA funds based on the substantial change. Substantial changes generally include but are not limited to: (a) establishment of an additional location; (b) increase in the level of academic offering beyond what is listed in the institution's Eligibility and Certification Approval Report ("ECAR"); or (c) addition of any educational program (including degree, nondegree, or short-term training programs). Additional information on this condition is set forth below (*see* Growth Restrictions). Other conditions will also apply, which are described below.

B. New Owner Financial Protection Condition

At the time of closing, New Age Training - 1 did not have two years of audited financial statements required to meet the requirements of 34 C.F.R. § 600.20(g)(3)(iv). The Department required New Age Training - 1 to submit a New Owner Financial Protection in the amount of \$647,072 to meet the requirements of a materially complete application.

The required New Owner Financial Protection was provided in the form of a 25% new owner proportional letter of credit (LOC S93061638) ("25% New Owner LOC") for \$647,072 to meet the requirements of a materially complete application. The 25% New Owner LOC was posted on August 8, 2023. The current expiration date of the 25% New Owner LOC is October 31, 2025.

Once New Age Training submits and the Department accepts, reviews, and approves audited financial statements that cover one complete fiscal year under the new ownership, along with an acceptable compliance audit, the Department may determine that the 25% New Owner LOC can be reduced to an irrevocable 10% New Owner LOC, under the same funding guidelines. If the 25% New Owner LOC is reduced to 10%, the reduced New Owner Financial Protection will remain in effect at least until New Age Training submits and the Department accepts, reviews, and approves a second full fiscal year of audited financial statements under its new ownership.

Notwithstanding the statements above about reducing or releasing the financial protection following the Department's review of audited financial statements, the Department may determine to retain (or not reduce) the financial protection if the institution has established liabilities that have not been paid, if an ongoing program review might result in liabilities, or in the event of adjudicated borrower defense claims, even if the conduct that gave rise to the liabilities or claims arose under different ownership, or even if the institution undergoes another CIO.

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C. Growth Restrictions

During the period in which New Age Training participate under provisional certification as a result of the CIO and for any longer period in which New Age Training is subject to a financial protection condition (i.e., a letter of credit, cash escrow or offset), New Age Training must apply for and receive approval from the Department before it may award, disburse, or distribute Title IV, HEA funds, for any of the changes noted below:

1. add new programs that are not already approved by the Department and included in New Age Training's ECAR as of the date of the CIO;
2. add new locations that are not already approved by the Department and included in New Age Training's ECAR as of the date of the CIO;
3. increase the credential level of its offerings; or
4. change the length of any programs (either to shorten or lengthen them).

Following the Department's acceptance, review, and approval of New Age Training's financial statements and compliance audits that cover one complete fiscal year of New Age Training's uninterrupted Title IV participation under the new ownership, New Age Training may seek the Department's approval for new programs that are initiated only as replacements for currently-established programs for which New Age Training cease new student enrollments and commences a programmatic teach-out ("Program Replacements"). Following the Department's acceptance, review, and approval of New Age Training's financial statements and compliance audits that cover the second complete fiscal year of New Age Training's uninterrupted Title IV participation under the new ownership, and for the remainder of the period New Age Training participates under a PPPA or during any period where financial protection is required (whichever period is longer), New Age Training may seek the Department's approval for new programs that are not Program Replacements, and may also seek the Department's approval to add new locations, increase the credential levels of its offerings, and change the length of programs.

So long as New Age Training's SDBS has a passing acid test ratio and a positive net worth, the Department may determine, on a case-by-case basis, that an institution can be relieved of the Growth Restriction by posting financial protection. That financial protection is separate from the New Owner Cash Escrow, or financial protection required for any other reason.

D. Enrollment Limitation with Enrollment Monitoring

Enrollment Limitation. In the first full fiscal year following the date of this letter, enrollment at New Age Training may not exceed the prior fiscal year. After one full fiscal year under the enrollment growth limitation, so long as the composite score is passing, New Age Training may increase enrollment by 5%, with an additional 5% after the second full fiscal year under the Enrollment Limitation, so long as the composite score is passing. Thereafter, New Age Training may request that the Department release it from the Enrollment Limitation, so long as there are

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no concerns about future enrollment increases affecting administrative or financial responsibility. However, the Enrollment Monitoring must continue, even if New Age Training is released from the Enrollment Limitation.

Enrollment Monitoring. For the two fiscal years immediately preceding the Transaction and including any additional fiscal years that have been completed during the Department's review of the Transaction, please provide the following information by fiscal year for each of the completed fiscal years:

1. Total Title IV enrollment, indicating full-time/part-time;
2. Title IV Enrollment by program, indicating full-time/part-time;
3. Total faculty, indicating full-time/part-time;
4. Faculty by program, indicating full-time/part-time.

For the current fiscal year (at the time the PPPA is signed), and for four additional fiscal years, please provide the following information:

5. Projected total Title IV enrollment indicating full-time/part-time;
6. Projected Title IV enrollment by program indicating full-time/part-time;
7. Projected full-time and part-time faculty; and
8. Projected full-time and part-time faculty by program.

Please submit the information required by Items 1-8 when you return the executed PPPA to the Department for countersignature.

Please provide updated reports on actual enrollments and faculty within 30 days following the close of the fiscal year for the years where you have provided projections.

These reports should be submitted to NYBostonSPD@ed.gov.

E. Bi-weekly and Monthly Financial Reporting

New Age Training must submit the following reports on a monthly or bi-weekly basis as described below:

1. Bi-weekly cash balance submission that outlines New Age Training - 1's available cash on hand. Please provide details of what is included in the cash balance.
2. Monthly report with the following information contained in a single report (Items 2.a., 2.b., 2.c., and 2.d. should be submitted at the level of New Age Training - 1:
 - a. Actual and projected cash flow statement that breaks-out each anticipated inflow and outflow by line item and amount as indicated on the sample

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- cash flow statement, with business and financial disclosure notes (sample included);
- b. Any important financial transaction that has a material effect on New Age Training - 1's financial condition;
 - c. Explanation of variances as indicated on the enclosed "Cash Receipt & Disbursements Instructions."
 - d. Any planned mergers, acquisitions, business expansions/contractions, and/or corporate restructuring;
 - e. If the Department releases New Age Training from any limitation on adding new locations (either as a result of the institution moving from provisionally-certified status to fully-certified status or otherwise) any announced or upcoming location expansions;
 - f. Any announced or upcoming location closures;
 - g. If the Department releases New Age Training from any limitation on adding new programs (either as a result of the institution moving from provisionally-certified status to fully-certified status or otherwise) any new programs that New Age Training plan to offer at one or more locations that participate in the federal student aid programs; and
 - h. Any decision to cease enrollment in any program(s) and provide the teach out plan/teach out agreement and the schedule for teach out of the program(s).

Following the Department's acceptance, review, and approval of New Age Training's financial statements and compliance audits that cover one complete fiscal year of New Age Training's uninterrupted Title IV participation under the new ownership, New Age Training may seek to be relieved of this requirement. The Department may consider relieving the institution of this requirement if the Department determines that the audited financial statements demonstrate that the institution meets the Department's financial responsibility standards.

New Age Training will be subject to the reporting requirements for the period it participates under provisional certification, either as a result of the CIO or otherwise, unless the Department releases New Age Training from these reporting requirements as described above.

F. Monthly Student Roster Submission

New Age Training must submit a Monthly Student Roster in Microsoft Excel (sample format with required information and instructions will be emailed). Documents containing Personally Identifiable Information ("PII") submitted to the Department via electronic delivery must be password protected. PII is any information about a student, which can be used to distinguish or trace the student's identity. This submission is due to the Department on the 20th of each month, beginning the first full month following the date of this letter. Please submit to NYBostonSPD@ed.gov and CIOdocuments@ed.gov.

New Age Training may request to be relieved of the Monthly Student Roster Submission condition if the Department relieves it from the Enrollment Limitation condition.

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G. Accrediting Agency, Government, and Class Action Reporting¹

New Age Training must report:

1. Accrediting Agency Actions
 - a. All known open investigations, legal proceedings, and negative actions;
 - b. Any investigations, legal proceedings, and negative actions commenced by any accrediting agency that were closed, settled, concluded, or resolved within the most recent seven year period; and
 - c. The receipt of any notices or other correspondence relating to its status with its accrediting agency.
2. Government Actions
 - a. All known open investigations, legal proceedings, and negative actions commenced by any local, state, tribal, federal, and foreign government or government entity;
 - b. Any investigations, legal proceedings, and negative actions commenced by any local, state, tribal, federal, and foreign government or government entity that that were closed, settled, concluded, or resolved within the most recent seven year period; and
 - c. The receipt of any notices or other correspondence relating to its status from any local, state, tribal, federal, and foreign government or government entity.
3. Class Actions
 - a. Any threatened or pending litigation for which a plaintiff seeks or has been granted class certification; and
 - b. Any class actions that were closed, settled, litigated, or otherwise concluded or resolved within the most recent seven year period.

¹ For purposes of this condition, the following definitions apply:

- *Investigations* - the Institution shall be considered to be under investigation when it receives a civil investigative demand, subpoena, request for documents and/or information, or other formal or informal inquiry, unless the communication from the accrediting agency or government or government entity clearly states that the Institution is not under investigation.
- *Legal proceeding* - court actions, arbitrations or proceedings internal to the accrediting agency or governmental agency.
- *Negative actions* – a final action by a government agency or accrediting agency that results in the denial, withdrawal, suspension, revocation, or termination of accreditation, preaccreditation, or participation in, or eligibility for, a government program, or any comparable action an accrediting agency or government agency may take against an institution or program, including probation and show cause.

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For Items 2 and 3, New Age Training may limit its responses to investigations, legal proceedings, notices and actions in the following subject areas:

- *Recruitment/marketing* – relating to statements, promises, representations, or claims made by any person or on any advertisement or marketing material, regardless of whether the institution had any relationship to the person making the statement or had any role in the creation of the advertising or marketing material.
- *Employment/Job prospects* – relating to the likelihood of finding a job, students' employability/job prospects, partnerships with employers, career services/job placement assistance, industry demand of graduates, earnings prospects, and job placement rates.
- *Program Costs and Financial Aid* - relating to tuition and fees, loans/grants, credit balances, and refunds.
- *Educational Services* - relating to quality of program or instructors, selectivity of program or school, course availability, internship/externship, and accommodations/equipment.
- *Accreditation/ Licensure* - relating to the institution's approval or accreditation, any specific program being accredited, licensed, or recognized in any way, and programs required to have programmatic accreditation for a graduate to get a job in the field.

For Items 1a, 2a and 3a ("Open Matters"), New Age Training must provide a summary report listing all Open Matters and a copy of any associated documents within 30 days following the Secretary's execution of the PPPA.

For Items 1b, 2b, and 3b ("Closed Matters"), New Age Training must provide a summary report listing all Closed Matters and their disposition, including a description of any settlements and fines levied or paid (if any). In addition, New Age Training must provide a copy of any settlement agreement, judgment, or any other documentation that the matter is closed, settled, or otherwise concluded or resolved. All reports submitted must include a signed statement attesting that the information is true, accurate, and complete to the best of the Institution's knowledge. The report and supporting documentation must be submitted within 30 days following the Secretary's execution of the PPPA.

For Items 1c and 2c ("Notices"), New Age Training must provide a summary report identifying each Notice and a copy of any associated documents within 30 days following the Secretary's execution of the PPPA.

Thereafter, New Age Training must provide updates on Open Matters, Closed Matters and Notices on a quarterly basis.

New Age Training must provide the reports and information described in Items 1-3 for the period of its provisional certification.

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Please submit the required information to FSAreporting@ed.gov (cc: NYBostonSPD@ed.gov; CIOdocuments@ed.gov).

Please note: The notifications required in this section are in addition to the reporting of events or communications that constitute mandatory or discretionary triggers under 34 C.F.R. § 668.171(c) and (d) that must be reported under 34 C.F.R. § 668.171(f). Those triggering events should be reported to FSAFRN@ed.gov.

H. Student Complaint Reporting Requirement²

Within 30 days following the Secretary's execution of the [T]PPPA, New Age Training must submit a report ("Initial Report") that provides, for each of the five most recent award years, formal and informal student complaints in the following areas:

1. Recruitment/Marketing;
2. Employment/Job Prospects;
3. Program Cost and Financial Aid;
4. Educational Services; and
5. Accreditation/Licensure.

² For the purposes of this condition, formal and informal student complaints in the following area include, but are not limited to:

- *Recruitment/marketing* – complaints relating to statements, promises, representations, or claims made by any person or on any advertisement or marketing material, regardless of whether the institution had any relationship to the person making the statement or had any role in the creation of the advertising or marketing material.
- *Employment/Job prospects* – complaints relating to likelihood of finding a job, students' employability/job prospects, partnerships with employers, career services/job placement assistance, industry demand of graduates, earnings prospects, and job placement rates.
- *Program Costs and Financial Aid* - complaints relating to tuition and fees, loans/grants, credit balances, and refunds.
- *Educational Services* - complaints relating to quality of program or instructors, selectivity of program or school, course availability, internship/externship, and accommodations/equipment.
- *Accreditation/ Licensure* - complaints relating to the institution's approval or accreditation, any specific program being accredited, licensed, or recognized in any way, and programs required to have programmatic accreditation in order for a graduate to get a job in the field.

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The Initial Report should include the following for each student complaint:

1. Subject matter of the complaint;
2. Recipient of the complaint (institution employees, agents, counsel or contractor; third party servicers; institution owners; local, state, federal, tribal and foreign governments or government entities; accrediting agencies);
3. Whether arbitration or litigation was commenced and the disposition of that proceeding; and
4. Whether any other proceeding (internal or external) was commenced and the results of that proceeding.

New Age Training must also submit a summary of the information in the Initial Report by year for each of the five most recent award years with the following information:

1. Number of complaints in each category;
2. Number of complaints resolved in each category; and
3. How the complaints in each category were resolved (e.g., litigation, arbitration, mediation, etc.).

Following submission of the Initial Report and summary statistics, New Age Training must submit updated reports and summary statistics on a quarterly basis for complaints commenced and resolved during that quarter.

All reports must be redacted of student and employee PII. New Age Training must provide, to the Department upon request, any information related to reports submitted pursuant to this condition.

New Age Training must continue to submit these reports for the period it participates on a provisional basis. Please submit these notifications to FSAreporting@ed.gov (cc: NYBostonSPD@ed.gov; CIOdocuments@ed.gov).

I. Open Program Review

The Department has conducted a program review of the institution's administration of the Title IV, HEA Programs for award years and 2020-21 and 2021-22.

The program review report (“PRR”) and final program review determination (“FPRD”) have not yet been issued. If liabilities are established in the FRPD when it is issued, the institution is responsible for all program review liabilities and must resolve all deficiencies. The program review liabilities must be paid by the date specified in the FPRD unless (a) the determinations of the program review are under appeal, or (b) alternative payment arrangements have been made with the Department's Debt Collection Services.

J. Reservation for Additional Conditions

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The Department reserves the right to include additional conditions by an amendment or addendum to the TPPPA if the Department determines that additional conditions are reasonably necessary to ameliorate administrative or financial risk.

K. Required Signatures

Following a CIO, the Department requires the TPPPA and the PPPA to be signed by an authorized representative of the institution and by an authorized representative of its owner entities. In certain circumstances, the Department may require individuals who exercise control over the institution to also sign the TPPPA and the PPPA.³

This TPPPA must be signed by an authorized representative of the Institution, by an authorized representative of New Age Training – 1, and by the owners of New Age Training – 1.

The Department may determine, on a case-by-case basis, that an entity owner above Level 1 (or an individual owner, if an individual owner signature is required) can be relieved of the Signature Requirement by posting financial protection. However, if financial protection has not been posted prior to the time a signature is required, the institution's owners must sign the TPPPA and/or PPPA (as applicable). The owners will be relieved of the signature requirement once the financial protection is posted. If the institution would like more information on this alternative, please email your School Participation Division using the contact information on [Federal Student Aid's Partner Connect website](#). With your email, please submit audited financial statements from each entity that requests to be relieved of the signature requirement. The financial statements should be on a stand-alone basis, or if prepared on a consolidated basis must include schedules and disclosures that clearly identify the total equity/net assets for each owner entity.

The fact that an institution undergoes a CIO does not insulate the institution from liabilities that resulted from conduct under the prior ownership, including liabilities resulting from misconduct by prior owners or employees. Notwithstanding any agreements to the contrary between the parties to the CIO, the institution continues to be responsible for all Title IV liabilities, whether they were known or unknown at the time of the CIO, and whether they accrued prior to, or after the closing of the CIO. All entities (and or individuals, if applicable) that sign an institution's program participation agreement, including a TPPPA or PPPA, assume responsibility for the institution's obligations, including the obligation for all Title IV liabilities that are not repaid by the institution when due, or pursuant to an agreed repayment plan.

In addition, the Department may use any financial protection that is posted to satisfy liabilities without regard to the ownership under which the conduct leading to the liabilities occurred, and

³ Please refer to the guidance found at [Electronic Announcement \(General\) 22-16 \(Entity Signatures\)](#) and [Electronic Announcement \(General\) 23-11 \(Personal Liability - Individual Signatures\)](#) for additional information.

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the financial protection will not be released until the Department determines that all liabilities or potential liabilities have been satisfied.

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**ADDENDUM B – SIGNATURE PAGE
PROVISIONAL PROGRAM PARTICIPATION AGREEMENT
NEW AGE TRAINING – OPEID 04102300**

By the signature of its authorized representative, the entity identified below agrees to be jointly and severally liable for the performance by the Institution of its obligations under this agreement.

New Age Training – 1, Inc., by its authorized representative:



PERSON FOR THEM

k, President

Date: 8/1/2024