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OFFICE OF POSTSECONDARY EDUCATION
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SESSION 3, DAY 4, AFTERNOON
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On the 7th day of March, 2024, the following meeting was held virtually, from 1:00 p.m. to 5:00 p.m.

P R O C E E D I N G S

MR. ROBERTS: Welcome back, everyone, for the afternoon session of this final day of the 2024 Negotiated Rulemaking Committee. We're going to pick right up with our discussion on accreditation. It's my understanding that Michale McComas, the alternate for institutional accrediting agencies, has a question on the conversation as we left it at lunch, and I'll turn it right over to him.

MR. MCCOMIS: Thanks, Brady. And I just- I wanted to just take a minute and go back to 602.19 (b) and that language and just maybe offer a bit of a caution to the Department on unintended consequences. So, you know, I've spent a fair amount of time through appeals, arbitration, and the court system defending adverse accreditation decisions. And I worry that the words the most current and the word available will hinder accrediting agencies from being able to take enforcement actions based upon a wide array of information. So let me just maybe give an example. I worry about the word available because it's so broad that it's- the argument on the other side is, well, the agency didn't take into account everything that was available when it made its adverse accreditation decision or they didn't take into account the most current information.

And so if an agency uses something like a benchmark or metric, more likely than not that metric is based on some kind of lagging data. And while the institution may provide more current, the standard may not really be based on any kind of metric for retention data or something along those particular lines. And so I just worry that including that language there can open up a cause of action unintentionally for institutions to be able to, to say, well, you didn't take into account the most current or you didn't take into the universe of everything that was available. So I would just ask the Department to consider striking the words the most current and the word available in that 602.19 (b). Thank you.

MR. ROBERTS: Alright. Thank you, Michale. And Jamie, you'll be rejoining us at the table? Great. Okay. Welcome back. Any other comments on 602.19 or 602.20? Yeah, Jamie.

MS. STUDLEY: Yeah. Checking that I wasn't muted. Coming back to- I'll start with good- the good cause extension item. I think people recognize that we're moving here from unlimited room for good cause extensions to one year, which is less than the two years that had been mentioned at another point, I think. And while- if it were- if I were holding the pen, I'd make it

two. We also appreciate the urgency to move toward conclusion with institutions and so we have an objective to the one year. It may be tight but tight in the interest of getting to decisions where institutions are not in compliance seems a reasonable balance and would be prepared to live with it and move institutions in that way if necessary. We also appreciate the recognition of allowing time for the student achievement-related arenas and for institutions to work toward better outcomes for students. You've heard me talk about the momentum that we're seeing for outcomes and data. As data gets better, accreditors rely on it more and more. When IPEDS got over the full-time, first-time, full-time constraints and gave us broader, more usable data, accreditors use it and rely on it more. I- as I mentioned, my agency for one is posting debt-to-earnings and ROI information by program for institutions, and we will use it in our conversations with institutions about how they're doing relative to appropriately benchmarked other institutions. So that leaves the real sticking point for me, which is turning the identification of expectations in 602.16, which is it- in- many of us read it as saying, yeah, we're doing a lot of that. That's not a change in practice to identify how outcomes need to be incorporated in the conversation. Accreditation has changed and it's changed in these

regards. But turning identification of expectations in 16 into enforcement levels in .20, is really creating bright lines. The Department has said it agrees that we shouldn't have bright lines, and it's telling agencies what their standard ought to be [30 seconds] and we've talked about that. So for me, this is the issue that is the most dangerous. And I'll come back momentarily to explain why.

MR. ROBERTS: Thank you, Jamie. Scott, go ahead.

MR. DOLAN: Yeah, I just want, I mean, to support Jamie's point, right? We've seen a ton of progress recently around expectations for evidence that our accreditors are putting forth for us. And it's helped institutions like mine. You know, the mechanisms in place that we have to support our reflections and our reviews are across a wide range of categories. You know, I mentioned last time our annual institutional update, we provide data, quantitative data to our accreditor every year on student demographics, enrollment, student achievement, financial results. Our most recent audit findings. I've heard numerous times that these are lagging indicators. We are reporting this to our accreditor every single year, and they take action on this. They ask for supplemental information reports when

something is of concern, they can take more serious actions if the data presents itself that way. During our self-study report, it's not just a written, self-reflective essay, I apologize, it's just not. That- to say that is just a lack of understanding of what accreditation is. There are mountains of evidence that institutions provide, quantitative and qualitative, written records, contracts, the whole gamut that we're providing to our accreditors as a component of this. And we're reviewing this and evaluating not only from a self-assessment, but from a set of qualified peer reviewers as well. And I'm very appreciative of the work that Middle States has done more recently under the guidance of NACIQI, to provide even more consistent guidelines around their expectations for evidence, right. Just an example. And I can link to the guidebook that Middle States provides to us as institutions. But under Mission, provide evidence of trend analysis of progress towards meeting established student achievement goals for the last four years, including retention rates, graduation rates, transfer rates, placement rates, and more. So this idea that we're not ongoing providing data and evidence to our accreditors and that this is not informing our practices, just lacks a real understanding of the work that we're doing with integrity, not just a focus on

compliance, but also in a focus on setting high bars and standards for ourselves around continuous improvement. Accreditors recognize, institutions recognize that evidence should be mission-specific and relative to the mission and goals of the institutions, and that this needs to be reviewed within the context of the standards and the mission of institutions. It's reflective of the understanding that institutions have [30 seconds] different models for education and operational excellence. And the reality is, that's one of the hallmarks of US higher education, which I want to remind folks here, remains a gold standard globally. So while there are instances of bad actors and we need to address those to protect all students, we should also remind ourselves of the great work that we're doing together to provide access and quality in ways that a lot of countries around the world would be envious, envious of. So, let's continue that work.

MR. ROBERTS: Thank you, Scott. David, speaking on behalf of proprietary institutions, will be coming to the table. But before him, Jamie, you are up next.

MS. STUDLEY: Thank you. Scott mentioned NACIQI, and that really took me back to 20, I believe 12, when NACIQI, for the first time after the

official presentations by the agencies, for the first time, said, how are you thinking about student outcomes? There were some agencies that looked like deer in headlights and didn't know what we were talking about. Compare that to what NACIQI and the Senior Department Official expected in this round of reviews and the informed data-oriented outcomes directed responses of the accrediting agencies. That is a strategy, a direction that is really paying off and making a difference. Someone gave me a great phrase that fits here about the danger of making flags into axes. I'm concerned as somebody who really believes in the value of outcomes used well to drive institutional results. But I- I'm afraid that these two provisions in regulation, could set back rather than support the work that's being done. Instead of making outcomes more visible and people spending their time and energy on incorporating the more seriously- into accreditation discussions, which takes training of schools and reviewers and commissions to be able to do that thoughtfully. And developing subtlety which I recognize 16 really makes an effort to say it has to be appropriate and feasible and so forth. But we- but given the formal effect of noncompliance in 20, the effect would be to ask accreditors to spend lots of time to pick, validate, justify data. And you can't do it with

just one data point. You would have to look at multiple data points for multiple different institutions, and think about how they operate together and defend them to a level that would support a noncompliance decision, as opposed to moving them forward and being able to say, you know, your graduation rate is strong, but your debt-to-earnings or return on investment is not good for most of your programs. So you can't choose to- in that case you wouldn't want just graduation rate. But you would have to validate and work out all of those metrics. [30 seconds] You couldn't do that, you would hesitate to include them, which would deprive the discussion of the thoughtfulness of all of those points. It's enforcing them as compliance lines that makes them unacceptable. I want to use multiple measures, and I am prepared to say that you have not succeeded based on those multiple measures. I'd rather spend my time doing that in a case-by-case decision-making, instead of having to build the kind of structure and defend it at great risk that is described here. I think we would be closer to our shared goals.

MR. ROBERTS: Thank you, Jamie. David, you're up next.

MR. COHEN: Thank you. I want to agree with Scott and the other commentators here that there does seem to be a true lack of understanding of how

rigorous the accreditation process truly is. At my institution, and the institutions that I represent, as Chair of the Association of Private Colleges in New York and at most accredited colleges and universities across the nation, we track retention rates, persistence rates, graduation rates, employment rates, transfer-up rates. We track daily attendance. We track standards of satisfactory academic progress. We track licensure pass rates. We track nearly 100 different student learning assessment standards across eight distinct academic divisions every semester, and we track nearly 100 institutional assessment data points in the nonacademic realm, including 14 different administrative units. We disaggregate this data. We sort it in every conceivable way so that we can learn from it and how our diverse constituents are doing. We develop and monitor multi-year strategic plans, and we monitor our daily budget in comparison to forecast and in comparison to the last several years. We monitor the food service and online course sales. We monitor the academic advising process and the interactions with students with advisors. We monitor on a daily basis our interactions with students with disabilities, and we monitor regularly our success in reaching out to opportunity program students. We monitor grievances and complaints. We monitor requests

for repairs in our residence halls. We regularly survey our students, faculty, staff, alumni, and our largest employers of our graduates. We watch and monitor cohort default rates, and we track our bad debt reserves on a weekly basis. We pay attention to timelines to determine the last date of attendance for students struggling with attendance, and we track the timely refunds to Title IV and New York State aid programs. We undergo not less than three full audits every year. Our financial audit, our SFA audit, our retirement programs for faculty and staff, and periodic audits of sales tax, food service compliance, fire and safety, just to mention a few. We monitor faculty development and we evaluate their effectiveness with regularity. We monitor our academic governance process to make sure everyone has a respected voice. And I could go on and on. We probably monitor well in excess of a thousand different things on a regular and periodic basis annually. Many of the things we monitor and manage stem from good practices that our accreditors prioritize. [30 seconds] And we're just a tiny school. I really am just trying to say that I think the accrediting agencies are already moving in this way, and setting minimum standards is actually harmful because you lower the benchmark, you stifle innovation, and they're just unnecessary. I would urge you not to make them.

MR. ROBERTS: Thanks, David. Jo, go ahead.

MS. BLONDIN: Yeah, so I just want to follow on a little bit with what David said as well. I think many accreditors are- have shown continuous improvement, and that was reinforced at the February 2023 NACIQI meeting at which HLC participated. We were complimented on our collective input that we have provided to their outcomes committee, including measures such as student intent and mission-specific accreditation. So to imagine that accreditors are not responsive, are not focused on continuous improvement, even for themselves is disingenuous. However, I will also say that there is room for improvement. And that's what that process is all about. Accreditors are not perfect, but I do believe that they're making very serious efforts and at the guidance of NACIQI to make some of these changes.

MR. ROBERTS: Okay. Thank you, Jo. Herman, I'm not seeing any new comments on this. So do you want to reshare the document and take us to the next section? Oh, Joe, I do I do see your hand. I do just want to remind folks that the, you know, the most helpful feedback is feedback that's rooted in the reg text or new proposal suggestions or comments on the reg text, given

that this is the last section of the last day. So I just want to remind everyone of that. But Joe, go ahead.

MR. WEGLARZ: Yeah, I just snuck my hand in there. You know, so being that I am out in the weeds with accreditation, I'm from the student financial services side of the house. I'm learning a lot through this dialog, but I guess I'm curious to what is making the Department propose what they're proposing. Alright. I've been through accreditations, alright, representing Student Financial Services. And I guess what would be helpful, if possible, to give some data on, you know, how many institutions do not get reaccredited, how many get put on probation and so forth? And to the severity of this accreditation policy. So this has been an eye opener for me. But I- I'm sure there's two sides to the story with accreditation and the Department. You know, it does deal with these situations, but, you know, any additional education on this would be great. Thank you.

MR. BOUNDS: Yeah, I would just say as far as data, I mean, we don't have any data that we could present to you today on, you know, number of- if you're asking for a number of negative adverse accreditation actions or, say, institutions that have been carried a significant amount of time in a non-compliant setting or whether the institution understood what it needed to do.

I mean, we don't have that information there. The language we have just proposed is- are things that we- that we think are important related to student achievement. And again setting some of those you know, minimal expectations of what an institution needs to do to demonstrate compliance. So probably didn't answer your question, but right- currently today, we just don't have the data to give you to answer the questions that you just asked of us.

MR. ROBERTS: Okay. Thank you.

JoEllen.

MS. PRICE: Yeah, I would like to applaud the Department for working towards protecting students from institutions that are not delivering a quality, worthwhile education. I have actually had family members and friends scammed by institutions that appear to be more concerned about their bottom line than they were about the education they were delivering. My husband is a 24-year retired veteran who was taken advantage of by a bad actor in 2010, but luckily he figured it out early and did not lose his entire GI Bill. I personally visited an institution in 2018 and spoke to their director when they tried to take advantage of my cousin by enrolling her in a program that clearly would not have enabled her to achieve her career goal, and it was

expensive. They ended up disenrolling her and giving her her money back, and that school is no longer in business. Unfortunately, most students don't have someone like me looking out for their best interests. I understand the critical, important role of our accreditors and in my experience, they do a great job. I also, given my 37 years in financial aid, understand the concept of administrative burden. I know the devil's in the details and not all the details are going to meet our expectations. I do have some concerns about some of the language, but as I listen to the conversations, I keep thinking, will these changes protect my son, my husband, or my cousin in the future? And I think they will, even though they come with concessions and compromise. Thank you.

MR. ROBERTS: Okay. Thank you, JoEllen. Herman, do you want to keep walking us through the document?

MR. BOUNDS: Sure. Let's see, where- so we're in student achievement. Let's go down to- I think we are- excuse me, we're under 602.20. We kind of got bounced back to some questions of student achievement, so I think- yeah, I think we were actually finished with 602.20, unless there were other comments. I think we're ready to move into- to move into, well,

nothing in 21.

MR. ROBERTS: Yeah, I think we're at 602.22, but [inaudible]

MR. BOUNDS: I think we're ready to go, yeah. Yeah, I think we're ready to go to 602.22. Just give me a second to get there. So in 22, I will just get to the highlighted- to the highlighted changes. Under (j) is the first one. I think I'm on page 26. And here we added the word physical, physical additional location. And in (k) we added language here. I think this provides an exception or a carve-out for- related to prison education. Prison educational programs. I want to be sure I'm saying that right. Yeah. Okay. If we move down to- it looks like we're on page 27. We have some additional language here. And I would also say that, again, the majority of these changes were made because of, you know, comments from committee members and to kind of strike a compromise between what we heard in the last session. Under here, we have we've changed- added some language to those requirements, include at a minimum. And we have confirmation that the agreement- and we're under written arrangements and agreements, that agreement complies with the limitation on the amount of program that the ineligible institution or organization provides, as described in 668.5 and of course, that regulation covers

written arrangement between ineligible institutions. Number two, added language, a demonstration by the accredited institution that the ineligible institution or organization has sufficient administrative and fiscal capacity and experience to deliver the program, the portion of the program provided under the arrangement. And then the last one is just a reminder that the institution is still responsible to maintain compliance with the accrediting agencies standards in those particular areas. Next change is under (b). We added some language to the first sentence. If the agency approves a substantive change for an institution that is on a probation or equivalent status, or is currently or has been subject to a negative action by the agency, that begins the enforcement timelines of 605.20 (a) and (b) over the prior three academic years. Had some strike there. The agency must notify the Secretary within 30 days of its approval of the substantive change. And then we struck language from the very last sentence. And if we go down to the next section. Again, on page 29, we have some additions. Again, physical location in several places. And under two, we get into the subject of conducting site visits under (e). And under (i), we've added some language also, must include all physical additional locations and branch campus of the institution

that has been placed on probation or show cause or equivalent status, or has been the subject of an action by the agent that begins the enforcement timeline to 602.20 (b) during the accreditation cycle or final three years of the prior accreditation cycle. Romanette two must include all physical locations and branch campuses if the institution has fewer than 25. The key word there is fewer. And then under romanette three, except for institutions described in (i), which would be, of course, those that are- that have been under some sort of negative action by the agency may include fewer of all of the physical additional locations and branch campuses if the institution has 25 or more such locations. Key word there is more, but the agency must conduct the site visit- must conduct a site visit to 25 such locations, or 50% of the total number of such locations, whichever is greater. And if the agency elects to visit fewer than all physical locations and branch campuses, the institution in an accreditation cycle, it must visit different physical additional locations, the branch campuses in the institution's next accreditation cycle. And then the language in- for the site visit must- excuse me, the site visit requirement does not apply to additional locations that provide prison education. And that takes us to- I know I went through that pretty fast. That takes us to

23. So I would open up conversation to discussion under 602.22.

MR. ROBERTS: Thank you, Herman, That was a larger section, but any comments, questions, feedbacks, additional proposed text on 602.22? We'll start with Barmak.

MR. BOUNDS: And if we can start with the-

MR. ROBERTS: Oh, I'm sorry, go ahead.

MR. BOUNDS: Yeah, I was going to say to make it easier, if we could start with- you know, kind of work our way down through the document-

MR. ROBERTS: Kind of chronological through the- yeah, yeah.

MR. ROBERTS: Yeah, with the- with- where the first changes occur.

MR. ROBERTS: Go ahead, Barmak.

MR. BOUNDS: Oh, I'm sorry.

MR. NASSIRIAN: I'm farther down.

MR. ROBERTS: Oh, you're farther- so, anyone have a comment, question or proposed text for- we'll call it- through page, I'm kind of making this up here, but 27? That first chunk of alterations.

MR. BOUNDS: Sounds good.

MR. ROBERTS: Laura, go ahead.

DR. KING: Yeah, so this is language that comes up both in 602.22 as well as 602.23. And so I'm looking- I think the first place that it comes up is (n) like Nancy where it talks about- this happens to be about substantive change, but you know, the Department tried to clarify what a quote unquote negative action was. I think our feedback last time was a negative action doesn't really have a definition. And so I appreciate the attempt to do that. I think that it is overly expansive, however, to have it be any action that begins the enforcement timeline in 602.20 (a) or (b). Those are not necessarily what I would consider negative actions. Those can be issues that are very, you know, simple and easy to fix that an institution or a program needs to take care of. So something- my example on this is a site visit team found an outdated student handbook on the website that needs to be removed. That might trigger, you know, an enforcement timeline. So we're telling the inst- or the program, we're saying you have to remove this outdated handbook from your website. I don't know that rises to the level of what you would consider a negative action. I think it's more of a sanction kind of action that you mean and I think that is more problematic to me in 602.23 but it does- that language is repeated here. So I wanted to raise that.

MR. BOUNDS: Yeah, Laura, I want to just respond real quickly that the reason we added subject to the timelines under 602.20 (a) and (b), because again, that's, you know, in accordance with the regulation, that's what starts- that's what indicates that the institution or program is non-compliant with the standard, no matter what the issue is. If there- if the commission or whoever finds the institution or program non-compliant, then they have to start those enforcement timelines. And you know as well as I do agencies have different terminology for that particular situation. So we could not possibly list everything because some agencies may not consider a warning as a- as triggering enforcement timeline. So we wanted to make it broad and clear that if there is a situation or an occurrence at an institution or program that initiates those timelines, that's telling us that institution or program is non-compliant, and then they have to initiate those enforcement timelines. That's why we put that language in there. So it's not- wouldn't be for a minor issue. It would be for something that you or an agency said, no, this definitely means non-compliant. This doesn't mean monitoring. This doesn't mean, oh, it takes a couple of seconds to fix this. This means that you're non-compliant.

DR. KING: Okay. So I mean, what you're basically saying is that agencies would need to adjust their own policies and procedures to call it something else. So call it substantial compliance or something else so that it would not trigger that timeline.

MR. BOUNDS: We don't care what you call it. It could- you could call it anything. But if it's significant enough that it's a non-compliant condition and those enforcement timelines apply, I mean, it could be monitoring, but if you- if an agency says this specific issue is a monitoring issue, but in our minds they're non-compliant with our standards, that kicks in the enforcement timeline. That's really the only way to track it.

DR. KING: Okay. It becomes, as I said, more problematic when we get into the language in 602.23, I still think it's overly- I think it's overly broad. And I think you're capturing things that you probably don't mean to capture in that language.

MR. BOUNDS: I don't know. I think that, again, I think it, tied into the regulation, makes- I mean, I think it makes sense if it's not- if it doesn't start an enforcement timeline, I don't- we don't- we still don't understand why an agency then- if it's not

serious enough to say you're non-compliant, then the enforcement timelines again would not, you know, would not start.

DR. KING: Agencies have different, I guess, different thresholds for non-compliance is what I'm saying. So I- you know, I stand by what I said before. I mean, you're essentially-

MS. K. SMITH: 30 seconds.

DR. KING: You're essentially requiring that an agency would change its nomenclature to adhere to something like this. And so, I mean, that's fine. But I think it's just something that you need to be aware of.

MR. ROBERTS: Thank you. Barmak, timing of comment, roughly chronological?

MR. NASSIRIAN: It's actually before this section we're talking about.

MR. BOUNDS: That's good. Yeah, I'm good. Go ahead.

MR. NASSIRIAN: And you don't have to even move the page because it's the provision before (m) as in Mary, (m) (2) specifically. A couple of quick questions. Are the criteria being listed here, the requirements being listed here, a snapshot requirement at the point of approval, or does the accreditor have an

obligation to continue to monitor each of these criteria over time?

MR. BOUNDS: I think it would- if that question's to me, I think it would be both. I mean, you want to- you definitely want to do that at the point where the written arrangement- where they enter into written arrangement and I think as part of an accreditors normal, you know, review processes, they will continue to look at these things.

MR. NASSIRIAN: So let me give you a not hypothetical example. Suppose there was an OPM that was flying high five years ago, shares trading at \$96 per share. And today the shares are trading at \$0.42 per share. And it has a going concern annotation in its financial statements. I would say that is just about as illustrative of significant concerns about that entity having adequate financial resources to deliver on promises it might have made five years ago. I don't know any accreditor that has taken any such action, having approved that ineligible entity to get into the higher ed business by renting their logo and their Title IV eligibility. And that's- you know, when people talk about these are not just essays. And when we object that most of these are sort of idealized statements that are honored only in the breach, to me, that is illustrative

of where the problem is, that statements are made and commitments are recorded that are never enforced, even in the face of overwhelming evidence that really there is there- you know, we are about to see the collapse of an entity that is hiding behind the brand names of some of our finest institutions in this country, and heaven only knows how many tens of thousands of students will be left holding the bag. I'll let people guess what that OPM- that not-so-fictitious OPM may be named.

MR. ROBERTS: Any other comments moving down the document? Yeah, Jamie, go ahead. You're muted Jamie, I'm sorry.

MS. STUDLEY: So you didn't hear me say, oh, damn, about being muted. I just want to underscore what Herman said. The answer to that question lies in (m) (3). Getting a little blurry here, but once the review has gone through, it is the obligation of the institution to satisfy the accreditor's standards and the accreditor's obligation to assure that they do. We- if there are gaps in that, it is with- it is at the point of the institution, not the agents that it chooses, that it is getting the work, the results that it wants. And I'm not speaking to any specific examples. What we're doing is creating a structure, and then we can go after anybody who doesn't carry out their responsibility. And where-

and if there are shortcomings in what the institution is delivering, that's the right way to look at it. It's not to go back and directly look at the third party. It's to look the institution in the eyes. But three is the answer to how- where that responsibility for meeting standards continuously operates.

MR. ROBERTS: Scott, go ahead.

MR. DOLAN: I just want to make sure I'm on the right page here, but I continue to have questions and concerns about the rationale and the context for the change to language around the requirement of additional site visits. And it would be helpful based on the proposal that we put forth to have a bit more clarity on- and I realize I'm asking this with, whatever, 3.5 hours, 2.5 hours left to go. But what's- what is the rationale for a required site visit? What problems has the Department seen that requires this change? And that's- I'll stop there.

MR. BOUNDS: Yeah, I'll comment. I just want to make sure we- we're finished with the previous questions more related to the written arrangements. And then I'm happy to talk a little bit about- I'm assuming now we would be down in paragraph (e). So I'll start there then if there were no- so we just believe that it is important that site visits be

conducted to as many additional locations as possible. You know, we heard comments from the previous sessions, and we tried to come back with some language to try to fit the middle ground. Now, I can't give you any- I can give you anecdotal evidence based on complaints that we have gotten in about institutions and in some cases, the complaints were about- were related to, you know, locations that the agency had reviewed or conducted site visits to. We've had some of those same types of complaints with clinical sites in some cases where the agency had not been out to that clinical site. Again, we just think it's important that during an accreditation cycle that an agency conducts site visits to as many additional locations as possible. And again, here we started with 25 because our research when we have- we- I think we got some data from FSA that said, most of the most institutions have fewer than 25 locations. I think Donna's on. She can come in and jump in if I got that number- if I got that information incorrect. But that's where we came up with the 25 such locations. And we're giving options here if things occur where an agency is not able to visit all those locations. So we think this language here is kind of a compromise position that still will require visits to, you know, more additional locations. And we also say that if you don't get to- you

know, if you don't review all those additional locations in the next accreditation cycle, you then have to go back and review a set of locations different from the ones you reviewed in that previous cycle. So that's our rationale for adding this language.

MR. DOLAN: I guess one quick piece with that data that you've reviewed. Is that able to be shared in terms of that how that informed the number of 25? The other thing, I- just in terms of a question, it would be helpful to hear the rationale around how the physical visit is going to help meet the different goals that are attached to the review. Right? Academic control, adequate faculty, facilities, resources, institution. Institution is financially stable. Institution has engaged in long-range planning for expansion. And again, I'll go back to some of the points I've made around you know, the success I think of virtual site visits in the past. And that's one. And the other piece of this is just a reminder that, who is going to be conducting these site visits, right? Those are volunteers from institutions who will have to kind of leave more often than not, their day jobs to carry these tasks and responsibilities out. And I understand, you know, it's not the only criteria, but I think we talk about risk, cost-benefit analysis here, I think is an important component of the work that we need

to do. And without a stronger rationale for the purpose and the data that's motivating it, I'm not clear around whether that benefit outweighs the costs.

MR. ROBERTS: Okay. Thank you, Scott. Jillian, go ahead.

MS. KLEIN: Yeah, I just have- I'm sorry, I have sort of a dumb question on page 29, so I just want to make sure I'm reading this correctly. So new (d) is speaking to instances where the school is not yet approved for Title IV and this would be in process to be eligible for Title IV. And then (e) is speaking to presumably eligible Title IV students or institutions, or, I suppose not, right, that are going through the accreditation cycle? Is that- am I understanding that correctly in terms of what the two different scenarios apply to?

MR. BOUNDS: Okay. I'm trying to follow you here. So you're-

MS. KLEIN: On 29, on page 29-

MR. BOUNDS: Okay.

MS. KLEIN: -(d) that starts with if the agency's accreditation of an institution enables the institution to seek eligibility. So I just want to be clear that section is applying just in cases where the institution is not yet eligible for Title IV, but they're

going through the process of becoming eligible for Title IV. Is that accurate?

MR. BOUNDS: If the agency's accreditation enables the institution to seek eligibility. Okay?

MS. KLEIN: Okay. I just want to make sure I was reading it right, that in terms of the two different sort of thresholds and parameters for requiring additional location visits, that the first- that new (d) is talking about instances where a school is intending to be, or is planning to apply for Title IV eligibility, and then new (e) is instances where an institution is going through each accreditation cycle.

MR. BOUNDS: No, no. That means if the agency is already a Title IV gatekeeper.

MS. KLEIN: Okay, so then I think I'm more confused by that answer because I'm- and I'm sorry if I'm the only one who doesn't get this. You guys have like, you know, the end of the day on the last day, but so can you explain, I guess, how the- how- I'm confused about how (d) and (e) work together I guess. Because I'm reading in (d), has a total of three or fewer physical locations, but then (e) uses this 25 location number. If I'm the only one who doesn't understand this and we can move on and I trust you all but this seems- I- just

seems- Donna, help me.

MS. MANGOLD: Sorry, (d) is really focusing on when an institution seeks to add an additional location, the approval of that initial additional location, it has to- the agency standards have to include those items. (c) is on- or (e) is ongoing visits to existing additional locations.

MS. KLEIN: Got it. Now that you say it that way, I see that. For whatever reason, it doesn't read- it didn't- it hasn't read that clearly to me. So I don't know if there's a way to make it clearer, it might be helpful.

MS. MANGOLD: I think part of the problem also, which I just noticed, is the existing language that says to seek eligibility to participate in. So that's a- that's not good language right there and we can probably fix that.

MS. KLEIN: Okay. Thank you for humoring me.

MR. ROBERTS: Glad we cleared it up. Any other- we're, I think almost at the end of this section by my account. Any other comments? Feedback? Oh, sorry, did I interrupt someone?

MR. BOUNDS: I have one thing to point out to [inaudible]

MR. ROBERTS: Go ahead, Herman. And then I see Jamie [inaudible]. Herman, you go ahead.

MR. BOUNDS: Yeah. So I want to- I want to look under 602.24 (b). If we can go back up to that because it wasn't- yeah, 602.24 Bravo, (b).

MR. ROBERTS: 24 (b)?

MR. BOUNDS: 24, yeah. 24 Bravo, 24 (b), yeah.

MR. ROBERTS: I have it on page 34, to the document sharer.

MR. BOUNDS: Okay, let me get down there myself.

JOE: I'm sorry one more time, 602, 24?

MR. ROBERTS: 34, I think I misspoke. Apologies.

JOE: Page 34. Thank you.

MR. BOUNDS: Yeah. Did I write it down?

MR. ROBERTS: Yep. Right there.

MR. BOUNDS: I think I'm- I think I'm a little lost. Maybe it's- well, let me make sure. Should be- yeah. Hold on. I am in the wrong place. Give me- just give me one second, guys, I got so much open.

MS. STUDLEY: We sympathize with

finding your place in these regulations. I bet we could get consensus that it's not easy.

MR. BOUNDS: I hate to slow up the process.

MR. ROBERTS: That's okay. I don't think we quite reached 23 (b) yet, but it does pertain to site visits, which I know was something that folks had raised. So if we're talking 22 (b)-

MR. BOUNDS: Maybe, yeah. Let me go back up. I probably wrote down the wrong- so let me- I just want to make sure I'm in the right- because I did want to point one thing out to you all. Maybe I'm in the wrong place.

MR. ROBERTS: 22 (b) is on page 25, 26. My ordering got messed up, 27, it's the bottom of 27.

VANESSA: Poor Brady has gotten constant messages from me asking him what page we were on, as have a lot of-

MR. ROBERTS: Yeah, be careful what you wish for. Yeah, you're getting a live update. Yeah.

VANESSA: If he doesn't answer immediately, I just send it to the group. What page are we on?

MR. BOUNDS: Yeah, I'd say, well, let's continue on now. I will- when I-

MR. ROBERTS: We can circle back.

Jamie, I know that you had your-

MR. BOUNDS: We'll circle back.

MR. ROBERTS: You had your hand up.

Yeah, go ahead.

MS. STUDLEY: Yeah. And thank you, it keeps dropping. Scott made an important point. I think this is one of the hardest to understand what the problem is that we're trying to address, because we do need to go to places where we can learn something that's important, or to have institutions know that we're prepared to, or spot check or alert to issues at campuses. I appreciate the effort to move, but without knowing the why, it's- it was very hard to develop alternative language. I tried, but I'll tell you some of the questions that came up. The tests should not be as many as possible. It should be how many are needed to carry out our responsibilities and make sure that institutions are operating their additional and branch locations successfully. So 25 may be a common number of branches, but it doesn't necessarily mean that we need to use the not unlimited resource of peer evaluator time or staff time, if that's allowable for this purpose to do these visits, that there is a limit to, to that resource. I'll also reiterate that the institutional level issues that are listed there, you

really don't necessarily go to the employer site location or the branch in Hanoi or Paris to figure out whether the institution is doing effective long-range planning or has the governance that's needed, or a curriculum that it offers in a variety of different places. Many of those can be done centrally. I'm sympathetic to Herman saying that there are complaints to agencies that sometimes tell us that there's a problem with either one or potentially a system of branch and additional locations. We'd be happy to follow up on them. But as I say, when I tried to craft an alternative I would throw out things like, is it necessary to be required to visit every high school and middle school where there is an additional location? Seemed to me that might be simple. Somebody said, no, they're often the ones that you most need to visit. Every time an institution has an additional location at a community college, which, based on my look, is a very common reason for some institutions to offer their program there. I said, what if accredited community colleges, wouldn't they know whether they were getting what they expected from the additional location at their college? Does a complaint? What kind of complaint? What kind of adjudicated complaint might warrant us to be required to visit? And the answers- and there were good answers to why some of these were both overbroad or

inadequate. What it led to was where we were when we started, accrediting agencies determine when to do it, and we get held to [30 seconds] that we will do it thoroughly and successfully. We are not claiming to be perfect, but having us run around to all 25 locations of a very healthy institution, rather than focusing on the places where there are issues or improving systems if they are deficient is just a better use of the time. And I would point out in the triggers, and I appreciate the addition of triggers, we're talking 13-year-old sanctions. If you talk about a full- for me that would be the minimum is plus three years. For some, it's ten plus three years. You're talking about visiting every location for a school that was on warning 13 years ago potentially.

MR. ROBERTS: Thank you. Was there any immediate response from the Department? And Jamie, I know, did you did you have anything additional? Okay.

MR. BOUNDS: We would just welcome any other suggestions.

MR. ROBERTS: Yeah.

MR. BOUNDS: I did find the place where I wanted to go. It's it is 602.24 (b) and it's on page 34. And its old language, but we meant to add some additional language there. So under (b) where we have the

agency may determine the appropriate composition of the evaluation body for site- for these site visits, except that the evaluation body must include we have educators and if appropriate, practitioners. We meant to add in there academics, educators, and if appropriate, practitioners. And the reason for that, and the reason for that is under 602.15 (a) (3). The composition of the decision-making body for an institutional accrediting agency only requires academics and administrators. So we didn't feel it was right here to now require institutional accrediting agencies to use the term educator.

MR. ROBERTS: Jamie, do you want to respond to that?

MS. STUDLEY: [Inaudible] question since we are jumping around. That is the appropriate body for a site visit following a change of ownership or control. Is that right? It's not saying that you have to have, that that's the way a site visit has to be done on the- if it were to become law, the routine every reaffirmation cycle visits.

MR. BOUNDS: No, every reaffirmation cycle would remain to be managed under 602.15. This is just specific when it comes to-

MS. STUDLEY: Teach outs.

MR. BOUNDS: Yeah.

MS. STUDLEY: I'm sorry, not teach
outs, for change of ownership.

MR. BOUNDS: Change of ownership.
Yeah, yeah, yeah. And again, we thought we needed to- I
thought I needed to say that because we're introducing
educators in here and it's not required for institutional
credit agencies in a normal circumstance. You can have
anybody else you want, but we're saying that those three,
it should be their practitioners, if appropriate.

MR. ROBERTS: Okay. Thank you both.
Because we have jumped ahead just a little bit. Do you
want to just walk us through- do you want to go back and
do 602.23?

MR. BOUNDS: Yeah, and I'm sorry if I
did that. My brain just- it's- I did not- did not mean to
do that. I got a little discombobulated there. Yeah.
Didn't mean to do that. Alright. So we'll go back to.
Yeah, we can go back to 23. I think we're done with 22.
So we will start with 602.23. And Brady, just keep me in
line, man, if I do that again. Okay, so if we start under
602.23 we have additional language starting on page 31.
And this is really related to public display of
information. So we added except that the agent must
redact any information received from institution or third

parties that it may designate under 631 (f) for submission to the Department. Again, this is under B which is where we- where we're requiring agencies to post all materials included in their application for initial or renewal of recognition. We made another change above that too, we- I think we had 60 days, and now we're saying 90 days. If we go down to (c), we have some additional language there which talks about including the opportunity for comment from the institutions, faculty, staff, and students when the institution proposes changing accrediting agencies. That's new language. And under (d), which is basically we're talking about review of complaints. We've added language for that. The complaint did not first submit the complaint to the institutional program and allow the institutional program to reach a conclusion. And I think everything else under complaints we struck out for. And then two, we have additional language there, including agency's processes for minor complaints, including anonymous complaints received to identify patterns of systematic noncompliance. So we've added language here. And will we go to (e). Some additional language under (e). And again here we referenced, again we referenced 602.20 (a) and (b), again, because of the many different statuses that- or nomenclature that agencies use to identify you know,

non-compliant situations. And let's see-

MR. ROBERTS: Looks like there's one change under (f), and that's the end of that section.

MR. BOUNDS: Yeah. Yeah. One change under (f), ensuring that an institution or program subject to a probation or equivalent status and adverse action, or any action that initiates the enforcement timelines, notifies the students- and if you scan down- of the status in a prominent manner and required the notices to include the reasons for the consequence of any timeline associated with the action.

MR. ROBERTS: Okay. Ready to take comments and feedback, Herman?

MR. BOUNDS: Yep. I'm ready to do it.

MR. ROBERTS: Alright, we've got Erika, who's rejoining the table on behalf of private nonprofits, who's hand is up. So take it away, Erika.

MS. LINDEN: Thank you. And I will share with all, accreditation is not an area that I knew very much about before this, and I'm still in a learning curve. So my question may be very naive, but I- in section- on page 31, 602.23 (b) about posting all materials included with an application for initial or renewal of recognition. And one of the accreditors that we work with had just shared with me a thought that if

they're talking about initial working documents that are really not intended to be an accurate picture, they are really just working documents early in the review process, that posting those, is that what's- is that part of what all means? And if so, just- no? Okay.

MR. BOUNDS: No. Good. I didn't mean to cut you off so go ahead.

MS. LINDEN: No, that solves that.

MR. BOUNDS: Okay. So what we're talking about here is what the agency submits to us in their initial application. So they submit their initial application on our end. We would call that, you know, their submission. And then we would complete a draft after that. So it's not- if I'm understanding correctly, it's not, you know, kind of their initial write-up or, you know, things that their, you know, processes or some of those initial conversations and writings that they do as part of this. What we're asking them to post is once they submit it to us and then all of the supporting documentation associated with that initial submission.

MS. LINDEN: Thank you. And if I could just ask a second question or share a second point. On the issue of complaints and the time submission, you know, I'm- in my real life, I'm a compliance officer, and I do sometimes have to deal with old complaints and just

an observation, that it becomes problematic the long- the older it is to have reliable information, because sometimes there's change of personnel or documentation is not present because it wasn't collected at the time, because there wasn't a concern about there being a complaint at the time. So I just offer that as, you know, we do the best we can when we have to go back and look at old things, but it becomes even harder to resolve the older it is. So just a comment on those five- on expanding to five years. Thank you.

MR. ROBERTS: Okay. Thank you, Erika. Jamie just let me know that Michael will be coming in for institutional accreditors. But first, I think we have Laura's hand up. Go ahead, Laura.

DR. KING: Thank you. So back to back to my point that I made earlier. This is- there's a big change in (e) in terms of what- when an enforcement timeline is triggered as it would be in 602.20 (a) or (b). The institution has time. It has a year, two years, whatever its particular timeframe is to come into compliance. This is a big change that it's requiring notification of the public and students and everybody whenever that is triggered. We already have requirements for notification when probation, for example, is triggered or obviously revocation, denial, something like

that. But whenever there's- but it's a very big change to say that whenever there's any compliance issue noted in an accreditation review, when they have- when the institution does have time to come into compliance, that everybody has to be notified about that. That's a huge change. And I don't think it's- I don't think it's fair to- I don't think it's fair to institutions. I think it's confusing for students. I think it's a huge change and very problematic.

MR. ROBERTS: Doesn't look like the Department is immediately ready to respond.

MR. BOUNDS: I was going to wait. Yeah, I was just going to wait in case someone [inaudible] responses.

MR. ROBERTS: Laura, did you- did you have an additional commentary to offer?

DR. KING: Sorry, did I?

MR. ROBERTS: Yeah.

DR. KING: No, I mean that was my commentary. I made it as well where this relates to other sections, but it's particularly problematic here because it triggers notice requirements, which I don't think is in the best interest of anybody, in this particular case. Those are- those compliance issues, they have a timeline to come into compliance. As long as they come into

compliance, they're fine. The accreditor has not deemed that the institution is in danger of losing its accreditation over these things. They are just things that need to be fixed. And if the institution fixes them in the allowable amount of time that the regulations allow, then that should be sufficient. I think it's confusing to everybody to go out and try to, you know, notify folks about all of those instances that happen.

MR. ROBERTS: Okay. Thank you. Oh, go ahead, Herman, if you wanted to respond.

MR. BOUNDS: No, I was going to say, I can resp- I mean, I can respond individually. I just- I was trying to wait to see if anyone else had a comment related to what Laura is talking about under two on page 32. And I was just going to respond in general.

MR. ROBERTS: We can take Michale's comment first. Go ahead.

MR. MCCOMIS: Thank you. Yeah, my comment is really under 602.23. And the requirement for agencies to post the petitions for rerecognition and all of the accompanying materials that go along with that. And I just want to give some context to that. You know, it's- having just, you know, recently gone through a process. We have hundreds of exhibits that support a petition for rerecognition. They have significant what

would otherwise be considered confidential information for the institutions. And while, you know, there are opportunities for redaction of PII and for opportunities to exempt certain information, you know, to require private agencies going through this process voluntarily to, you know, put hundreds of documents up for public review, when we have a very capable Education Accreditation Division staff to review this information and we have an opportunity for the public to get it through a FOIA request, seems to me to be sufficient. There are protections that are built into FOIA for both institutions and for individuals. And these documents are so huge that these additional posting requirements can lead to mistakes, can lead to the disclosure of either publicly personally identifiable information or other information that would otherwise be confidential. So if- you know, I have no issue with posting narratives of over 100 narratives that are part of the petition process that go through these regulations and require a narrative response from institutions. But the hundreds of additional exhibits. So I would ask under 602.23 (b) that be recast to simply require the narrative portions of the petition. And if the Department won't go in that direction, then I would also ask that, that you allow for agencies to also- and, you know, if there are rules

otherwise determine something to be confidential, that that information can be marked as exempt as well.

MR. ROBERTS: Okay. Thank you, Michale. Herman, do you want to just take the remainder of the comments, then sort of respond in general to the points you've heard?

MR. BOUNDS: Yeah. I just want to go back to, you know, to Laura's comment. I didn't want to make her wait, you know, wait for a response. You know, one thing here, we do think it- we do think it's important, again, if it's a- if it's something that initiates the enforcement timelines, then we think that, you know, we think that should be reported. And the way that the regulations are written now, it talks about probation or equivalent status, and that can leave out- that could leave out situations that could indicate a significant non-compliant issue. Plus, in two, we're also saying that the institution includes the reason for the- you know, for the notification. So if it is something minor, you know, students, or folks at the institution can see that and they can evaluate, you know, they can evaluate that. So again, we just think it's important that, you know, if there's an action taken that starts that enforcement timeline, then that could be at some point detrimental because then if the agency doesn't, I

mean, excuse me, if the institution doesn't demonstrate compliance, then further action needs to be taken. We just think that making people aware of that at an early point is important. We definitely think it's important for students to know.

MR. ROBERTS: Thank you. I'll take Barmak and then Carolyn. But, Barmak, go ahead.

MR. NASSIRIAN: Addressing Michael's point, I think he used the word agencies are voluntarily submitting themselves to this process. He's right. It's a voluntary process. If you don't want to be federally recognized, you would be relieved of all of these obligations. There is no state police power being deployed here. This is essentially an application for the privilege of serving as a recognized, you know, accreditor. Then the burden associated with those kinds of disclosures and with transparency in general are real. I certainly do not debate that, but I want my accreditor friends to also be cognizant of the opacity of the process. This is an extraordinarily opaque process. And people are willing to trust a black box as long as it works. So if accreditation worked and we didn't have the torrent of abuse that we have witnessed, I know all of them are ten years or older, but, you know, there's plenty of evidence that as this committee is

deliberating, there are vets being enrolled in lousy programs enjoying full accreditation. I would bet my life on that proposition. Okay, so given the fact that accreditation is at contrary to the satisfaction that the institutions and accreditors seem to enjoy with the process and with the outcomes that they generate, the public and certainly students are not- have lost faith in accreditation because on the ground, it is actually not doing what it's supposed to be doing. It is supposed to weed out the worst actors. Don't point to me at how many airplanes took off at national airport with no incidents, because one airplane having a problem should sound the alarm. And here we have airplanes crashing on a daily basis when it comes to institutional accreditation. And everybody is saying, don't look over here, look over there, look at the good ones. Don't mind the bad ones. There are a few bad apples, a few bad apples. They're generating a lot of hardship. It just breaks my heart when I hear veterans being robbed of their GI benefits, all of their GI benefits, plus being forced into debt by entities that then proudly indicate their full accreditation status to the next victim. So, you know, yeah, we want to know what abracadabra is going on the inside that somehow satisfies the procedural requirements and yet generates these terrible outcomes.

MR. ROBERTS: Alright. Carolyn.

MS. FAST: And Barmak said a lot of what I wanted to say about the need for these changes. I agree with what he just said about the problems that we see in the accreditation system. More specifically, I wanted to respond to the comments about the Department's proposal that during the recognition process, accreditors be required to post publicly the documentation that they have submitted to the Department. I think this is extremely important, and I strongly support the Department's proposal here because it helps make sure that the public actually can participate and understand what's happening in the recognition process, which otherwise they cannot. The fact that something is available through a FOIA request is not helpful in this case, because of the timing of the situation. The FOIA request takes too long to be meaningful as a mechanism for obtaining public availability of the document. Especially because the comments on recognition process are due so far in advance of the actual meeting. Also, agencies are already required to review the documents that they're sending to the Department for any potential need for redactions under FOIA. So this doesn't really add to the burden as much as codify the existing burden and make it easier for outside the public and outside

observers to understand what's actually happening with the recognition process and to meaningfully contribute to commenting on this.

MR. ROBERTS: Alright, Erika, I see your hand next.

MS. LINDEN: Yes, I'll be brief. On- in the middle of this page that is up. Oh, no, it got moved. Could you go to page 32? The middle of page 32. Stop there please. Are there two parenthetical twos here? One beginning with adequately and one beginning with review?

MR. BOUNDS: Let's see. Where are we at here. On page 32?

MS. LINDEN: Right. So page 32, which is-

MR. ROBERTS: Yeah. There's a- there does seem to be a numbering error.

MR. BOUNDS: Yeah, there is a numbering error. Yeah.

MS. LINDEN: Thank you. Just want to make sure one of those wasn't meant to be deleted. Thank you.

MR. ROBERTS: Alright, Jamie, go ahead.

MS. STUDLEY: It breaks my heart too.

I listen to the public comment with exactly the same concern for those students that you have. The question is not whether we need to improve. All of the players in this process need to improve. The question is how. We're talking about ways to get to better results that put our focus, our resources, our volunteers in the right places. So we didn't object, for example, to additional location visits where there is a problem, where there is an issue, but we think we shouldn't be distracted from doing that. We sincerely mean to improve the system and my observation is that accreditors are doing better, faster, stricter. The Department acknowledged that they didn't have numbers about how long it takes to come to a conclusive withdrawal or sanction. I think that would help us. We are doing everything- we are agreeing to a whole lot of the things that the Department and advocates understand or believe that would help us both open that black box. Because I agree it is not sufficiently well understood. And also allow agencies the room to decide where their resources can best be placed to accomplish this and to be held to task for the results. Many of these provisions do that effectively. NACIQI and the Department are working on all of those. But distracting us with things that are not helpful only takes away from the momentum that's going on in those directions. So I'm-

you know, Carolyn and Barmak's point about helping people understand what's going on is well taken. The petition and the narrative from the agency would do that. But it's a fair point that the exchanges with institutions, the detailed documentation about every letter that we sent, every- examples of submissions to us from the institutions are- the risk and the burden outweighs the value to the public in the availability of those. I think the story that you're looking for is well told in the narrative and in the questions that can be asked from that, that hold us to task.

MR. ROBERTS: Alright. Thank you, all. Unless there are more comments on this section, it might be appropriate to move to the next area of the document, which I believe is 602.24. How are- do folks want a short break? The intent, obviously, is to keep going through this document for the remainder of the day. So I want to be cognizant of how- you know, the pace of conversation. Do we want to walk through this section, take a quick ten-minute break and then come back and pick up the discussion or do folks want to keep going?

MR. MARTIN: I think we should take a ten-minute break after Herman goes through this section.

MR. ROBERTS: Yeah, okay. Herman, take it away.

DR. PRINCE: Can we- well, I put in the group if we could finish before taking a break. Let's finish the [inaudible 01:26:52]

MR. ROBERTS: Finish the discussion on 602.24?

DR. PRINCE: Or the whole paper.

MR. ROBERTS: There were- there- I have been getting a few requests to take a short break, so I'm just- I'm trying to figure out the best place for all of you to entertain that process request.

MR. MARTIN: And as much as we're going to have to take a break, I think it makes sense to have Herman walk through this, then just- then take the break.

MR. ROBERTS: Yeah, yeah, just to have folks prepare their comments and stuff. Yeah. Okay.

MR. BOUNDS: Alright. So we're going to start on 24. I think I said this before again we made updates and changes here you know, based on previous comments. So I'll try to stay in order this time as we go through. I think we're now on page 34. Is that right?

MR. ROBERTS: Yep, I have- yeah, the changes start on page 34.

MR. BOUNDS: Yeah, changes start on page 34. Under (c) teach out plans and agreements.

We made a change there based on comments. I don't know if we're sharing a document yet.

MR. ROBERTS: Would you mind resharing the document? Our screen sharer may have stepped away.

MR. BOUNDS: Okay. Do we want to? I don't want folks to be confused, so I don't know if you want to go through it without it being shared.

MR. ROBERTS: I think maybe run through the changes and then once you pick back, once we resume, we can probably have the screen sharing figured out.

MR. BOUNDS: Greg, are you good with- yeah. I just want to make- okay.

MR. MARTIN: Yeah, I'm not sure if Joe's out there or.

MR. BOUNDS: Okay.

JOE: Somehow it froze up. I think I'm- I think I'm back. Can you hear me?

MR. MARTIN: Oh, we got you, Joe. Yeah, we can hear you now, Joe.

MR. BOUNDS: Alright, there we go.

MR. ROBERTS: And if you- if you're able to Joe, just on page 34 is where the changes begin. Yep. Perfect. Thank you.

MR. BOUNDS: Alright. We'll get

started here. This is a pretty large session. So we'll go through one by one. Under (c), teach out plans and agreements, we took some suggestions here and removed renewal. So it's only applicable to initial accreditation. Under two, we have some highlighted language there. Agencies are required to submit updates of its existing teach out plans, again as required under 602 and annually until the issue is resolved. Under romanette two, I've added some language here. The agency accepts to place the institution of- the agency acts, excuse me, to place the institution or program on probation or equivalent status, or takes any other formal action against the institution related to its financial condition. Where are we at now? I think we're down to, yeah, page 35. Has some additional language under six. Nothing too significant there. I won't read that to you all. Then we get down to page 36. Language changes under (i). And here this is- you know, we basically think that there's some stability there and good experience for adding the two-year requirement- has operated such program for at least two years. So we will continue down. Just a correction there of where information is located. The last item on page 36. And then if we go down to page 37, there are some significant changes under transfer of credit. Again, a lot of these came from committee

comments and suggestions.

MR. ROBERTS: I believe, Herman, the last change in this section relates to subsection (e), transfer of credit policy. Is there anything else?

MR. BOUNDS: Yeah, yeah I think that's it in this- that's it in this section. I'm not going to read that all to everybody. Folks can see that. And then we can have discussion on it when we get back.

MR. ROBERTS: Alright. Thank you all. For your indulgence on that, let's take a ten-minute break. Feel free to begin queuing now. You can hold your place if you know you've got a comment or a suggestion or new proposal. But we will pick back up live at 2:37 Eastern. Welcome back, everyone. Hope you enjoyed that short break. It's my understanding, Herman, you wanted to make a brief clarification before we solicit Jo and Jillian's comments.

MR. BOUNDS: Yeah, and okay so this is really going to- we're going to the discussion, real quick discussion we had under 602.22 and we're going to go to (e). And we would ask- we would- I would just ask Jamie and Scott maybe to put some language maybe in the chat about, you know, the site visits to additional locations. The other point I want to make, and Donna, you jump in if I forget something here, is that we're going

to move to the beginning of (e), bring down Title IV eligibility. So that may further indicate that you wouldn't have to look at additional locations that weren't Title IV eligible.

MR. ROBERTS: That's pages 29 and 30, were those.

MR. BOUNDS: Yeah, 29. Yeah.

MR. ROBERTS: Gotcha.

MR. BOUNDS: Yeah, yeah. So we're going to ask Jamie and Scott if they have some language there that they want to submit. And then under (e) just before, you know, just the agency must have effective mechanisms. We're just going to bring down the Title IV eligibility there, so that we just alert people that the additional locations, they wouldn't have to look at anything that wasn't a Title IV eligible physical location. Donna, did I get everything there?

MS. MANGOLD: Yeah, we just noticed that we also have to flip the additional physical- it says additional physical location. We're going to flip it to physical additional locations to make it consistent with what we did in the other provision.

MR. ROBERTS: Alright. Thank you both. Jamie, did you want to-.

MS. STUDLEY: Yeah.

MR. ROBERTS: Yeah, go ahead.

MS. STUDLEY: Can I follow- can I follow up on that? I think if this were- and I mean, no disrespect to the process, but this- if this were a game show, I'd be looking for a lifeline. One dilemma I have is that I do not- I am not familiar enough with dual enrollment programs because I don't accredit community colleges and I don't know the scope of it with my institutions. So I don't know whether there- whether that would- how that would relate, if at all, to high school. Jo may know more about this, but I don't know whether that would mean that high schools and middle schools did not need to be visited. And I got the question, I mean, that may be an appropriate line for you to draw. It's not exactly the same as the one I mentioned asking about. But how much that would change the obligation is just not something that I happen to know well, because I don't know the relationship of Title IV to dual enrollment students.

MR. BOUNDS: I [inaudible] think Donna to [inaudible]

MS. STUDLEY: To the extent that would answer the question about the expense and relevance of visiting international additional locations and branch locations. While we would miss the expanded requirement

to travel to all parts of the world, that to me sounds like a reasonable- a helpful improvement in that regard.

MR. BOUNDS: Yeah. And Jamie, I can answer the part about international since those things are not covered and your activity overseas are not covered in a recognition process, that definitely would not be included- would not be included here.

MS. STUDLEY: I'm agreeing. That would-

MR. BOUNDS: Okay, yeah.

MS. STUDLEY: That was one of the places where expense without apparent need, we would visit them if we thought it went to the institution's quality ability, but not be required to. I think that's helpful. I'm just hoping that somebody else on the call knows more about-

MR. ROBERTS: I was going to say, Jo-
[Inaudible]

MS. BLONDIN: And I'm not trying to get ahead in my next comment, but I would say that I mean, most high schools, I mean, the students are not Title IV eligible. However, in that pilot project that took place several years ago with high school Pell, which- but I would also say that there are visits occasionally if 50% or more of a degree program is

offered at that high school. However, they're not Title IV eligible. But we have had some visits to our programs, so, but I- yeah, my understanding is from my alternate at Middle States, they have no visits to high schools.

MR. ROBERTS: Thank you both. Any other additional comments on this section? Seeing none. I think we can jump back to- I think the first changes are on page 34. That's 602.24. My order might have gotten juggled a little bit, but Jo, I had your hand up first for comments on this, and then we'll go to Jillian.

MS. BLONDIN: Okay, so I want to thank the Department for the inclusion of transfer in this section. You know too often for community colleges, there is an inequitable- or transfer policies are inequitable for our students. And so knowing that the quality of the education that takes place at community colleges is equivalent, this is very helpful for us. So I just want to say thank you on behalf of our students, as well as the faculty who teach those students. Thank you.

MR. ROBERTS: Thank you. Jillian, go ahead.

MS. KLEIN: Thanks. I just have a couple comments. So first, on page 34 on romanette two under section two where it talks about- and this might just be my own ignorance, so thanks again for bearing

with me. I don't know what the definition is of other formal action. Is that a definition that's codified somewhere, or can somebody just explain maybe what that means? Other formal action against institution?

MR. BOUNDS: Let me see where you are.

MS. KLEIN: Yep. Right, right, yep.

You got it.

MR. BOUNDS: I think that would- you know, we're also talking about- I think when we say here other formal action against it is related to its finances, I would say that would probably have to do with some- with a status you know, issued by FSA, whether it's a, you know, whether it's a HCM2 or something, you know, something like that, something related to that.

MS. KLEIN: So that when it says, I'm sorry, where it says the agency, it's not talking about the accreditor? I guess what I think I heard you say is it's talking about a Department action. But I thought I was reading it as like the accreditor places the institution on probation.

MR. BOUNDS: On probation or equivalent status. Oh, I'm sorry, I'm sorry, I'm sorry. You're right, you're right. My mistake. And in that case, I think it would, you know, in that case, I think it would mean any other action that an agency might take

related to finances. I think it would all point out- I think it would all point out to a non-compliant action. But that does look like it's a little confusing. So maybe we I mean, we could probably remove that.

MS. KLEIN: Okay, I would just- I guess I would just invite, of course, Jamie or whoever, Laura, if you want to chime in on this, I don't know. I don't- maybe you know what formal action means. I would just want to be clear about what that means for the agency and also what it means for institutions. So just flag that. And then under romanette three, you know, we had submitted language and would just encourage the Department again on the provisional certification to actually cite the reg which I think is 668.13 (c)(1), which is specific about what the actual triggers are for provisional. Just to highlight the comments that I made last session and I think maybe JoEllen did too, I might be misspeaking, about instances where we know the Department has put institutions on provisional status largely due to, I think, a backlog of paperwork at the Department. So I would just strongly encourage the Department, especially since in the lower sections where it talks about like reimbursement, payment methods, and HCM, there's also language or regulatory citations down there about what exactly is being specified. I would just

strongly encourage the Department to actually cite to the provisional certification the regulatory citation.

MR. ROBERTS: And then, Jillian, it looks like you might have a response to that question. Did you want to- did you have more comments? I'm sorry to interrupt you.

MS. KLEIN: Oh, yeah. I just have one other comment.

MR. ROBERTS: Okay. Go ahead.

MS. KLEIN: Is that okay?

MR. ROBERTS: Yeah. Yeah.

MS. KLEIN: Okay. And then down on the transfer credit policy section on page 37, I made this comment last time as well, but I just feel like it's worth repeating since nothing has changed. Which is I'm all in favor, of course, of more disclosure of information to help transfer students understand what they might expect in institutions they're looking at. And I'm largely fine with most of the language here in terms of what needs to be included in sort of publicly disclosed information on transfer students. But I really feel like romanette one where it says the average time to completion for transfer students, no matter what, will be a really misleading piece of information for students, because we know that transfer students, there is no

average transfer student, right? We can come up with an average number, but in 99.9% of the cases, it will not be reflective of what that individual student's experience will be because they are bringing in a different number of transfer credits, or they will be moving at a different pace through their program. And so I feel like it's misleading to students to put a number out there that cites [30 seconds] Yep. The average time to complete for a transfer student when it will either overstate or understate the amount of time it will take that student, I feel like to the student's detriment. So I'm all about like, we can even throw more stuff on here about what to disclose to transfer students about their experience. But I feel like that's a really dangerous element to include just given my comments. Thanks.

MR. ROBERTS: Thank you. And then, Jamie, your hand was up. Did you want to respond to Jillian's question from earlier or did you have new comments? And you're muted right now, apologies. Jamie, you're muted right now. Hold on. We can come back to you. Scott.

MS. K. SMITH: There she is.

MS. STUDLEY: You didn't hear? What I said was- did you miss my comment?

MR. ROBERTS: We did, yeah, sorry.

MS. STUDLEY: Formal action and provisional. So I'll step away and get in line.

MR. ROBERTS: Okay. Thank you. And I actually- I neglected to mention it earlier, but we have Scott come back to the table for private nonprofits, and his hand is up, so go ahead, Scott.

MR. DOLAN: I have a question about the additional locations piece, because I know there was some language- and I have a question about credit transfer, too. But there was some language introduced around international military bases. And I don't know if the Department would be open to language related to that. I know it was submitted previously, but not kind of incorporated. I don't know if you can answer that easily right now, but it's a question.

MR. BOUNDS: Yeah, I think- I think, Scott, maybe our last comment we addressed that because we don't- you know, any of the accrediting activities, you know, oversees, you know- unless I'm misunderstanding that question. We wouldn't include that in the additional locations that needed to be reviewed.

MR. DOLAN: Okay. Do you- Jamie, do you have something to add there?

MS. STUDLEY: Yeah. One piece is following right up on international. I understand the

Department does not have a- an interest in the accreditation of an international institution.

MR. BOUNDS: Right. I got- yeah.

MS. STUDLEY: An institution of another country. But if a domestic institution has branch locations elsewhere, those students would be eligible for Title IV through their home base while studying. And I can tell you- you know, Hanoi, you know, locations all over the world. I believe that those are Title- those students are participating in Title IV while they are at the branch of their accredited institution.

MR. BOUNDS: Yeah, yeah. I think you're right.

MR. MARTIN: They are.

MR. BOUNDS: Yeah.

MS. STUDLEY: So I don't know how that relates to Scott's question about military, but they presumably would be eligible for both Title IV and VA, DOD, etc. benefits.

MR. BOUNDS: Yeah, thanks for that correction, Jamie. I agree.

MS. STUDLEY: So, okay- so back to-

MR. BOUNDS: We'll take that back.

MS. STUDLEY: - [inaudible] foreign countries.

MR. ROBERTS: I see, Barmak, your hand is up next, so go ahead.

MR. NASSIRIAN: Yeah. I don't want to belabor the point, but first of all, a secretariially-recognized accreditor engaging in accreditation activities internationally has consequences for the US higher education system. About 14, 15 years ago, a secretariially-recognized accreditor ended up accrediting, I believe it was called the American University for Humanities, AUH, in Tbilisi, Georgia. It was not a Title IV-participating institution, but the fact that a secretariially-recognized accreditor was rubber stamping, it gave it enormous credibility to engage in practices that many of us at the time viewed particularly in light of the past activities of its founders as just a de facto diploma mill. And the idea here is, why is the accreditor reaching so far out in places whose language it doesn't speak, where it has no local understanding? It's sort of like me taking a foreign delegation to Cambridge, showing them Harvard's buildings and saying, that's all mine. And they don't speak English. They don't know anything about ownership practices in the US. So it's a problem. And I just don't see any reason to exempt international locations, certainly just because they're international, even if we don't want to take into account the

credibility of the accreditor that rubber stamps entities outside the US, regardless of whether they're Title IV eligible or not. Certainly, in the case of Title IV eligible locations, either don't get involved overseas, or if you do have the resources to make sure the place exists, it has the adequate facilities, faculty, etcetera, etcetera. So I wouldn't give a pass just because it's expensive to go to Hanoi. If it's that expensive, don't do business in Hanoi.

MR. ROBERTS: Thank you, Barmak. Scott, go ahead.

MR. DOLAN: Yeah. And I- I've asked this question before, you know, around the policy statement around romanette two, credit transfer acceptance rates. One, how those are measured in a standardized way across institutions in a way that can actually work for a student who needs to make informed decisions. And I say that coming from an institution that does transfer as well as any institution in the country. So I just- I want to help students understand how they can get closer to a degree and how to recognize the learning that they've done, no matter where it has come from. I just don't think we have a- and maybe it's us for us to figure out. I just, you know, we're going to spend a lot of time trying to do it. And then the second part

of it around how we then apply those rates to general education versus the program of study when general education, again, varies pretty dramatically across institutions. So and I can understand, you know, the issues within a given system where that's the case and, you know, from a community college to a state agency that are all part of the same- you know, so I get all the issues and problems. I just don't know if the policy language is solving the issue. I think some more work needs to be done around, you know, what would be a really good approach here. And then the other one is around requiring an institution to provide an explanation for any institution from which it does not accept credits. So one, there's a whole universe of institutions that haven't presented credits to institutions. Again, I understand the intent. I don't think this language solves the problem. So, you know, I think the first few are getting us a little bit farther here, and then maybe underneath that, we can do a little more work to figure out the logistics and the practice in a way that really does work for students. I think we're going to confuse things for them. That's the- that's my concern.

MR. ROBERTS: Thank you, Scott. Jamie, go ahead. You're muted right now, Jamie.

MS. STUDLEY: My spacebar is not

working unmute, I apologize everybody. The transfer of credit area is one that is tremendously important to policymakers. The Department had a really good transfer of credit convening a few months ago. And WASC has been working with some of the leading people on- and who have an advisory group about transfer policy and research to try to think what we could do, including providing guidance to accreditors about how, even though we do not make the credit transfer decisions for an institution, how we can do things by asking about it and asking how well an institution does it with- because of our ability to drive student achievement results. That's the hook by which we are really connected to transfer. I think the- Scott put it well when he talked about the risk of confusion. The- and people's effort into creating numbers that won't tell people much when what they should be doing is evaluating their credit acceptance policies, building bridges to institutions so they can accept more credits, advising students better and faster so they can know where they stand and make good decisions. So I think the first part is more understandable, more likely to have some value. But asking the agent, the accrediting agency, to ensure that policies are effective in ensuring the success of students is vague, not really what we do, and hard to imagine how we would carry that out. Even as

we say, who are your students? Are they succeeding? And have you looked at the success rates of students in different categories, including, for example, transfer? As well as many others? The average time to completion is impossible. I'm sure Barmak has some wonderful way of saying that. It would be a number, but it would be an average of the person who brought three credits and the person who was on the brink of completion. And I just can't imagine how you'd calculate a little romanette two general education credits and requirements for the program of study, since you don't know that until the person has left and completed their program [30 seconds] with credits at the beginning, before you know what your major might be or how you will apply them. And finally, the assess the institution's rates seems very odd. I'd rather assess student performance the way we do and the way we're expected to do, then try to do what's in number three. It'd be more valuable for students.

MR. ROBERTS: Thank you, Jamie. Go ahead, Barmak.

MR. NASSIRIAN: You know, I was just going to- first of all, I think Scott is right in pointing out that it's very easy to say I accept credits without necessarily recognizing the credits as satisfying a particular bucket of requirements. You can have gen ed,

you can have electives, you can have required courses. On the point- on number three, as this business of explain- provide an explanation for any such institutions from which it doesn't accept credits. This was not intended as a sort of a public disclosure help. This was- my recollection is that it was an attempt at teasing out what the- what's going on because credits transfer typically on the basis of satisfying three requirements; quality, comparability, applicability. And if you look at the restriction in three, that says also accredited by the same agency. So accreditation is supposed to assure quality of two institutions. University of Chicago and University of Phoenix, to take two major American cities, both accredited by the same accreditor. If the University of Chicago systematically does not accept credits from the University of Phoenix, even though they are the same course and they seem to apply to the same program, that raises a question about the quality assurance practices of the accreditor, because quality would be the only other basis for denying the credit transfer. So I think that's the Department's attempt at getting at that notion. I don't know how well understood that is, but I thought that [inaudible]

MR. ROBERTS: Thank you, Barmak. Any other comments on 602.24? Jamie, go ahead. And you're

muted again.

MS. STUDLEY: The task really goes to the legs of comparability. So when I think about it, I think about the example of a person who took a psychology course and wants to transfer to a specialized psychology institution that's preparing people for clinical degrees. They may need different things. Similarly, we have people who may have taken biology someplace who then want to transfer into a nursing program at another institution. The comparability and applicability questions that you're describing may well apply, and they may not be able to use those credits toward that need for the building blocks of the program that they're talking about. That doesn't mean it wasn't quality in the first place where it was delivered for that purpose. It just isn't something you can carry over. In my experience, people don't say we won't take credits from X school. They say we will take credits that do this or include that or that are sufficiently comparable to what we're doing over here. So I think emphasizing what promises are made and that those promises are honest to people. The whole, you know, misleadingness, the timing of making the decisions and having the institutions be clear and meet their own qualitative standards are really important. And I share your sense; the problem is not just taking credits

because it doesn't help people to just pile up credits that don't help them move toward the degree and program that they want. And we are working on that.

MR. ROBERTS: Alright. Thank you, Jamie. Herman, was there any other specific areas you wanted to solicit the negotiators to focus on or potentially contribute proposals or new language on? Or would you like to move on?

MR. BOUNDS: Yeah, I just wanted to go back and make sure-

MS. STUDLEY: One second. There were a lot of pieces within 24.

MR. ROBERTS: Oh, yeah, sure. Go ahead.

MS. STUDLEY: Give us one second to- is this the last call Brady on-?

MR. ROBERTS: I think Herman maybe wanted to direct our attention elsewhere. So, Herman, do you want to move us back to the document? Then, Jamie, we can come back to you.

MR. BOUNDS: No, no, I just wanted to- I think if there's no other comments, we can move. I just want to go back to- and make sure that Scott understood, because I think when I responded, it was in muddle with some other folks that we would take back his concerns

about the additional locations to the military institutions, which is in conjunction what Jamie was discussing earlier about- yeah, if there- you know, if it has, you know, US students in there that would be Title IV eligible. So I just wanted both of them to know that we're- we'll take that back and talk about that. I just didn't want that to be lost in conversation.

MR. ROBERTS: Great. Thanks. It looks like he's acknowledging that insight, so Jamie, go ahead.

MS. STUDLEY: I know we're jumping around a little, but page 36, that's for Jessica- and for me in little (i) at the top, the, has- and has operated such a program for at least two years. I was wondering why I didn't share Robyn's concern that was important when I remembered that a program that's been operated for less than two years is the most- will have gone through a substantive change review. It has gotten approval to add that program. So, in fact, it has the freshest review at that institution. And because like I- there are some cases in which there are- the new program is provided in part to help people make that transition. I think it serves the ability of students to move to a place that's been reviewed, and I don't see any risk in the quality of the program. So I'm just trying to have as many quality avenues for students to go to under these circumstances,

because that's the real challenge at that juncture.

MR. ROBERTS: Thank you. We'll go to Robyn next.

MS. R. SMITH: Yeah. I mean, my concern is when a school has- doesn't have any experience offering a program and suddenly takes on the program just to teach out the students. So that's my primary concern because I see that happen a lot. And it really doesn't serve the students because often either the teachers aren't qualified or they lack the equipment necessary to train the students, or they don't have the correct certifications to be able to train the students in the technology that they need to be certified in. So that's why I had suggested the two years because it seems like a program should be well established before we're sending over closed school students who've been devastated by a closure to, you know, another program in another school. It really should have a demonstrated history of being a good program. So that's my main concern. So I think, you know, it would be good to keep this provision or something comparable.

MR. ROBERTS: Thank you, Robyn. Jamie, go ahead.

MS. STUDLEY: You know, if it's- if it doesn't have the quality, the faculty, the equipment, the

capacity, the ability to do it, then it should neither be approved nor able to take more students. So it goes to a root problem. The effect of this provision would eliminate some very good new programs that were established, or some transition plans that were well reviewed and give students a home and a base. Without getting into examples, I'm familiar with situations in which the program that was either shifted or that was relatively new at a place would be the best kind of opportunity for students. And sometimes- you know, and the time to find a good program matters a lot to the students at that. So I respect your- you know, that you're operating from what you've seen. And I would just like to say I'd rather clean up the problems that you've seen than create a regulation that creates a new- a set of barriers against what might be some of the best options.

MR. ROBERTS: Alright. Barmak.

MR. NASSIRIAN: Unfortunately, the opportunity to clean up the root cause has already been lost because we didn't accomplish what we needed to do with substantive change. I know Jamie will remember in the aftermath of the collapse of Corinthian, the Department facilitated, quote unquote, the transfer, the sale of some of its campuses to a nonprofit entity which

maintained them despite its complete lack of prior experience, not only running a program or that program in question, any program, they had never run schools. It was a debt collection operation that decided to attempt to run these institutions, and it didn't work out well. So I think it is important that whoever we hand these people who have already been victimized once- that whoever we hand them to have at least a modicum of prior experience before we decide to roll the dice and just hope for the best, which is typically what we do. We, you know, in the moments of crisis, which is by definition, when teach outs matter most, I think everybody is vested, in good faith in many cases, hoping against hope that they can somehow manage to transition the student to a workable place where they can finish the program. And those are very dangerous transition points, because that's the point at which you are just internally incentivized to believe somehow that despite all the evidence to the contrary, things will work out. And they typically don't, and they haven't.

MR. ROBERTS: Thank you. Robyn, go ahead.

MS. R. SMITH: And I just want to say, you know, while this shouldn't happen, and I wish it didn't, this scenario I described where either the

faculty aren't qualified or they don't have the equipment and- or they don't have the appropriate certifications, I see that happen a lot. So it is an issue. It is something that is happening and needs to be addressed. I just- my purpose is just to make sure that people who are getting teach- offered teach outs are being offered high-quality programs.

MR. ROBERTS: Thank you, Robyn.

Barring any additional new comments, potential proposals, concepts that might help to solicit a last call for feedback on 602.24 at this point. I know we've had a lot of conversation. Herman, anything else you'd want to ask of the committee? Do you want to move to- I think the next section would be 602.26.

MR. BOUNDS: Yeah, I think so.

MR. ROBERTS: Okay. That's the first page of the bottom of page 39.

MR. BOUNDS: Yeah. So we're there. The only change here we're asking is the decision letters. And then we came back with a compromise or clear explanation in writing of the reasons again for the final decision of probation. Probation action. If we move on to (c), basically the same language there provides a decision letter or clear explanation in writing. Beginnings of the following actions. These are all

adverse actions under one and two, it's (c). And in three, we added a final decision to take another action that indicates an area of noncompliance with the agency standards such as warning accreditation with conditions, probation, show cause or similar action or decision letter to defer any institutional programs renewal of accreditation. And I just want to say here we said such as so that language there is not- it's just not limited to what we have listed. Changes under (d) where we're- where we're asking to make sure that the agency updates its website and directory, you know, based on accreditation decisions. And if you continue reading that, it's talking about within one business day of its notice to the institutional program. And under (c), again, minor changes there. Clear explanation of the reason for the agency's decision. We struck a brief statement summarizing the reason for the agency's decision and added that language. Under (f), there's some language, additional language for reporting for any decisions under paragraph (c) (3). We want- protect- prospective students, excuse me, to be notified within seven days. So I think that that is all of the language changes that are under 602.26, and open up for comments for 26.

MR. ROBERTS: Great. Thank you. Jamie,

take us away.

MS. STUDLEY: A quick one. It's in (c)(3). And it refers to- and maybe the answer is within it. My concern was that a deferral does- may not indicate noncompliance and it would be confusing to students. And, you know, it would be confusing to publish and make a big deal about a decision to defer that might not be related to noncompliance. In fact, if there is noncompliance, you would have to act on that. Deferral could be for reasons like needing additional information, or there are times when a commission even says, we ran out of time today, we're going to do it next week.

MR. BOUNDS: I agree.

MS. STUDLEY: Students don't really need to get a notice about a deferral that makes them nervous about the status of their school. They do need to get notice about all of those other things.

MR. BOUNDS: That is definitely something we'll consider, Jamie.

MR. ROBERTS: Alright. Anyone else? Any other areas you'd specifically like to solicit feedback from the negotiators, Herman?

MR. BOUNDS: Nope. I don't think so.

MR. ROBERTS: If it's amenable to the group, I think we can move on to 602.27. It looks like

there's a minor change there.

MR. BOUNDS: Yeah. Yeah, I think we talked about this a little in conversation previously, but yeah, we're just adding to report information on the number updated annually of US institutions that have applied for initial accreditation to the agency.

MR. ROBERTS: Gotcha. Anyone on the committee have feedback, question, comment on the change in 602.27? Seeing no hands, I think we can move down. And right now, Herman, the next change that I see, I think it's on the screen, is the bottom of page 44 under subsection (f) of 602.30.

MR. BOUNDS: Alright. And not too much there, just a strike-through, so, yeah.

MR. ROBERTS: Yeah. The next one that I see is the top of page 47.

MR. BOUNDS: Yeah. And we will go there. Yeah, just the minor change there. I won't read that one.

MR. ROBERTS: Any questions, comments, feedback from any of the negotiators? As we- I think the next change is 49, but I want to note that Erika is returning to the table for private nonprofits.

MR. BOUNDS: And these are just additions to our- to the recommendation language. And

this is recommendation language that Department staff would make.

MR. ROBERTS: Not seeing any immediate reactions. I think the next change is on 51.

MR. BOUNDS: Again. Same thing. This is recommendation language.

MR. ROBERTS: I believe 53 is the same language. That's the next modification.

MR. BOUNDS: Yeah. Same thing for consistency. Yep. Just about same thing.

MR. ROBERTS: Yeah, Jamie, sorry. Feel free to stop me if I'm moving too fast. You're on mute, by the way. Oh you mute- you're- you muted yourself I think. There you go.

MS. STUDLEY: The- is there any place where there's an indication of what criteria the Secretary or his or her- there, I guess the right language is, their designated official would make a determination about limitations on the number of institutions or programs that an accreditor may approve?

MR. BOUNDS: Jamie, could you say that again? I want to make sure I'm understanding.

MS. STUDLEY: Is there any benchmark guidance? Anything beyond the words that the person- the individual may limit the number of institutions an

accreditor may approve? Is there any test or criteria that would apply to that determination? It seems-.

MR. BOUNDS: No, I think. Go ahead, I'm sorry. Go ahead.

MS. STUDLEY: No, no. Go ahead, Herman.

MR. BOUNDS: Yeah. I was just going to say when we get to the- you know, when we're talking about the Senior Department Official's decision, you know, he would make that decision based on- so there's no, you know, there's no criteria- he would make that recommendation based on all the information that was in the record that was discussed, the staff recommendation, the NACIQI recommendation, any of the comments, what's in the transcripts. So he would make a- you know, he would make a decision based on, you know, based on all of that information.

MS. STUDLEY: May I follow up? Would the accreditor have an ability at some point to speak to the appropriate number if the official were considering a limitation, where in the process would it be able to speak to its capacity or the reasonableness of that decision?

MR. BOUNDS: Yeah, and that's already written in the regulations. I'll have to find the

specific provisions. Donna may get to it before I do, but think, you know, ten days after the meeting, you know, after- you know, there's a couple of places where you get a chance to make your responses and provide additional information. I'll have to look for the specific places where that's built in. I think it's 602.35.

FEMALE VOICE: Recording in progress.

MS. STUDLEY: The ten-day window is, if I recall, it's-

FEMALE VOICE: Recording stopped.

MS. STUDLEY: -objection or revision, isn't it to the decision rather? And I'm wondering whether in the process of- [inaudible]

FEMALE VOICE: Recording in progress.

MS. STUDLEY: Oppositional but is, you know, getting a chance to weigh in. I know NACIQI can make a recommendation. So if NACIQI opens the question, don't you think we should restrict the number? Maybe the agency gets a chance there, if NACIQI thinks about it while the agency is still before them.

FEMALE VOICE: Recording stopped.

MS. STUDLEY: Is everybody else getting a recording on and off?

MR. BOUNDS: Yeah.

MR. MARTIN: Yeah, we're getting that

as well.

MR. ROBERTS: I was going to say sometimes the live team does that if there's disruptions on the team's broadcast just so they can have a contiguous feed. I'm not quite sure what happened this time, but sorry for the disruption.

MS. STUDLEY: That's okay. Do you see what I'm saying is, is there a chance for, in a constructive way, to engage with it as opposed to having a decision that the agency is trying to come back from or understand and correct?

MR. BOUNDS: Yeah. So I think there's two- I think under- if you go under 602.35, there is- that's where- so at that point- and that's responding to the advisory committee's, you know, recommendation. And that's where all of the correspondence that, you know, that an agency allows to make, that starts, you know, that starts that process. At the NACIQI meeting, of course, you know, you all can- you can- you know, once staff has made their recommendation, you know, agency gets to comment on that- on all those proceedings. But then once- when NACIQI makes their recommendation and staff makes their recommendations, those things go forward. And then under 602.35, that's when you get to (a) when it talks about within ten days following the

publication of the transcript added language, the advisory committee meets the agency department staff, may submit comments to the Senior Department Official. That starts that process where you can provide additional information to try to- you know, to basically say anything you want to say about the recommendations that have come from NACIQI and staff.

MR. ROBERTS: And it looks like Donna wanted to weigh in as well. Go ahead, Donna.

MR. BOUNDS: Yeah, Donna, you can come in and weigh in too.

MS. MANGOLD: Yeah, Jamie, what I wanted to say is limitations always been part of the regulation in terms of- or, you know, it's in the current regulations in terms of one of the remedies that the Senior Department Official has and something that can be recommended by the NACIQI board staff. So this is really just trying to put some descriptors around what a limitation might look like. So that's really all this is. So you would have the same procedural protections that you have in the process anyway, which is, as Herman said, you know, if NACIQI does it, if NACIQI decides to recommend the limitation, then you would be able to comment on it. If the Senior Department Official did it based on something that wasn't already in the record, you

have protections there. So this is just a little bit more description.

MS. STUDLEY: So you're saying this is really an expansion of what limit means or the examples of limit, not adding to [inaudible] Got it. Thank you.

MS. MANGOLD: The limitation is also in the statute. So this is just- these are- because people sometimes don't know what limit means. So these are just ways that a limitation might be effectuated.

MS. STUDLEY: Got it.

MR. ROBERTS: Thank you, all. So I know we're like midway through sections right now. The next change that I see chronologically in the document, I believe is 58, which is the same text that's been inserted the last few sections. But negotiators should feel free to stop me if they've got questions, feedback, or comments on any of this. If not, I believe the next area of change is page 61, 604.12, Approval Standards.

MR. BOUNDS: Yeah, yeah. That is the next one. And so here this is- we're now under 604 which is basically- which are the new regs we're proposing for state boards of nursing. And yeah, we are on page 61. Here, we scratched refund policies based on the comments. But I would like to add we're also considering because we heard at the most recent NACIQI meeting, that there is a

state board of nursing that is the only approver/accreditor for a couple of nursing programs within their state. So they don't have any other institutional accrediting agency. So again, we've stricken it here because of, you know, comments that we got. But then in the NACIQI meeting, we got some additional information from one of the state boards of nursing that just appeared this time. So that's it. And I don't know if Amy is at the table. But I just wanted to explain that.

MS. ACKERSON: Yes, I'm here.

MR. BOUNDS: Okay. I just wanted to explain that. And then under (d) which is under site visits, that would be on, yeah, page 62.

MS. ACKERSON: Okay. So let me back up. So under approval standards, you've stricken refund policies, but you're going to put it back in?

MR. BOUNDS: We are considering information that we got from the NACIQI meeting.

MS. ACKERSON: So, can it be explained further their refund policies if the state Board of Nursing is the Title IV gatekeeper?

MR. BOUNDS: Yes. And it wouldn't be—we wouldn't say Title IV gatekeeper because they wouldn't be the gatekeeper. But we're saying if they don't have

any other-

MS. ACKERSON: Okay, okay.

MR. BOUNDS: -institutional credits.

So we're-

MS. ACKERSON: Okay, okay.

MR. BOUNDS: Yeah, we're thinking about that. Yeah, yeah. You kind of read our mind there.

MS. ACKERSON: Yeah. No. Yeah. And I just want to just thank the Department for- I just really appreciate all them accepting all the feedback that I provided and the rest of the sections. And I have nothing else to- nothing else to add or comment on. It all looks really good to me now. Thank you.

MR. BOUNDS: Okay. We'll go through it in case there's anyone else out there that has any questions. So I guess we're on page 62.

MR. ROBERTS: Yep. And these are changes in 604.13, site visit documentation.

MR. BOUNDS: Yeah. So we added review of budget information. And that's under the, you know, the site visit. Took the requirement for the NCLEX and took out the auditor's report and just have the attestation, excuse me, of financial resources sufficient to support the program outcomes. So if we don't have any other comments from anyone else, that takes us through

602.16. I mean, 604, I'm sorry.

MR. ROBERTS: Yeah. 15, program evaluation. But no, I don't see any hands at this point. Where do you want to head next, Herman?

MR. BOUNDS: Okay. And so let's see. Make sure we're on the same page. So I guess we get out of 604.

MR. ROBERTS: If, Joe, you can scroll up a little bit, I have a change in 604.15, program evaluation. Just the add-on to that sentence.

MR. BOUNDS: Yeah. And I think Amy said she didn't have any questions through 604, so unless anybody else does.

MR. ROBERTS: Yeah, I just wanna make sure the committee was okay with this so far. I'm not seen any- anyone jump into the queue. We can go to the next section. Anything you wanted to highlight in any of these, Herman?

MR. BOUNDS: Nothing. Nothing at all.

MS. ACKERSON: I think they're- I think the rest mimics the regulatory text and the accreditation in 602 as well, so.

MR. BOUNDS: Yeah. And that's the same complaint guidance where you're at now that- that's in 602.

MR. ROBERTS: Yeah. I think the next area of more substantive change might be starting on page 67.

MR. BOUNDS: Yeah. And 67 starts 611. So we can go through those. And again, since this is more of- related to FSA, I'm going to- or some of the eligibility requirements, I'm going to kind of ask Donna to really chime in here on some of these changes. So the first ones begin in (c). We added some language there to the sentence under (c). And then there's, of course, there's language under romanette three. And I will stop there. And then under multiple accreditation. I will just stop on page 67 and open it up for any questions.

MR. ROBERTS: Alright. Anyone have any questions? Feedback? Comments? Additional language for consideration? Oh, and I should have made mention Amy was at the table for specialized accreditors for nursing education. Thank you, Amy, but we are joined again by Dr. Laura Rasar-King. Barmak, go ahead. We can unshare- I think we can unshare the language at this point.

MR. NASSIRIAN: On (c), I just want an understanding of why the exemption for returning to its prior accreditor.

MR. BOUNDS: Donna. Do you want to take that one?

MR. ROBERTS: Yeah. Donna, go ahead.

MS. MANGOLD: I can respond to that one. This was actually in response to one of Jamie's concerns the last time she- I think her example was an agency was with Deke, and they moved to WASC, and it may not have been Deke that you used as an example. And then they decided, really, their original accrediting agency was a better fit for them. So that's- that is what this is, to get to allow an agency that made the move to go back to their other agency, to not prohibit it.

MR. NASSIRIAN: By that logic, what is- why can't they make the judgment that agency number three is a better fit?

MS. MANGOLD: Well, what we're saying here is they have to stay for two years. So the issue here is you must stay for two years. So if they want to go to agency three, they would have to wait for two years.

MR. NASSIRIAN: Understood. It's two cycles, right? Not two years.

MS. MANGOLD: I'm sorry, I'm sorry. Yes. Two cycles. Yes.

MR. NASSIRIAN: You know the concern here, just so that I- because we are running out of time, I'll be blunt. The concern here is accretitor shopping

and if the two-cycle constraint is intended to prevent that or to mitigate that, I don't see any reason to give privileged status to the one they tried, because even there you're allowing for a certain level of accreditor shopping. If the two-year cycle is supposed to kind of force you to make a commitment to an accreditor, why should you- why should you be able to mitigate it if, contrary to your expectations, boy, you know, WASC ended up being much tougher than I had hoped. I'm going to go back to the previous guy. It doesn't make any sense to me to create this exception. Either eliminate it and apply it to everybody, or remove the two-cycle and allow the race to the bottom to begin on a level playing field for all accreditors. My recommendation would be to eliminate the highlighted language.

MR. ROBERTS: Barmak, would you be amenable to just codifying that in chat just so they can keep track of that suggestion in the transcript?

MR. NASSIRIAN: Yes, of course.

MR. ROBERTS: Great. Thank you. Jamie, go ahead.

MS. STUDLEY: That's an interesting thought. The only comment I wanted to make was that accreditors are in very different situations in relation to these provisions, and may weigh in as the regulatory

process moves forward. The only thing I wanted to mention now relates to romanette- (d) romanette three. Excuse me. There is one consequence of- no, I think we were looking right at- it was right on the screen.

MR. BOUNDS: Yeah, that's it.

MS. STUDLEY: The effective date cannot be before the end of the current cycle. I'm just wondering what the motivation is and whether the Department has thought about the consequences of that. An institution that it- because it has the effect of constraining schools from making transitions among approved agencies and would have to meet dual standards, dual reporting requirements and dues. I'm just interested in what the potential what the purpose of that one was.

MS. MANGOLD: It would be on the theory that when you're with your accrediting agency, you should be constantly improving in accordance with the standards of your agency. And by cutting that period of accreditation short, it doesn't allow you to sort of fulfill that whole, that whole period. And so this is also an effort to sort of slow things down in terms of accreditor shifting. The other thing is, remember, this is in the context of a reasonable cause determination. So there's another part to this, which is FSA is actually reviewing voluminous documentation for each of these

accreditation changes. And so this is not just they get to submit a piece of paper, say they want to move to another agency. FSA is doing levels of review here also.

MR. ROBERTS: Did you want to add anything else, Jamie?

MS. STUDLEY: So I just wonder why that reasonableness review is not sufficient to both slow things down to allow the review to go by the Department. Obviously, they would have to stay with a place before they could even apply, and whether it wouldn't answer the question about, you know, assuring continuity or appropriate timing, case by case as opposed to a blanket rule.

MS. MANGOLD: We consider that, Jamie. And, you know, we're doing a lot. FSA is doing a lot in the reasonable cause determination part of this. And to then have this as a separate element of the reasonable cause determination, you know, the fact that it's a mid-cycle switch. We just felt it was more efficient for us and for FSA and for accrediting agencies and more predictive to just have this situation where you have to go through the whole cycle, that you can't flip mid-cycle. Again, there are lots of things sort of in balance here that we're trying to make work together.

MS. STUDLEY: Thank you.

MR. ROBERTS: Thank you. Any other questions or feedback on 600.11? Herman, anything else you wanted to ask the committee in terms of directed feedback or additional consideration?

MR. BOUNDS: No, I don't have anything.

MR. ROBERTS: Okay, I'll turn it back over to you then to keep walking through the last few pages.

MR. BOUNDS: Alright. I think we're about completed. Right? So we have- on page 68, it looks like we have some minor language there.

MR. ROBERTS: I think these are the last new changes in the reg text.

MR. BOUNDS: Yeah. And it just has to do with what- for reasonable cause that is not a reasonable cause if these things- if those things below happen, so.

MR. ROBERTS: Any feedback commentary on those final amendments, proposed amendments? Well, let me say this. Herman, Greg, and team, were there other- were there any other areas where you would want to return to? I'm seeing people with their faces saying, please don't do that. But any other areas where you'd like to solicit feedback, proposals, areas where you really would

like additional consideration? We are able to go till 5:00 Eastern today. I don't think anyone in this room would be upset if we didn't go till 5:00 Eastern. But I wanted to make sure there was- we weren't leaving you without feedback or additional proposals where you might want some.

MR. MARTIN: Brady, no, not this time. But the Department would like to call a brief caucus so we can discuss this before we go back to thinking about a final vote for consensus. Thank you.

MR. ROBERTS: That sounds good. Do you know how much time roughly?

MR. MARTIN: I'll ask for 15 minutes.

MR. ROBERTS: 15? Okay, so I'll check back in at 4:05 Eastern.

MR. MARTIN: Thank you very much.

MR. ROBERTS: Yep. Thank you. Alright. Welcome back, everyone. Thank you for your patience during that caucus period. It's my understanding that the Department made it- made a few changes to the document. So I'll turn it right over to Joe and Herman to walk through those changes. So take it away. And just looking at the time- and, Herman, you're off mute, if folks do have questions or feedback, not sure if we're gonna be able to get to all of them, so just be sure you put them

in the chat so they're captured as part of the transcript if you do have questions but time permitting, we'll see what the Department has time to do once they walk through the changes. So take it away.

MR. BOUNDS: Okay, great. So first change, we added a definition of executive officer. I'm not going to read that to you all. You all can take a look at that. Okay, I think we're ready to go down and all the changes are in blue. Here we took out the triad member. Yeah, the triad member. So we deleted item four. For the five-year prohibition. Okay, here we added in or licensing authorities and then in (b), based on comments, we added the language there that accepts in good faith. We'll pause there a minute for folks to digest everything. Okay. I think we can go ahead and move down. Okay, here we added, again, the language in blue. I'll let everybody take a look. We moved the- I think it was under (b), we had it. We moved it. We moved some of that- that's further down, I'm sorry, I confused myself here, but I'm sorry. But we added the data reported by institutional programs. Or data from other resources. So we added that in blue. I'll just- I'll pause and let folks take a look at that. And then (d) is where we moved up adequate controls to prevent institutions or programs from manipulating or otherwise inflating their

performance. We moved this up out of the student achievement area. I mean, excuse me, out of the distance. Out of the distance education area. Sorry, man, it's late. Okay. And here we struck- this is where we struck this and moved it up under to be applicable to all areas of student achievement, not just related to distance education. [Inaudible] not an issue there. We added the representative sample. Yeah, I'm sorry. And the word audit is supposed to be stricken there. [Inaudible] I know there was- we had another- what we- else we had there. Yeah, reviews a representative sample of data. Yeah, I think that's it. Yeah. There we go. Reviews [inaudible]. Jamie?

MS. STUDLEY: I just said we trust you.

MR. BOUNDS: Okay. Yeah. This is a lot, man. We did it like, you know, 20 minutes. So I think we're good. Let's scroll down. Did we miss one? Yeah. Yeah. We struck enforcement and then we just put monitoring of intermediate checkpoints along the way. And then we removed seek eligibility because here they're just participating. So we hope that cleared up some confusion. I think we can scan down further. So we hope this language kind of cleared that up. And go back up. Yeah. And then we added this one here for foreign

additional locations of a domestic institution. Must include just a representative sample of those foreign additional locations. That should also encompass the additional locations on military installations. Here we have stricken the part about submitting all the exhibits. You just have to post the narrative portion and then descriptive list of what the exhibits are. Not just like exhibit A, but what's in exhibit A, so that should relieve some burden. Okay. Numbering changes. And here we added the word academic. I think we spoke about that earlier. So, not a big deal there. I think we put this in based on one of the comments. Okay. And here we struck average time to completion. I think that was a point of discussion. And then we added refund policies if the program of nurse education is not accredited by a nationally recognized accrediting agency. And that was based on discussions we had with the State Board of Nursing rep. And again, we struck enforcement and put in monitoring. We're trying to make sure that we made the adjustments in the regulations for State Board of Nursing, the same ones that we made in 602.

MR. ROBERTS: Would that be the end of the modifications, Herman?

MR. BOUNDS: I think that's the end of the modifications.

MR. ROBERTS: Gotcha. There was one question in chat that- at least to a layperson, might be somewhat easy to answer. Donna, go ahead. Oh, you're muted, by the way.

MS. MANGOLD: We need to go back to 602.19 because as we were editing and saving, it looks like some things that we intended to do may not have been caught. So before we go on, if we could catch that and we'll be sending it updated to your email inboxes.

JOE: Do you have the page for that?

MS. MANGOLD: Oh, yeah. On mine it's page 20.

JOE: Thank you.

MS. MANGOLD: There you go. Okay. So we- our intent was to strike the most current and available, so the things that are in the different type. And yes, so- and then they'll have to be some grammatical fixes there. So it'd be representative. There would not be a comma after representative. And then to the extent we've said audit, we intend to use the word review.

MR. BOUNDS: Thanks, Donna. I just blew right past that.

MS. MANGOLD: That's okay.

MR. ROBERTS: Anything else you wanted to highlight, Herman or Donna?

MR. BOUNDS: Yeah, I think Amy had a question down at the- in the State Board of Nursing area. I want to make sure we wrote what we thought we should have wrote. It's in 604.

MR. ROBERTS: Yeah, that'll be towards the end of the document, I think.

MR. BOUNDS: Yeah, yeah. Right where we talk about the financial audit. I just want to make sure.

MS. ACKERSON: Right- yeah, yeah. That right there, that blue text, up. Right there. If the program of nurse education is not accredited by a nationally recognized accrediting agency. So not all states require nursing program accreditation. So this is- only comes into play if the nursing program approval agency is the accreditor is what I understood.

MR. BOUNDS: Yeah. So what we were trying to say, if the State Board of Nursing is the sole accreditor, then they would have to have these refund policies. So is that- so what we have is the refund policies are not required if the program of nursing.

MS. ACKERSON: Right. What I'm saying is that most states that are approved by the Department don't require programmatic accreditation. And so that's why the refund policy, we leave that up to the

institutional accreditation. So if you're telling me that, I believe it's New York, I thought the Board of Regents in New York was the accrediting agency. The statement is just- this is problematic. This doesn't get away from the issues we were having before we took it out.

MR. BOUNDS: Okay. So I'm trying to see how we can maybe fix this to address that issue. So you're saying that all nursing programs within states are not required to be recognized by nationally recognized accrediting agency? So what we want to say then here is- is that you have to have refund policies if-

MS. ACKERSON: If the state agency is your accreditor.

MR. BOUNDS: Is the sole accreditor of the nursing programs.

MS. ACKERSON: Correct.

MR. BOUNDS: Donna, do you agree with that? Does that sound?

MS. MANGOLD: I was actually going to offer some other language.

MR. BOUNDS: Okay.

MS. MANGOLD: And I don't know if this will satisfy the issue for Amy. How about if the program of nurse education is a standalone program and does not

have institutional accreditation? Does that give you-

MS. ACKERSON: Yeah, that's fine.

MS. MANGOLD: Okay, thank you.

MS. ACKERSON: Thank you.

JOE: What was the last part of that,
Donna?

MS. MANGOLD: Does not have
institutional accreditation.

MR. ROBERTS: And then you said that
satisfies your concern?

MS. ACKERSON: Yep, it sure does.
Thank you.

MR. ROBERTS: Jamie, go ahead.

MS. STUDLEY: Yeah, I certainly
respect your thoroughness in catching so many of the
areas that people were talking about. And for me, the one
I'm trying hardest to understand relate to the thing that
I think is most important and I think is really important
to the Department, too. So I am at the relationship of
602.16 and 20. Right back where we had some important
conversations. And I'm trying to understand what effect
the word monitoring has. The timeline must include
monitoring of checkpoints, and I understand that the
language in (b) is old carry-over language. This is not
new about timelines and so forth, if I've got that right.

But unfortunately, they're not right next to each other. How- if you look at page 15, and the agency must set forth expectations for- with respect to student achievement in relation to the mission, which may include different standards. The agency must identify minimum expectations of performance and must be developed- no, must include consideration of student achievement on a disaggregated basis. That to me, right, those are the three kind of central musts. But if the agency determines that minimum expectations are not feasible or appropriate, it's- it can explain why. So what I want to know is, what are the musts in 15 that have to be- what are the things that would have to be done in 16? I'm sorry. Or if the, you know, minimum expectations are not feasible but other kinds of student expectations are, you have things that you're watching, how do you see the two of those connecting to each other? I'll tell you what I'm trying to do in a positive way, and that may make the sentence more clear. What's critically important to us is that we be able to have multiple measures and the kind of subtle- you know, it's not just one thing. We're not just doing a number of something. We're looking at subtle interactions [30 seconds] kinds of performance, and not turning them into a single bright line, but into something that you can monitor and say you are doing well

enough across all those measures or not. Can the Department speak to what they see actually happening? And what you would say you must do, you didn't do, or that was an okay practice along those lines.

MR. BOUNDS: That was a lot, Jamie, but I think for- I think for me, if we're back to the, again, the minimum expectation language and then the other part here where we talk about if that's not acceptable for a particular institution or group of institutions that then the agency must explain why, again for me, this is the agency's, you know, explanation of, I think you used the term bright lines. We're definitely not looking at that. We're just saying that whatever those things that you evaluate, they could be multiple things, that you would have to articulate what those minimum requirements may be. I mean, I don't know, Donna, unless you have a better way to explain what I'm trying to explain, but that's what we- go ahead.

MS. MANGOLD: I just want to mention that the entirety of this provision is qualified by the stem in romanette one that says we're feasible and appropriate to allow that kind of balancing that you're talking about, Jamie, those differentials, standards that might have to be applied. And again- and then we emphasize in (a) that it can be specific to a particular

institution or program or a type of institutions or programs. So we're trying to build in maximum flexibility to do the kinds of things that you want to do.

MS. STUDLEY: Where feasible and appropriate, the standards may. I'm not sure I'm there yet because this is a lot to absorb and at this late hour. But I'm trying to hear you and accomplish what you say you're meaning to do. You know, I would- where feasible and appropriate, the standards may.

MS. MANGOLD: It's got to be must. We're comfortable with must, and we're getting really, really close to the deadline that we have to take a vote.

MR. ROBERTS: Right. My suggestion would be some folks have noted potential concerns in the chat, if other people would like to weigh in, just so those are captured as a piece of the discussion, please do so. But at this point, Greg, would you like to move to a consensus vote or?

MR. MARTIN: Yes, we're going to move to consensus vote now.

MR. ROBERTS: Okay. You can unshare the document. As always, we're going to do a roll call vote based on how I see folks on my screen. So, love it. Can live with it. Serious reservations. Again, I want to say before this, thank you all for the discussion today

and throughout these past few months on these important issues. But first, Robyn, Legal Aid, thumbs up. Jason Lorgan, sideways thumb. Barmak Nassirian, thumbs up. Erika Linden, thumbs down. Jo Blondin, thumbs down. John Ware, sideways. Diana Hooley, thumbs up. Jillian Klein, thumbs down. Carolyn Fast, thumbs up. JoEllen Price, thumbs up. Jamie Studley, thumbs down. Jessi Morales, thumbs up. Joe Weglarz, sideways. Laura Rasar-King, thumbs down. DC, thumbs up. Greg Martin, thumbs up. So we are not in consensus on this issue. I will turn it over to Greg for closing comments.

MR. MARTIN: Thank you, Brady. I just want to say it's been my pleasure to be the negotiator for this round of Department's negotiated rulemaking. And I want to thank all of our negotiators for taking the time to join us these past couple of weeks. It's a lot of preparation, takes a lot of time out of their normal work schedule, so we very much appreciate it. I also want to thank those who negotiated with me. That would be Herman Bounds and David Musser, and I want to thank our attorneys, Denise and Donna, and those who worked in the background, especially Joe and Vanessa and all the people at the Department who labored so hard to make this possible. And lastly, FMCS for all of their help. So with that, I'll just say I hope you all have a nice spring.

It's been a joy working with you.

Zoom Chat Transcript

Program Integrity- Session 3 , Day 4, Afternoon, March 7, 2024

***Chat was copied as presented, as a result minor typos or grammatical errors may be present.**

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

educated guess cab

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Replying to "educated guess cab"

And one large glass

From P, Jillian Klein, Proprietary Institutions to Everyone:

David Cohen will come to the table to make a comment.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

evidence-expectations-by-standard-guidelines v.2023-08-22 (1).pdf

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

we need multiple measures. and certainly our accreditor does the same in terms of holding us accountable. And it's appreciated

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

It is clear that accreditors and the institutions they accredit are quite satisfied with the way the system works (for them). Sadly, there is a mountain of evidence, including comments this Committee has witnessed from student veterans and other Title IV recipients, that the system does not work for them. ED has a choice to make: does the "S" in FSA stand for students or schools?

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Agree with Barmak's comment on need for accreditors to do better. The system isn't working to adequately protect students. The Department's proposals are modest efforts to strengthen the system.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

we can all do better. continuous improvement is the fabric of accreditation principles

From P-Jamie Studley, Institutional Accreditors to Everyone:

I did not say that we are fully satisfied -- i mean tha these provisions are not the best way

to get to the goal of satisfaction with every accredited institution

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

If accreditors are doing such a great job, why are so many students getting ripped off?


From P-Robyn Smith, Legal Aid orgs. to Everyone:

I strongly support the Department's proposal. Given that schools are already providing all of this information to accreditors on student achievement, then it should not be a problem to set minimum standards. Also, to be clear, this proposal does not prevent standards from being set by sector or even at an individual institutional level.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

just also recognize the vast majority of good work institutions do to dramatically transform people's lives. higher education completion remains one of the greatest drivers of socioeconomic mobility


From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "I strongly support t..." with 

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "If accreditors are d..." with 


From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "Agree with Barmak's ..." with 

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "If accreditors are d..." with 


From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "I strongly support t..." with 

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "It is clear that acc..." with 

From A. Ashlynn Haycock-Lohmann (vets) to Everyone:

Reacted to "It is clear that acc..." with 

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

The most important data point: \$138 BILLION (to date) in federal loan discharges and write-offs for accredited education that didn't pay off.

From P-Robyn Smith, Legal Aid orgs. to Everyone:

This is why accreditors should set minimum standards.
<https://www.thirdway.org/blog/when-will-the-watchdogs-bite>.

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "This is why accredit..." with 👍

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "This is why accredit..." with 👍

From Joe Weglarz NACUBO to Everyone:

Thank you!

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "The most important d..." with 👍

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "I strongly support t..." with 👍

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "The most important d..." with 👍

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "This is why accredit..." with 👍

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

+1 on JoEllen's comments. We regularly hear from veterans who have been robbed of their GI Bill benefits by unscrupulous providers

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

+1 to JoEllen and Barmak

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

+1 on JoEllen's comments.

From A. Ashlynn Haycock-Lohmann (vets) to Everyone:

Reacted to "The most important d..." with 👍

From A. Ashlynn Haycock-Lohmann (vets) to Everyone:

+1 Barmak's comments, I have met with many Gold Star Families who have been taken advantage of for their GI Bill benefits and left with nothing. They heavily target our young widows who are single parents.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

i object only to overgeneralization

From P-Robyn Smith, Legal Aid orgs. to Everyone:

+1 on Barmak's comments.

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

specific enough on this one? :-)

From A - Zack Goodwin (he/him), Financial Aid Administrators to Everyone:

Reacted to "+1 on JoEllen's comm..." with 🎯

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

+1 to Barmak's concern about need for stronger accreditor review of written arrangement provision.

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

Why inspect physical location? Because some may not exist:
<https://www.usatoday.com/story/news/education/2021/01/23/education-dept-suggests-termination-acics-reagan-national-university/6671390002/>

From P-Jessi Morales, Students/Borrowers to Everyone:

<https://www.usatoday.com/story/news/education/2021/01/23/education-dept-suggests-termination-acics-reagan-national-university/6671390002/>

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "Why inspect physical..." with 👍


From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

i didn't bottom line. there was a question in there about rationale for the physical visit and how that relates to the goals of the actual site visit.

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "https://www.usatoday..." with 

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "Why inspect physical..." with 

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

absolutely!

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

When would it be appropriate for practitioners in the Department's view?

From P, Laura Rasar King, Specialized Accreditors to Everyone:

Programmatic would use practitioners.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

Erika will be rejoining

From P, Jillian Klein, Proprietary Institutions to Everyone:

+1 Laura's comments on this section

From (A) Dom Chase - Business Officers to Everyone:

I agree with Laura. This seems overly broad and could be harmful to institutions and programs which are found non-compliant with an easily fixable issue not related to a core or fundamental accrediting standard.

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Reacted to "+1 Laura's comments ..." with 

From A - Zack Goodwin (he/him), Financial Aid Administrators to Everyone:

Reacted to "+1 Laura's comments ..." with 

From P-Jamie Studley, Institutional Accreditors to Everyone:

+ 1 to Laura although it does relate to what an agency considers to be non-compliance

From P-Jamie Studley, Institutional Accreditors to Everyone:

Agree with Michale about ok to require posting the agency narrative and Petition but not the exhibits.

From A, Emmett Blaney, Students/Borrowers to Everyone:

+1 to Barmak.

From P-Robyn Smith, Legal Aid orgs. to Everyone:

Public access to these documents is extremely important, so that student advocates and other interested parties have the ability to meaningfully comment on whether an accreditation agency should be recognized. They are gatekeepers for literally millions in taxpayer dollars. The only current way to access these documents is through the Freedom of Information Act, which can take months (and even years), long past the end of the recognition process. In addition, I understand that agencies already review documents for redactions before they submit them to the Department.


From P, Laura Rasar King, Specialized Accreditors to Everyone:

Posting the narrative petition is fine with me. Posting the hundreds and hundreds of documents that support it is unreasonable.


From P-Robyn Smith, Legal Aid orgs. to Everyone:

+1 to Carolyn and Barmak's comments.


From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "Public access to the..." with 

From P-Jessi Morales, Students/Borrowers to Everyone:

Reacted to "Public access to the..." with 

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "Public access to the..." with 

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

No problem sharing the narrative to improve opacity, the exhibits are too extensive for posting in my view:

From (A) Dom Chase - Business Officers to Everyone:

Well said Jamie

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

602.23(b) The agency must post all narrative responses included with an application for initial or renewal of recognition or a compliance report, with any redactions consistent with § 602.30(f)(1) and (2), on its website no later than 90 days after submission to the Department. The agency may redact information that the agency is required to designate under § 602.30(f)(1)(iii) from the materials before posting them on its website, except that the agency must redact any information received from institutions or third parties that it may designate under 602.30(f)(1) for submission to the Department.

From P, DC, HBCUs, TCUs, MSIs to Everyone:

let's keep going

From P, Laura Rasar King, Specialized Accreditors to Everyone:

We need a break.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Reacted to "We need a break." with !!

From P, DC, HBCUs, TCUs, MSIs to Everyone:

Reacted to "We need a break." with !!

From P, DC, HBCUs, TCUs, MSIs to Everyone:

Removed a !! from "We need a break."

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Unfortunately, teach-out "agreements" are becoming increasingly difficult to obtain - institutions simply are weary of obligating themselves to take on the burden. We are having better results with "transfer" agreements.

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Scott Dolan will return to table

From Donna Mangold - ED OGC to Everyone:

Confirming Jo's description of the HS programs. At the current time they are not eligible for Title IV.

From P - JoEllen Price, Financial Aid Administrators to Everyone:

High School students are not eligible unless they are in the Second Chance Pell experimental program.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

I am out of my depth here a bit, but I am also hearing from some on the dual enrollment piece for additional locations. state-based tests on ability to benefit may make some dual enrollment programs eligible

From Joe Weglarz NACUBO to Everyone:

Yes, I agree

From P-Jamie Studley, Institutional Accreditors to Everyone:

that's why i hesitated to answer -- i thought there were situations where students could be eligible for T4 while studying at HS s

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

+1 to Jillian's comment re transfer


From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Similarly, (e)(1)(iii) - seems like info on share of transfer students enrolled at an institution is not really a policy statement but would be a snapshot in time.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Reacted to "+1 to Jillian's comm..." with 

From A - Zack Goodwin (he/him), Financial Aid Administrators to Everyone:

Reacted to "High School students..." with 

From P, Jillian Klein, Proprietary Institutions to Everyone:

It's unclear to me a bit if someone from ED is editing/accepting edits, but my reco was adding the provisional citation (668.13(c)(1)) to 602.24(c)(2)(iii).

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Magin is joining for Civil Rights/Consumr

From P, Jillian Klein, Proprietary Institutions to Everyone:

My other reco was striking (e)(2)(i)

From A. Ashlyne Haycock-Lohmann (vets) to Everyone:

I would also add that international campuses that are not visited would put a target on service members who are already one of the most targeted populations.

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

good point Jamie, they can also present credit transfer throughout in many institutions

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Carolyn is re-joining the table for Civil Rights/Consumer

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

it's provokes thinking Barmak.

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

I'm back in for Civil Rights/ Consumer

From P-Jessi Morales, Students/Borrowers to Everyone:

Emmette joining the table

From P-Jessi Morales, Students/Borrowers to Everyone:

*no e

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

great thank you!!

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

and appreciated

From A- Alyssa Dobson: 4 Yr. Public Institutions to Everyone:

These transfer credit regs will be exceedingly difficult to parse out. Especially for schools with multiple degrees (over 100 programs of study), some of which have very specific transfer credit rules for programmatic accreditation. This seems untenable.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Replying to "These transfer credi..."

+1

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

+1 to Barmak that two year requirement is important in this provision.

From A, Emmett Blaney, Students/Borrowers to Everyone:

+2 to Barmak and +1 Robyn.

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

+1 to Barmak and Robyn

From Donna Mangold - ED OGC to Everyone:

if the negotiators have language changes on the transfer of credit provisions, please add them to the chat. Thank you.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Replying to "if the negotiators h..."

Donna just flagging mine are above. Thank you!

From A-David Cohen, Proprietary Institutions to Everyone:

Sometimes the receiving school also receives the faculty and the necessary equipment. In situations where the prior institution fails for reasons that are not related to the program, these types of teach-outs can be really helpful to students. Creating the two year rule could hamstring a real solution. Agencies should have the discretion based on all the evidence in front of them.

From Donna Mangold - ED OGC to Everyone:

Replying to "if the negotiators h..."

Jillian, can you give us the time-stamp?

From P, Jillian Klein, Proprietary Institutions to Everyone:

Replying to "if the negotiators h..."

2:01 and 2:02 (I

From P, Jillian Klein, Proprietary Institutions to Everyone:

Replying to "if the negotiators h..."

(I'm CST so may show an hour later for you)

From A- Alyssa Dobson: 4 Yr. Public Institutions to Everyone:

Replying to "if the negotiators h..."

My language suggestion would be to strike this section. I understand the problem however this is not the solution and will only further complicate the landscape.

From Donna Mangold - ED OGC to Everyone:

Replying to "if the negotiators h..."

Jillian - found it.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Reacted to "Jillian - found it." with 👍

From P-Jamie Studley, Institutional Accreditors to Everyone:

agree with David -- we had a solid program that moved from a failing school to a more solid one, and the students wanted to teach out at the new place. that was a great option for them and i believe would have been precluded by this

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

erika will return to the table.

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Erika Linden returning to table for private nonprofits

From P, Laura Rasar King, Specialized Accreditors to Everyone:

Amy Ackerson will come to the table for 604.

From P, Jillian Klein, Proprietary Institutions to Everyone:

Amy glad you were here and appreciate your expertise!

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

thanks Amy for the work!

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

Reacted to "Amy glad you were he..." with 👍

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "Amy glad you were he..." with 👍

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Reacted to "Amy glad you were he..." with 👍

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

602.23(d)(1)(iv)

I ask the Department to allow accreditors to have a consistent policy for complaints with a commitment to help complainants to meet those requirements. For the purposes of consistency and fairness in the process, it is difficult for any oversight entity to be put in this position without some guardrails. This opens accreditor processes open to liability. I suggest the following revision to the Department's language:

(iv) A requirement that agency staff will provide assistance to a complainant who does not submit a complaint correctly under the agency's prescribed method(s) in an effort to have the complaint submitted in accordance with those methods.

From A. Amy Ackerson, Nursing Education Approvers to Everyone:

Laura can rejoin for the rest of the conversation. Thank you for the opportunity. It has been very educational.

From P, Laura Rasar King, Specialized Accreditors to Everyone:

Laura back in for specialized accreditors.

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

600.11(a)(ii)(C) delete "unless it is returning to its prior accrediting agency"

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

sorry, citation is 600.11(a)(1)(ii)(C)

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:



From Brady Roberts | FMCS Facilitator to Everyone:

Don't want to interrupt but do you need more time?

From P-Jamie Studley, Institutional Accreditors to Everyone:

could ED send us the changes?

From Donna Mangold - ED OGC to Everyone:

Replying to "could ED send us the..."

we are working on it

From Krystil Smith | FMCS Facilitator to Everyone:

I just emailed the language as disseminated from the Department. Check your inboxes

From A - Zack Goodwin (he/him), Financial Aid Administrators to Everyone:

Reacted to "I just emailed the l..." with 🙏

From A. Amy Ackerson, Nursing Education Approvers to Everyone:

That is not what I thought you intended. Not all states require accreditation

From A. Amy Ackerson, Nursing Education Approvers to Everyone:

can it reflect refund policies are required if the state agency is the accrediting agency?

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Thanks for clarifying that Donna.

From P-Robyn Smith, Legal Aid orgs. to Everyone:

For the record, I am concerned by the reversal of "enforcement" to "monitoring" in several places; agencies don't necessarily need to remove a school's accreditation, but intermediate checkpoints should be more than just a box-checking exercise. Schools that fail to comply with agency standards cannot be given both infinite chances and such significant time without ensuring students who enroll along the way are protected.

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "For the record, I am..." with 👍

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "For the record, I am..." with 👍

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

Reacted to "For the record, I am..." with 👍

From P-Jessi Morales, Students/Borrowers to Everyone:

I am also concerned with the removal of enforcement in multiple sections as mentioned above by Robyn.


From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

amy is correct


From P-Robyn Smith, Legal Aid orgs. to Everyone:

For the provision that no longer requires the posting of exhibits to accrediting agency recognition petitions, but instead a narrative describing the exhibits, it would be helpful to add a requirement that the accrediting agency must post any exhibit within 24 hours of request by member of public. That way they don't have to post all the exhibits, just those that members of the public request based on narrative description.


From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "I am also concerned ..." with 

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "For the provision th..." with 


From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "For the provision th..." with 

From P-Jessi Morales, Students/Borrowers to Everyone:

Additionally there is also concern with the striking of "average time to completion for transfer students." That's a critical measure that provides important color for students about the likelihood their credits will transfer and the experiences of transfer students.

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "Additionally there i..." with 

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "For the record, I am..." with 

From A-David Cohen, Proprietary Institutions to Everyone:

The NY Board of Regents is no longer recognized by the Secretary as a regional accrediting agency

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "Additionally there i..." with 👍

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "For the provision th..." with 👍

From A. Amy Ackerson, Nursing Education Approvers to Everyone:

Thank you David

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

+1 to Robyn and Jessi's points

From P., Diana Hooley, State Attorneys General to Everyone:

Reacted to "For the record, I am..." with 👍

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

Reacted to "Additionally there i..." with 👍

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

Thank you to all Committee members, especially ED officials, for suffering my meddlesome comments and turgid prose

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

Reacted to "Thank you to all Com..." with 😊

From A, Emmett Blaney, Students/Borrowers to Everyone:

Reacted to "Thank you to all Com..." with ❤️

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Reacted to "Thank you to all Com..." with ❤️

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

Despite not being in consensus, thank you to Department for hearing concerns!

From P-Barmak Nassirian, Veterans & Military Students to Everyone:

And thanks to FMCS colleagues for a great job

From P, Jillian Klein, Proprietary Institutions to Everyone:

Thanks FMCS!

From A-David Cohen, Proprietary Institutions to Everyone:

Thank you to all, I have learned a great deal and developed great respect for the unique role each of you perform.

From P - Carolyn Fast, Civil Rights/Consumer Advocates to Everyone:

Thank you everyone for all of your hard work!

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

I appreciate the time and effort too. Appreciated hearing the multiple perspectives

From A - Zack Goodwin (he/him), Financial Aid Administrators to Everyone:

So great to work with all of you!

From A, Michael Cioce, 2 Year Colleges to Everyone:

Thanks FMCS

From P-Jamie Studley, Institutional Accreditors to Everyone:

there was a lot of good movement here and it made it a close call. KNow thatccreditors want to improve and look forward to wkring iwht ED now as you move to NPRM

From A, Scott Dolan, Private/Nonprofit IHEs to Everyone:

Reacted to "there was a lot of g..." with 


From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Reacted to "there was a lot of g..." with 

From P-Jamie Studley, Institutional Accreditors to Everyone:

can we say thank you and comment briefly??

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Reacted to "can we say thank you..." with 

From P - Erika Linden - Private Nonprofit Institutions to Everyone:

+1 to Jamie

From Brady Roberts | FMCS Facilitator to Everyone:

And Magin- enjoy Pat's!

From A, Magin Sanchez, Civil Rights/Consumer to Everyone:

Reacted to "And Magin- enjoy Pat..." with 