

DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
NEGOTIATED RULEMAKING PROGRAM INTEGRITY
AND INSTITUTIONAL QUALITY
SESSION 1, DAY 4, MORNING
JANUARY 11, 2024

On the 11th day of January 2024, the following meeting was held virtually, from 10:00 a.m. to 12:00 p.m.

P R O C E E D I N G S

MR. ROBERTS: Good morning, everyone. My name is Brady Roberts with FMCS. I'm going to kick us off today with a brief roll call and then turn it over to Greg Martin, our head Federal negotiator, for just a quick update before we start undertaking the tasks of the day. So first off, representing business officers from institutions of higher education, we are joined by Joe Weglarz. Well, we might not be joined by Joe Weglarz yet. But we are joined by his alternate, Dom Chase.

MR. CHASE: Present. Yes. Sorry. Joe will be just about a few minutes late.

MR. ROBERTS: No problem. Thank you. Representing civil rights organizations and consumer advocates, we are represented by Carolyn Fast.

MS. FAST: Good morning.

MR. ROBERTS: Morning, Carolyn. And her alternate, Magin Sanchez.

MR. SANCHEZ: Good morning. Happy Thursday.

MR. ROBERTS: Happy Thursday. Representing financial aid administrators, we are joined by JoEllen Price.

MS. PRICE: Good morning.

MR. ROBERTS: Good morning. And her

alternate, Zack Goodwin.

MR. GOODWIN: Present and good morning.

MR. ROBERTS: Morning, Zack. Representing Historically Black Colleges and Universities, Tribal Colleges and Universities and Minority Serving Institutions. We are joined by Dr. Charles Prince.

DR. PRINCE: Present.

MR. ROBERTS: Morning, DC. And his alternate, D'Angelo Sands.

MR. SANDS: Good morning.

MR. ROBERTS: Morning, D'Angelo. Representing institutional accrediting agencies recognized by the Secretary, we are joined by Jamie Studley.

MS. STUDLEY: Good morning.

MR. ROBERTS: Morning. And we were joined by her alternate, Michale McComis.

MR. MCCOMIS: Good morning.

MR. ROBERTS: Morning, Michale. Representing legal assistance organizations, we are joined by Robyn Smith.

MS. R. SMITH: Good morning.

MR. ROBERTS: Morning. And we are

joined by her alternate as well, Sophie Laing.

MS. LAING: Good morning.

MR. ROBERTS: Morning, Sophie.

Representing private nonprofit institutions of higher education, we are joined by Erika Linden.

MS. LINDEN: Good morning, all.

MR. ROBERTS: Morning, Erika. And her alternate, Scott Dolan.

MR. DOLAN: Good morning.

MR. ROBERTS: Morning. Representing Programmatic Accrediting Agencies recognized by the Secretary to include state agencies recognized for the approval of nurse education, we are joined by our primary Laura Rasar King.

DR. KING: Good morning.

MR. ROBERTS: Morning, Laura. And her alternate, Amy Ackerson.

MS. ACKERSON: Good morning.

MR. ROBERTS: Morning, Amy.

Representing proprietary institutions of higher education, we are joined by Jillian Klein.

MS. KLEIN: Morning.

MR. ROBERTS: And her alternate, David Cohen.

MR. COHEN: Good morning.

MR. ROBERTS: Good morning.

Representing public four-year institutions of higher education, we are joined by Jason Lorgan.

MR. LORGAN: Good morning.

MR. ROBERTS: Morning. And his alternate, Alyssa Dobson, who I believe has a voice and can say good morning as well but is still on the mend.

MS. DOBSON: Good morning. I mostly have my voice back.

MR. ROBERTS: Morning, Alyssa.

Representing public two-year institutions of higher education, we are joined by Jo Alice Blondin.

MS. BLONDIN: Hi, there.

MR. ROBERTS: Good morning. And her alternate, Michael Cioce.

MR. CIOCE: Good morning.

MR. ROBERTS: Good morning.

Representing state attorneys general, we are joined by Diana Hooley.

MS. HOOLEY: Present. Good morning.

MR. ROBERTS: Morning, Diana. And the alternate seat for state attorneys general is still vacant. Representing state officials, including state Higher Education officers, State Authorizing Agencies and State Regulators of Institutions of Higher Education, we

are joined by John Ware.

MR. WARE: Good morning.

MR. ROBERTS: Morning, John. and his
alternate, Rob Anderson.

MR. ANDERSON: Good morning.

MR. ROBERTS: Good morning.

Representing students or borrowers, including currently
enrolled borrowers or groups representing them, we are
joined by Jesse Morales.

MS. MORALES: Good morning.

MR. ROBERTS: Good morning, Jesse.
Welcome back. and her alternate, Emmett Blaney.

MR. BLANEY: Good morning.

MR. ROBERTS: And last but certainly
not least of our non-federal negotiators, we are joined
by representing U.S. service, military service members,
veterans or groups representing them, we are joined by
Barmak Nassirian.

MR. NASSIRIAN: Good morning.

MR. ROBERTS: Good morning, Barmak.
and his alternate, Ashlyne Haycock-Lohmann.

MS. HAYCOCK-LOHMANN: Good morning.

MR. ROBERTS: Good morning.

Representing the Department in the capacity as head
Federal negotiator, we are joined by Greg Martin.

MR. MARTIN: Good morning. Glad to be with you all.

MR. ROBERTS: Morning and welcome back. Greg, I'm going to turn it right over to you to introduce the rest of your team and give a brief process update before we begin discussion today.

MR. MARTIN: Oh, thanks very much, Brady. Good morning again. It's great to be with all of you. I'm very sorry about my absence yesterday. I was without power. And, though it has nothing to do with these proceedings, here's a shout out to all the men and women who work on the lines and restore power when it goes out. You don't realize, the civilizing influence of electricity until you don't have it. I just want to say, for anybody listening who have family members involved in that line of work, they're doing a great service for humanity there. This morning I'll first introduce our Federal team here, which would consist of our counsel for today, who will be Donna Mangold.

MS. MANGOLD: Good morning.

MR. MARTIN: She'll be with us. Hi, Donna. How are you doing?

MS. MANGOLD: Okay. Good morning to everyone.

MR. MARTIN: Our subject matter

expert who will be handling most of the discussion related to issues involving accreditation, that's Mr. Herman Bounds.

MR. BOUNDS: Good morning, everyone.

MR. MARTIN: Hello, Herman. Great to have you with us. Before we go back into our discussion about accreditation, I also want to thank my colleague David Musser for his participation and for what I'm told was an excellent session yesterday on return to Title IV funds. I'm sorry I didn't see it, but, again, my thanks to him for doing that. Today, before we get started. Yesterday, I know we had, again, I wasn't privy to it, but we did have a discussion of accreditation issues initially. Our initial as you know, we proceeded in a way that was a little bit different from what we did with the other papers. Some of that had to do with the fact that when we were discussing how to proceed with these, we realized that the accreditation proposal was somewhat larger and more detailed than the other ones were. We thought it might be in the interest of everybody listening to go over the paper, first and before going into the regulatory text. We understand that caused some level of confusion in that, we had done the other papers differently when we got to accreditation. We have considered how to move forward with that. I wanted to

tell you what we'll be doing today. We are going to move forward with the accreditation paper in the same, looking at it in the same way that we did the other issues throughout the previous days of this negotiation. Before we get into the paper; Herman will just do a very brief overview of what's in it. I know some of you that are varying levels of familiarity with accreditation, not so much around the table, but maybe people listening. What we want to do is for the benefit of everybody. Just lay it out there what the paper entails. That will be very brief. There'll be no questions or discussion during that. Herman's just going to run through it. Then following that, we are going to start at the beginning of the paper the way we did with all the other issues, and we will be going, topic by topic. , As we look at each topic, we will have the regulatory text put up and Herman will discuss the topic within the context of the red line regulatory text, and then open the floor for discussion the way we did with the previous topic. So, a little bit of a change from what we did yesterday. I do want to point out that I have a limited amount of time today. Our facilitators are going to be attentive to that and move us through the topics. This is not in any way an attempt to, circumvent discussion or prescribe anybody. We want to hear what everybody has to say. We want to

look at each topic fully, but we do want to cover all topics. We also have some questions for discussion in this issue paper where the Department did not provide draft regulatory text or red lines, but we want to discuss those anyway. In order to make sure that we have time to do that, we're going to have to limit, unfortunately, the amount of time we can spend on each topic. Understand that this is only the first round of negotiations. We have two more following this. So, there'll be an ample opportunity for every point in this paper to be discussed. Getting back to the earlier question of the Department won't be providing any additional material today. As far as remaining questions goes, are concerned rather, what we propose to do is to deal with any of that as we look at each individual topic. So, sort of going back to the format we used for, cash management, R2T4, etc. With that said, I will turn it over to Herman to begin just a brief overview of the document. Herman?

MR. BOUNDS: Alright. Okay. Yeah, I am off mute. So yeah, we're briefly just going to kind of go over the areas that we did discuss yesterday. And then I think we're going to go straight into the red text. I think we left off; we would be at the recognition process. As you know, if you have the issue paper up, if

you can scroll down to that section, we just proposed some major changes here. Our goal was to, streamline the recognition process, separate some things down, and then work on the timeline, a little bit there. But again, we'll get into the details there, when we get to the red text. The other section that we'd be looking at would then be we have a crosswalk there for, I think you can scan down a little bit. We have a crosswalk there that basically, where we have discussion in 602, and there may be a relative regulation that's relative to Title IV eligibility. We wanted to provide that information, so that an accrediting agency would kind of be aware of how some of the regulations in 602 really rely on some of the information that's in some of our eligibility regulations. Then the last thing here is part 604. I'm sorry. I'm going fast. The last thing here that we're going to talk about is 604. That was our attempt to take the regulatory criteria. Excuse me? Yeah, the criteria that was contained in a 1969 Federal Register notice, move that over into a regulation, and kind of update that criteria to better contain some of the requirements that we have for some of our other state agencies. So that's an attempt to move that over. With that said, that's kind of where we're left after that, after we get through all that, then we would go down to come back to the

discussion questions. I think that order is right, Greg. I guess now we're ready to go straight to the reg text and we can do that at this time. I think we go back up and start with the very first. I think it would be, what six, so, I mean, excuse me, representative of the public. We had a lot of discussion on this yesterday. We also said that we would take into consideration, maybe looking at, looking at timeline, the family member, requirements here and also, taking a look at affiliations. But again, I'll open it up for discussion. But I think we kind of covered this area well yesterday.

MR. ROBERTS: Yeah. Anything, new to add? Again, we did touch on a number of these topics yesterday, and we do ask those negotiators- reserve their new speaking time today to offer new points rather than previously made points or just support. You can always put that in the chat. There is a transcript captured of these negotiations. None of that is lost. But I'll turn to you first, Barmak. Go ahead.

MR. NASSIRIAN: Yeah. I just wanted to encourage the Department as it revises this language considering the conversation we've had here today, to also look at 602.15. I don't understand why we're so focused on specifically articulating the do's and don'ts of conflicts of interest for the few public members when

we don't pay much attention to the potential conflicts of interest by everybody else. There is current regulations 668, 602.15. It is very platitudinous and broad and unspecific. I would welcome a little more detail articulated there in the same spirit as the Department is attempting to prevent that outcomes for the public member nominees. Thanks.

MS. FAST: Thank you, Barmak. Looks like that note's being taken right now. Anything else new to offer on this section? Yeah, Jo?

MS. BLONDIN: I just wonder, can you put the text up one more time?

MR. ROBERTS: Would you mind? I think that was Dave that was sharing. Would you mind putting it back up again? Oh, Jo. Apologies. Thank you, Jo.

MS. BLONDIN: Thank you, Okay, Thank you.

MR. ROBERTS: Okay, I'm not seeing anything new on this topic. Thank you all. Greg and Herman, do you want to take us to the next section?

MR. BOUNDS: Yeah, it looks like the next section would be 602.10, I believe, Federal Link. I think likewise, we had some discussion here yesterday on this particular topic but we could open up that for discussion. Again, there are some significant changes

here. We did take some notes and some things that take into consideration.

MR. ROBERTS: Yeah. Thank you. We have a few hands. While we're waiting for that. Yeah. Great. Barmak. Go ahead.

MR. NASSIRIAN: We strongly support this language, and if anything, encourage the Department to consider fortifying it a bit. The Department has limited resources. It is not able to candidly carry out most of its regulatory requirements. Even now, the notion of having folks step forward and consume departmental resources for bragging rights or looking more official. If there isn't a significant Federal Link, I don't see the point of devoting resources to entities that do not really have much of a federal footprint. Thank you.

MR. ROBERTS: Thank you Barmak. I do want to say a special thank you to Carolyn for indicating support in the chat. Thank you, Carolyn. We'll go to Laura next.

DR. KING: I would like to point out again, the statutory language uses the word enable. If the recognition by the Department enables a program to take advantage of non-HEA funding, that's what's in the statute. That's also what's in the current regulation.

The requirement that the agency demonstrates that the program is currently taking advantage of that link is not what's in the statute. It's not what's in the regulatory language. If an agency were to lose recognition because a program was not currently taking advantage of that Federal link but the program then decides that it wants to take advantage of that Federal Link, the program would not be able to do so. This is a significant change, and I think that it's one that needs to be really reconciled with the statutory language, the terms enable.

MS. FAST: Thank you, Laura. DC, go ahead.

DR. PRINCE: Yeah. Can the Department provide some additional context on is there an abuse happening in the sector where this is causing problems in higher education? Is there some risk of losing institutions if we don't have this rule? Can you provide some specific examples or details, without naming names of agencies, exactly, how this is really going to help the sector be better or the Department be better at Governing higher education?

MR. BOUNDS: Well DC, so let me explain this. So currently, again, when an agency comes in for recognition, we look at what the agency tells us their federal link is. Currently, we have had agencies

that are coming up for renewal of recognition have cited a federal link. First thing, either we want to determine whether the link is valid. Does the link actually require accreditation by a programmatic agency or can that program receive some sort of grant funding based on its institutional accreditation? So that's the first part. Then the second part, yeah, we do want to see if the program again is participating. I know that may not answer your question. I wouldn't call it abuse. We have just been under current regulation; we have just been looking at agencies. We want to make sure that the link is valid and then that there's a program that participates. All I will say on that is that a petition for recognition in some cases, believe it or not, can exceed 30,000 pages of documentation. We're reviewing that much documentation and we have an agency, now hear me out, and we have an agency that accredits 200 programs, and not one of those programs is currently participating in their stated Federal Link, we just think that's an issue. Again, we understand what Laura has brought up, whether regulation talks about enabling but we also have, some language in the statute that says purpose of participation in HEA programs. But again, we're going to go back. We'll take this back, and we'll talk to our legal folks and we'll come up with some

amendments if needed. But that's about all I can say on this topic.

MR. ROBERTS: Thank you both. Carolyn. Go ahead.

MS. FAST: Yeah. I just wanted to mention that the statute requires recognition for agencies to be for the purpose of participation in programs under the Higher Education Act, or in other programs administered by the Department or other Federal agencies. This is a statutorily based suggestion and very much grounded in the language. Also it makes sort of a commonsense sort of proposal that the Department want to expand its resources on reviewing accreditors that actually accredit HEA programs. Otherwise, it seems like it's a real waste of time and effort by the Department.

MR. ROBERTS: Thank you, Carolyn. Greg and Herman, I don't see any new hands if we want to move to the next section.

MR. BOUNDS: Okay. Let me adjust my screen. Sorry folks, I got three different screens open here, so it takes me a minute to get back to.

MR. ROBERTS: Okay, I think we're at 660.13.

MR. BOUNDS: 602.13? Thank you, . We

didn't have a lot of discussion on this one yesterday. But we had a few comments. Again, we said we would also, take a look at those. But open to comments on 602.13. Again, I would say the thing that we did here when we brought this regulation back, we put in some benchmarks of what would be required to demonstrate wide acceptance, which was not there in the older version of the regulation. And I'll leave it open for discussion.

MR. ROBERTS: Couldn't find my unmute button. Any thoughts, consideration? Laura, go ahead.

DR. KING: While I can understand this for agencies that are going through initial recognition. So, two points, agencies that are going through initial recognition, I can understand needing to demonstrate being widely accepted. To me, for agencies going through re recognition, this seems like kind of a, I'm trying to think of a nicer word, but maybe a useless requirement. Any agency is going to be able to get these letters. It's just paperwork that we must do. It's a burden on whoever we're asking to do it. It doesn't seem like a very useful way to demonstrate acceptance of the agency. I mean, if the agency is accrediting programs in its profession, in my case, it is widely accepted. I don't think it needs to be demonstrated by three letters. So that's the first point. The second point is I don't

understand the difference between institutions or programs and educators. Because wouldn't those be the same constituency groups?

MR. BOUNDS: I'll ask other folks. I'll come back to that question, Laura. I'll let other folks if they have hands up and then I'll come back and answer that for you.

MR. ROBERTS: Anything else on 602.13? Yeah, Barmak?

MR. NASSIRIAN: This is more of a broad philosophical observation. Critics of accreditation believe that a history of lax recognition practices have allowed unqualified entities to gain recognition. We know this happened, right? ACICS did not land on Mars, it was here operating with full recognition from the United States Department. The fact that an entity is in, does not entitle it to continued participation regardless of whether it meets the requirements that are coterminous with its official recognition as a reliable authority. I understand this paperwork, but sometimes the inability to obtain paperwork reflects reality on the ground. I would strongly urge the Department not to assume that everybody who's in is already taken care of and doing really well. That has been the ethos, and the kind of historical practice that once you're in, it's hard to

kick you out unless we catch you red handed delinquent of duty with evidence piling up. But I think it makes perfect sense that it should be a rebuttable presumption that you need to meet all the criteria all the time.

MR. ROBERTS: Thank you, Barmak. DC, I saw your question in chat. I think that was my fault when introducing the issues in order. Is your question about going back through or is it about 13?

DR. PRINCE: Yeah, it's about 13.

MR. ROBERTS: Okay. Go ahead. We'll also go revisit 12 as well.

DR. PRINCE: The question I have is for the Department. First is, did you want to respond to those people first? Because mine's a slightly different issue, and I don't want us to go off topic if you got thoughts and I'm moving on to something else.

MR. BOUNDS: Yeah. I want to go back to Laura's question that she asked. When you look at (a), letters of support for the agency that have at least three accredited institutions or programs then educators. When we talk about letters from the institution itself, we're talking about someone representing an entire institution, university, president, or someone like that. When we talk about them from at least three educators, those are individuals.

Those are just three people who may be employed at the institution. So that's the difference between those two entities. The overall institutional authority, and then the rest of those could be individuals. Employers could be a major organization, it may be a head of one of those major institutions, that's the difference.

DR. KING: In programmatic terms then, institution or programs. So you're talking about somebody who would be representing the program itself?

MR. BOUNDS: It could be the dean of the School of Nursing , yeah.

MR. ROBERTS: Okay, thank you. DC we'll go back to you now.

DR. PRINCE: No problem. Thank you. The question I have is, again, this is my inclusionary versus exclusionary text as I had earlier on the other ones. I noticed I've gotten emails from other people about this as well. I've noticed that you didn't have anything about State Departments of education. Unless that's being defined by one of these other categories? I don't see that as a letter of support as widely accepted because then the exclusion of states means that they're not the exclusion of a particular group. I think, goes against the definition or the intent of having a widely accepted agency by excluding certain groups. What was

the Department's thoughts about some of the other entities that would need to provide letters, if this was to go through, of the letters for widely accepted support?

MR. BOUNDS: Yeah, I don't know if we thought about including states specifically in this. I mean, that's something we can go back and talk about. In states there are different authorities that oversee higher education versus K-12 education. It can be a complex system there. Aain, we can go back and look at that and see if we think that we would need to add some specifics about some sort of state authority there.

DR. PRINCE: Well, I think the idea that institutions or well, what about systems? Chancellors and presidents of the of the whole system, right? Where, for example, SACSCOC works in the South and there's several systems across that south. How does the system work? Do you consider them to be the institutional leader or not? T Wouldn't that be considered as a definition of the state?

MR. BOUNDS: It could be. I mean, they could also qualify as under the category of educators also. Again, I mean, DC, there are a lot of different, entities that we could consider. All I can tell you here is we could take your comments if you want to put those

comments in the chat from what you're getting from some of your constituencies, we'd be glad to take a look at those.

DR. PRINCE: Okay. Not a problem.

Thank you.

MR. ROBERTS: Thank you. Jamie, your hands up next, please.

MS. STUDLEY: We certainly respected that the Department needs to be assured of the quality and rigor of the agencies. For continuing agencies, getting three letters would be a very simple matter. This is not about that, it's about, there's much better evidence right now in the fact that, as one of my colleagues reminded us, for a recognized accreditor, the fact that institutions which now have the ability to change to other accreditors remain with an accreditor, is in part evidence that they believe that this is a process that provides the in- which they believe that the standards are accepted and is providing the thoughtful review that they are looking for. Ultimately, what I want to say is, I won't take the time to explain the Department's re recognition process, but the elements of that are well suited to provide a forum for determining whether an agency should continue to be recognized. The opportunity for public comment in many different forms at

early at the stage of NACIQI, and secretarial review, mean that both positive, but not just puff letters, negative concerns, distress about how an agency is operating are all included, reviewed, aired publicly. That's the vehicle for making the determination about whether an agency provides the rigorous review and is operating in the public interest in the way that it's expected. This is not a fight about three letters. We accreditors could easily do that. This is a question about the effectiveness of the Department's overall review process. Which is in other sections and if there are ways to improve that and make sure that it is sufficiently thorough, publicly aired. That is the place where weak accreditors have been identified and ultimately excluded from the system. And it is a far- and so I rise not to object to three letters. I could get them in ten minutes, but they wouldn't add to the understanding of the effectiveness.

MR. WEATHERS: Jamie, 30 seconds left.

MS. STUDLEY: The agency is doing.

Thanks.

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

MS. HOOLEY: Thank you. We just want to also echo the concern of, , the idea that the

accreditors need to continue to monitor compliance, not just at the initial accreditation stage, but as to the ongoing. I don't think that, really, I just want to frame that in the importance of why that's important. Right? In the same way that the Department is, I think, trying to ensure that the accreditors continue compliance of schools. It's just as important that the Department continue their oversight and ensure that accreditors remain in compliant throughout the time that they're recognized. It can't be overstated the importance that the accreditors role is supposed to play. They're the folks that are supposed to have some of the earliest insights into problems that are going on at the schools. In particular, where there's this talking about the quality of the education and ensuring that continues to be robust. We heard in public comment from students this week about, the computer programs we are using are outdated, the equipment is outdated. Those are valid concerns that are still ongoing. I just wanted to make sure that we're thinking about this in the context of, their role and the impact on students. Because at the end of the day, yes, the accreditation process, it allows Title IV funding, but it also provides a sort of badge of quality to consumers that, when they're trying to decide where to spend their money, that, you know, these rigors

that, are being, you know, that the accreditors are being held to rigorous standards. So thank you.

MR. ROBERTS: Alright. Thank you, Diana. DC, I have your hand up next.

DR. PRINCE: Thank you. Just two points. The first one is around this discussion of the letters. Do the letters that get submitted by these entities, if something was to happen to the in a scenario-based question, if you can answer that, if something was to happen to the agency, does something also happen on Department's perspective to the people who wrote the letters? If I give a support to a letter and I give, you know, if I give a letter of support to an agency and that agency does not do due diligence in what it's supposed to do. I wrote the letter and said they were, and then you find out that they were a bad actor, does something happened to me as the letter writer?

MR. BOUNDS: Yeah. We wouldn't have any purview into that at all. I'd refer that question to our legal counsel. But, yeah, we wouldn't have any purview to, do anything negatively to the writer of the letter. No.

DR. PRINCE: Okay. My second point is around the comments coming from my other negotiators, particularly the state attorneys' group and the consumer

and civil rights group. In the fact of this, as I understand their points, the letters are just written letters. There is no real role for these individuals to actually take up an assessment of due diligence before the letter is written. Why didn't the Department then require the people to write the letter to do some actual due diligence to write the letter? For example, is a department going to give me as a letter writer, a rubric to evaluate the agency in some way so that a letter can be written? Because the onset of what is being addressed here, or what I'm hearing is, that the letter is important. Then the person writing the letter has done no due diligence. They have not filled out any kind of conflict of interest. There's no requirement here for them to fill out a rubric that then says, hey, I did attend a Governance meeting and I did speak with the public member. They do meet the Department's new requirement of what a public member is. I did go and visit or sit on an accreditation visit. I did recognize that school they talked about who didn't have the right technology, was addressed. Right? There isn't anything for the letter writer to really participate. So how does that work?

MR. BOUNDS: I mean, you could make that observation from any third-party commenter that

may write in discussions with the accrediting agencies. All I would say on this whole topic is, the person who's writing a letter based on their perspective. If they're a university president, they're writing the letter based on their experience with the accreditation process of their institution. I definitely can't give you an answer on all those questions just asked. I would just say that the person is writing a letter based on their experiences with the agency of what they know about the agency. Everybody's not going to be an accreditation expert that writes these letters.

DR. PRINCE: I'm gonna get off the queue and come back in.

MR. ROBERTS: Thanks, DC. Barmak. I see your hand and I want to note your comment as well. Once I think we conclude this discussion, we can go back because I think I missed something but go right ahead.

MR. NASSIRIAN: I'm assuming that putting things in the chat is sort of like saying them so I'm not going to repeat what I said in the chat. I do want to address, DC is going to think I'm a groupie, but I think his points are really worth thinking about. You know, in many ways, those of us who have written recommendation letters, who have asked for recommendation letters, the only meaningful recommendation letter is a

negative. Everybody can find somebody to say something nice about them. This is why I don't. First, I do think it's important for the Department to put, maybe not a full investigatory burden on the parties writing the regs but making sure that it's not somebody who's unemployed cousin Vinny writing their reg. At least some measure of indication of what is your role. We, or are you the board chair of the entity that you're recommending as a reliable authority, for example? That's an important point. The other point I want to make is, DC's observations here indicate the importance of soliciting negative information about the agency's complaints. Information that should be acted on, that the Department currently has a process where the public has to have a two-year lead time before the agency comes up for review to submit information. The whole system is tilted in the direction of saying yes, as opposed to doing any meaningful, timely, substantive due diligence to catch things as they are happening. I just want to echo what DC said. DC I have bad news for you, not only do the people who write these letters face no consequence, guess what, the accreditors face no consequence when they're consistently wrong. There are entities represented at this table that are associated with accreditors who approved some of the schools that some of our witnesses

complained about. Those schools are fully accredited to this day and the accreditors are here. E This is not Jamie, I want to be clear, or Laura. I think it is important to pay attention to who's writing the letter and parallel with positive information being solicited constantly be on the lookout for adverse information that may be very meaningful. Thank you.

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

MS. STUDLEY: I agree with Barmak that it's fair to look at the process for public comment on re recognition reviews. Having served as chair of NACIQI, getting information that is fresh and in time to be able to evaluate it is much more important than three people speaking as to reputation. That's about as bad as the reputation element of the U.S. News rankings. That is not helpful. I want people to keep sight of who is responsible for the effective performance of accrediting agencies. It's the commissions of each agency for the operations, and rigorousness, and quality and consistency of the work of the agency, plus the Department in granting its recognition. The Commission is the group that we've been talking about when you talked about public members, but very briefly. Every agency has as esteemed thoughtful people as we can find to ask exactly

the questions that some of whom are represented here as negotiators. To carry out those responsibilities of saying, are we developing appropriate standards that will provide for student success and institutional effectiveness and sustainability? Have we applied those standards fairly and thoroughly? And are we looking at the outcomes for students in as contemporary and evolving way as we can, given the best available information we can make those important decisions? Let me tie this back to the discussion of public commissioners. The reason we have public commissioners is to round out that conversation to bring people who are not, in my case, deeply steeped in higher education. Who can tell us if the emperor is improperly or inadequately clothed to do the job. They are all sworn as fiduciaries for the operations of the agency. They are committed as public representatives and education institutional representatives to do the very best job they can. We are held to requirements to train them. The Department reviews the business that is conducted. They visit us and they watch us do an institutional review. They come to a commission meeting where we deal with hard cases and they say, are these people thorough, rigorous, legal? Have they excluded anybody who would have a conflict? Is that process perfect? It's as good as humans can make it and

it is better all the time. I think it's important to remember that where the real quality control happens is at the commission level for the quality of the decision making. The Department and the Commission operates appropriately. We are aligned with you and wanting to make those as good and strong as they can be.

MR. ROBERTS: Thank you, Jamie. I think DC, you'll be our last spoken comment on this. Of course, you can keep the dialog going in chat, but we do need to go back because I did miss something as you noted. But go ahead, DC.

DR. PRINCE: Actually, that was my question. How much more time are we allowed to this discussion before we move on? The other question I do have is, has the Department given thought to if it is insistent that they want letters of support. If those letters of support could be submitted during a renewal process that is not driven or conducted or asked of by the agency. Ultimately asked of the public by way of the Department as part of the application process where there is undue influence by the accredited agency itself? If that makes sense.

MR. BOUNDS: I mean, real quickly, I know we need to move on, DC, I think the process you're talking about, number one, we have the third party

comment process which we announce through Federal Register, which we get comments, that's part of the renewal process. Then we're asking for these letters of support under wide acceptance. I guess we're accomplishing what you're asking through that third party comment process because that's coming in with no influence of the agency. Those are just folks out in the public writing in telling us about their experiences with that agency. That's what's happening there. The only thing I'll say before we need to move on is that this is also important because many times we don't even, you know, we recognize 62 recognized accrediting organizations. We don't always get third party comments on those agencies. Many times, we don't get anything. So that's why we also think that this section is important, at least to get some letters, giving us indication of an agency's performance. That's all I want to say. Then we can move on to the next section.

MR. ROBERTS: Alright. Thank you all for that discussion. Actually, I think we're going to go back one section. I was following the issue paper ordering and not the reg text. Joe, if you wouldn't mind resharing your screen of the reg text on accreditation and scroll back up just a little bit. It's the section immediately preceding 602.12. Yeah, Expansion of Scope.

MR. BOUNDS: Yeah, Sorry about that.

MR. ROBERTS: No, that's my fault.

It's completely my fault.

MR. ROBERTS: Alright. I think we can close out the screenshare [inaudible] folks get a chance to read through and then entertain comments, questions, clarifications for the Department of the committee.

MS. FAST: Okay. Thank you. Anything on this section 602.12? Yeah, DC.

DR. PRINCE: I think this is also why I wanted to point out because in 602.12 of this section, roman numeral 2, it also asks for those three letters from an institution who would like or express interest in joining or part of this. Again, I think that must be different than what you're asking for below. I think it's the same comments of what people have said before. I'd just like to iterate that for me, the comments about 602.13. It would also apply to this 602.12 of roman numeral 2. Whether or not that could also be reviewed considering the discussion of 602.13.

MR. BOUNDS: Yeah DC, I just like to add, when we get further down in the regulatory requirement. You'll see in the recognition process, we moved this language from where it was in the recognition process because it was out of sync. When we're talking

about, expansions of scope, we have a section here that talks about expansion of scope. Then we had that language also in the recognition process. We kind of scooted it from there over to here. This is really not new language. I'll say it's transported language.

DR. PRINCE: But, would the transported language then have an impact of change based on our previous discussion or no? Is that what you're saying?

MR. BOUNDS: We're strictly here talking about an agency who wants to expand their scope, like expand what they do. We want to make sure is there a valid reason for that agency to come in to expand their scope? Do they have, what's the support for that? For instance, if a career and technical school now wants to offer bachelor's degrees, we want to see, okay, do you have support for that expansion. That's basically what we're asking here. That's what we want to find out.

MS. FAST: Gotcha. I think that would be the same context then. If you're going to ask for the agencies to have all these- if we go in that direction, then if someone's going to expand scope, why would you not have the inclusion of employers, educators, practitioners as well. Because you're in essence, doing the same process, whether you're expanding or trying to

become one. It's still the same constituency that you want if we agree to move forward in that direction.

MR. BOUNDS: Yeah. Again, we can take that into consideration. Here we were more concentrating on if, an institution who may want to take advantage of the expansion by adding a different degree program or something that they haven't done before. That's why we concentrated on the entities we have here. We could again, we could take back your recommendations.

MR. ROBERTS: That might be helpful just to note that in chat, DC, just the application of the same feedback. Barmak, go ahead.

MR. NASSIRIAN: One of the most obvious defects of our quality assurance regime in this country by the evidence of how many horrible programs have existed. I won't comment about the ones that continue to exist, but by the evidence of the billions of dollars of loan discharge, we know that lousy programs enjoyed accreditation and participated and in Title IV programs and victimized people. But one of the fundamental drivers of that horrible process is that we honor the rituals of accreditation in writing, but are oblivious to the fact that they are purely decorative and that accreditors actually don't do the things that they say their standards require. It's sort of like the North

Korean constitution when you read it. It's wonderful, it's democratic, it's lovely. It's just the one little detail they don't follow. It's really a different thing labeled as a people's democratic republic of whatever. In that spirit, I think we need a lot more specificity than just simply state the reason for the expansion of the scope. I want to see market research, some sort of data that indicates there is a need for this. More importantly, what is the likely expansion? What are we talking about? Is it just, two more programs or are you today and this is based on history. I won't name the recognized accreditor. Are you today an entity with a whopping budget of \$4 million a year, who's going to be accrediting entities whose General Council's budget is significantly larger than your entire budget? I want to see more specificity. Then on romanette 3, explain, whether the agency must expand its resources to support the expansion. If they say no, we're done? It's critical that we ensure that as people step forward there is a realistic understanding of what the additional resources are what their anticipated scope of accreditation will be. In terms of the volume of dollars at risk, not just Title IV dollars, but tuition dollars, VA dollars, DoD dollars. I would encourage the Department to contemplate a little more specificity on this and we will submit some

language on it. Thank you.

MR. ROBERTS: Thank you, Barmak.

Herman, I'm not seeing any new hands on 12. Do you want to move next to 602.18 and 20? It's a larger section, so we might need to walk through it.

MR. BOUNDS: Yeah, we can do that.

MR. ROBERTS: Great.

MR. BOUNDS: Let me get down there myself. Yeah. I don't know if you want to scroll down to where the actual, yeah, where at some of the. Yeah. So anyway, there are a lot of changes that we are proposing in this section. I'll just open it up for comment and then I kind of explain our reasoning after that. I think this section here- well, I'll do a brief- we consider this section under (c) as not being needed. Since this whole section is about consistency and decision making, we think you can accomplish the requirements in (c) here under (b), we think agencies have a flexibility to do this now, so we remove that. Then if you want to go down to (d) real quick I'll still open this up for discussion for folks. (d), We thought this would be better suited to be moved over under 602.20 which is, where enforcement of standards. We've also found in several agencies submissions of renewal petitions that there was some conflating between the requirements of (c) with our

extension for good cause requirements. I'll stop there and open up for discussion on both (c) and (d), because those are two pretty big sections.

MR. ROBERTS: Thank you. Anyone want to offer commentary or questions on (c) and (d)? Herman, I'm not seeing any immediate hands. Do you want to take the time and walk through the entirety of the section, and then we can just kind of open it up?

MR. BOUNDS: Sure.

MR. ROBERTS: Oh. We do have Jillian's hand. Sorry, I spoke too soon. Go ahead, Jillian.

MS. KLEIN: Yeah, sorry. Hopefully an easy question. Herman, I think you just said that you guys are striking (c) because you feel like it's handled in (b). I remember from 2019 that we spent a significant amount of time on the phrase to include, innovative program delivery approaches when we wrote (c). Having just reviewed it, I'm just curious if you can specifically point to how sort of, an allowance for innovation is handled in the current (b)? If you can just clarify that for me.

MR. BOUNDS: Yeah. Because if you look at (1) where it says has written specifications of the requirements for accreditation and pre accreditation that include clear standards for an institutional program to

be accredited. We think there's room there. I mean, agencies have the power to develop, their own standards. Basically, they must have the ones in 602.16 (a)(1) romanette 1-10. They must have those. If they wanted to start a new program, there's nothing here that would prevent them from doing that. If they wanted to start a new program in environmental science or something different where they wanted to do that, they could, a program or an institution could start that program, and the AG could evaluate whether they needed a new set of standards to evaluate that new program. We just thought that it could be covered under (b). That's why we struck it from (c), and this kind of gives the agency, the ability to kind of create those standards as they see needed. So, again, that's just our thought. If others have different thoughts, again, this is something that we could take back and talk about too.

MS. KLEIN: Thanks.

MS. FAST: Thank you. Alright. Herman, if it's okay, do you want to walk through the remainder of those sections? Then we can open it up.

MR. BOUNDS: Yeah, yeah, we can do that. Yeah. So we're dropping down through 20, enforcement of standards. T We talked about this briefly yesterday, and we got some comments here. This is where

we wanted to convert back for noncompliance issues other than student achievement. We wanted to go back to the slightly more restrictive timelines of the 12 months, depending on the longest length of the program 18 months depending on the length of the program and the two years. Right? Then we have a carve out for student achievement. Again, I know we talked about this yesterday, folks had several comments. We said we would look at some of those. But again, I'll open that up for if anybody has some other comments they want to make, we're happy to entertain those.

MR. ROBERTS: Alright. DC, go ahead.

DR. PRINCE: Thanks. I think this was my question from yesterday that we said we hold off because it wasn't a goal question, but a process question. Particularly around the aspect of the student achievement. When I asked about this, it was, why is this one focused on student achievement? It may be because I don't see all the other rings around financial mismanagement or other forms of standards that need to be put into compliance wise to an achievement being pulled out as that. Is the assumption that students everything else is in the standard is student achievement, because that's what the business of education is. I was just trying to understand, why not the other aspects of why

institutions are failing compared to student achievement?

MR. BOUNDS: Yeah. I hope I can explain this and answer your question. Remember, agencies have to have standards, and if you look at again 602.16(a)(1) and you go to A10, there's ten categories there that we say an agency must be in compliance with. Compliance with student achievement is the first one. Then you go to, there's one fiscal administrative capacity, there's recruiting, there's all those things. So here we've carved out, we said, some of the noncompliance issues related to those things we think may be able to be handled as they were in the old regulations. Meaning, they could probably be handled based on those old timelines. You get two years to come into compliance once the agency makes its decision. That doesn't include the time that the agency is conducting their investigation of the program to ensure that there is, in fact, a noncompliance issue. Maybe based on a site visit report or some information that they received. That's what we're talking about there. Of those standard requirements, and keep in mind agencies can have other standards that they have within their policies and procedures. Of those, we're saying, though, however, we understand for issues related to student achievement, it may take longer for a program to come back into

compliance with student achievement issues. I think I talked yesterday about, number one, an agency would have to then determine or the institution itself would have to determine, so what is the root cause of this problem? Then they would have to then put in a corrective action, and they would have to see if that corrective action was effective. We think that takes some a little additional time. So that's the reason for the carve-out for student achievement. Anyway, I hope that answers your question.

MS. FAST: Sure. So, just to clarify for the layman terms, all the other standards have the normal standard way of addressing noncompliance in their timely fashion, and you are specifically carving out for student achievement, a little additional extra time.

MR. BOUNDS: Right. That's what we're doing. Yeah, that's exactly what we're doing.

DR. PRINCE: Just making sure I understand moving forward. The aspect of my question is, too much variation in this standard just because we of student achievement versus everything else with noncompliance. Or is it we really should be talking about noncompliance overall as an institution and not carving out, which is the antithesis of what you're saying, not carving out particularly around student achievement. All noncompliance that happens within an organization and

reviewing that process or those timelines to a stricter timeline than what you're giving here?

MR. BOUNDS: I think, like I just said before we looked at issues of noncompliance based on our standards requirements. Of course, again, the agency can have their own additional standards. We're just saying that, based on our past reviews and those things, for things other than student achievement. We think that the old timelines were adequate, meaning that if the longest program at the institution is two years, then you get two years to demonstrate compliance. If you don't come into compliance within those two years, then the agencies have an opportunity to award an extension for good cause for that institution or program. We don't regulate how long that period of extension for good cause could be. If an agency has a benchmark of an 80% graduation rate when they were reviewed, they were at 60. Within that, timeframe they have now, they're not 80, but they're 79. They have ability then to say they've made significant progress, and they want to offer that institution and extensive root cause to reach that goal. Again, this is our discussion at the Department based on, our experience and reviewing other agencies. This is why we carved a little bit separate out for student achievement. We think some of those other things can be

handled within those old timelines. So that's about, yeah.

DR. PRINCE: No worries. I think we would provide language looking at not taking student achievement specifically but looking at all of noncompliance and shortening that timeframe for institutions rather than extending it or taking out, because we assume that on student achievement alone, it takes longer to do that. We might be putting in assumptions about how to change or thinking about student learning in a way that takes longer to make a payment, or whatever the case may be. We want institutions to stay in compliance, and so maybe it's more so shorten the timeframe rather than putting it longer. And so there will be language coming about maybe making it [30 seconds] longer.

MR. BOUNDS: Yeah. Look, there's no problem. That's why we're here discussing this issue. We're happy to take back any comments or any information that you must help with this area. We're definitely not closing anybody out here.

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

MS. STUDLEY: Judgment and variation are inherent in accreditation, and decisions are made on

the specific facts of the institution that the Commission is looking at. For example, if there are deficiencies or noncompliance that is found that relates to quality of student program or any of the kinds of things that Barmak has reminded us of. Then the consequences and the action would happen on the very shortest possible timeframe, consistent with providing due process to allow the institution to respond to the concerns found by the team or the Commission. There are, on the other hand, institutions that are out of compliance with requirements that do not threaten those issues. Where it appears in the best judgment of a responsible commission, that allowing them time to determine the appropriate amount of time that they should come into compliance. A board that does not have the full diversity of skill sets that you'd like them to have or that hasn't been trained in strategic planning. Somebody's not on mute, I think- we might allow more room, for those matters of noncompliance to be corrected or to develop improved systems of carrying out their commitment to shared governance. Yes, we have institutions that are not as financially healthy as our standards expect, but that are working on appropriate measures to assure that the mother church's backing is fully recorded in a reliable and formal way. That they are on a trajectory that seems positive to

allow them time. We make those judgments all the time. Many agencies did not take advantage of the extended period that was allowed under the old regs. We think we can work within this. Although people point out that the change of regs hat carries a burden and must be managed. We ask people to do it thoughtfully. But, we don't object to rethinking what the appropriate authority is for agencies to have [30 seconds] be interested in evidence of extended periods. Because the agencies I've spoken to have not felt that their periods were unduly extended, so we'd like if there's guidance or thought. Finally, I just want to drop in one very specific item. The word immediate is undefined, unclear, and we initiate adverse action as soon as we identify noncompliance. We think that adds the possibility of confusion, without being helpful.

MR. ROBERTS: Thank you, Jamie.

Jillian, I see your hand up next.

MS. KLEIN: Yeah, I think I had a similar question to Jamie's comment, which maybe this is for Donna, but I'm just curious if there's somewhere else that I'm not immediately seeing it. Where sort of due process for the institution is handled in here? I mean, I think part of what was deleted in (a) sort of speaks to that. Certainly I'm in favor of taking swift action and

consumer protections, but also, just curious what's happening to like a notice process for institutions and opportunity to respond. I don't know if that's somewhere else in here and I'm not seeing it or if the Department has thoughts in general on that.

MS. MANGOLD: [Inaudible] Do you want to handle that?

MR. BOUNDS: Sorry, I was on mute.
[Inaudible] Due processes is in 602.25.

MS. KLEIN: I'll look and hop back in if I have another question. Thanks.

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

MS. LINDEN: Just a question. I appreciate Herman's comments on the Department's perspective that the flexibility to support innovation is already covered in (b) (1). I guess I just want to ask, are the accreditors feeling like that language gives them sufficient flexibility if (c) is removed? Just a question about interpretation. I appreciate, Herman, where you're saying if there's other administrators who in the Department who would feel the same way in terms of that flexibility. Thank you.

MR. ROBERTS: Thank you. Oh, yeah, Greg, go ahead.

MR. MARTIN: Oh, yes. Just one point of order. Whenever placing anything into the chat, if you're referencing a regulation, we would appreciate if you include the entire regulation, not just the subparagraphs. Because, that way when we go back to look at these- right now, we know what you're talking about, but a week from now, it will really help if we had the entire regulation. So just conform to that convention if you would. Thank you very much.

MR. ROBERTS: Thanks, Greg. It's a good clarification. The transcript has timestamps, but it doesn't necessarily capture the full context of when the comment was made. So as much detail as you can put in there is helpful. Anyone else? Jillian, are you still looking at the regs or do you want to speak to the section?

MS. KLEIN: No, I think I'm good. Helpful. If what I'm understanding is that 602.25 would apply back to this section that talks about immediately initiating actions and sort of timeline expectations for institutions. So, thanks for the clarification.

MR. ROBERTS: Okay. Well, Herman, I'm not seeing any new hands. Do you want to continue walking through the reg text?

MR. BOUNDS: Yes, sir. Sounds good. I

think we're down to H in this section. Or did I skip something?

MR. ROBERTS: No, I think you're good.

MR. BOUNDS: Yeah, we're good at (h).

Okay, so this is language, the section that we pulled let me get my numbers right, 602.18, I think it was. Sorry, folks. Yeah, and we moved it under enforcement of standards. Yeah, so we moved it from 602.18(d) and we moved it here. So, I'm interested in hearing your comments here and any discussion on the timeline for national disasters, and, open if we need to add anything else here. So, I'll open for your discussion.

MR. ROBERTS: Alright. Thank you. Any thoughts, suggestions for additions, reflections? Yeah, Carolyn.

MS. FAST: We're concerned that in certain situations, accrediting agencies have let problems go on for years and even, in some egregious cases, for as much as a decade after problems have been identified at a school. Ffor that reason, we're concerned that the Department is proposing to retain a three-year or longer for a good cause extension timeframe for institutions who can remain out of compliance with accrediting standards. While we support the Department restoring pre-2020 timeframes for enforcement, we're

concerned that the timeframe for student achievement provisions could continue to allow accreditors to drag their feet in addressing these very significant concerns. We'd like to get a better sense from the Department of how the three-year timeframe would apply to separate enforcement timeframes. Does the Department propose to allow three years, followed by up to two years for a non-student achievement matter or four years? Or does the Department propose for the three-year period to fall within those timeframes? This is a concern because if it's the former, it seems like that would be seven years' worth of students who would continue to enroll in a school that is already known to be out of compliance with accreditor standards, and this would be really a problem for students. We're also concerned that the overall timeframe is much, too long, and we would propose to shorten the timeframe to a one-year in each to a one-year timeframe. We're going to be submitting language about that if we haven't already. I guess that would be essentially my questions and concerns. We know that there is a significant problem with institutions being out of compliance for many years. This is a problem because it directly harms students and taxpayers.

MR. BOUNDS: Brady, can I address her question? But yeah, because they were quite extensive,

and I don't want to lose my train of thought. If you remember, (h) is only related to specific circumstances. It's only related to when there's a - national disasters. It's specifically related to those things that we have listed there. You have to look at that separately from the enforcement timelines that we talked about earlier. We also talked about earlier that an agency and I'll have to scroll up to find the exact language, but it also talks about, if the program does not bring itself into compliance, the agency may award that institutional program and extension for good cause. Those provisions are totally separate from this one. So, you're still looking at what we're proposing, anything less than student achievement, anything other than student achievement, we're still recommending the one year, depending on the length of the program. Then the extension for good cause would fall in y, if the agency thinks the institution or the program has made significant progress, they could award that extension for good cause based on the agency's commission and what they think about the particular instances of the program. Again, I just want to reiterate that this provision here, (h) is solely for- it's solely related to these special circumstances. That's why I was saying before, if folks think we need to increase this list or discussion on if

three years is not long enough. I think that we talked about that a little bit yesterday. That's the only reason I'm reiterating it. I just want to make that clarification.

MS. FAST: Thank you. That's very helpful. But just to be clear, that means that this would be three years in addition to the existing period, up to seven years before a school would be required to-

MR. BOUNDS: No, no, not at all. If there was no special circumstance, meaning if the institution is noncompliant because of a- I'll just use the first one, natural disaster or catastrophic event, this allowance is separate from any of the other reasons for noncompliance. This only comes into effect when we're talking about these specific things. That's why we tried to move it here because that's what was happening previously when it was over in the other section, agencies were kind of conflating the purpose of this particular provision. This is only related to an institution where these things may be happening. Does not add on to the additional time, for say, an institution or program being noncompliant for student achievement. They still must meet our regulatory language that we have put in here. This would not even be effective in that case. This doesn't add on to any noncompliant time. I

hope I made that clear.

MR. ROBERTS: Okay. Thank you. Any other thoughts or comments on this section? If not, Herman, do we want to re-share the reg text and go on to the next section?

MR. BOUNDS: Yes, sir. Sounds good. I know I don't have to remind her, but my colleague Donna Mangold, just jump in any time you want to. If I miss your hand, I am going to apologize. I think we're down to-.

MR. ROBERTS: Yep, we're looking at 602.22, Substantive changes in other reporting requirements.

MR. BOUNDS: Yes. I'm sure we're going to have discussion here. Again, we talked about this whole section a little bit yesterday. I don't think I need to provide an overview. I guess we'll go with each strike here individuals look like we're going to- yeah, so let's start. We put (b), I think is where we have the first major change and some of these involve some of our eligibility regulations, here I will ask if there are any questions specifically about that. This is in Donna's realm or wheelhouse. So, if you have anything specific about these regulations, I will ask Donna to explain those.

MR. ROBERTS: Yeah, we can start there. Oh, Donna, did you want to say something? I'm sorry, I didn't mean to cut you off.

MS. MANGOLD: No.

MR. ROBERTS: Okay. Any feedback on (b)? Yeah, Jo, go ahead.

MS. BLONDIN: Yes. Just a quick question for Herman and Donna - under (e) the addition of where it's struck out, graduate programs by an institution. Now it says any non-degree or degree-granting program at a level not previously offered by the institution. So non-degree if we were to offer some kind of certification program?

MR. BOUNDS: Yeah.

MS. BLONDIN: Go ahead, Herman, sorry.

MR. BOUNDS: I'm sorry. Yeah, I mean, if, say you're a career technical institution and you offered, welding, automotive and then you wanted to add a carpentry program. If that wasn't there when you were first accredited, then yeah, we would say that would be a substantive change that you would need to get approved. Now remember, for sub change, I just want to make it clear, everybody, we don't tell an agency what that review process needs to be. We don't say you have to go down and do a site visit or anything like that. We

just say the agency must approve it.

MS. BLONDIN: Just as a follow up then to that, so I guess my question, maybe I wasn't clear.

MR. BOUNDS: Okay.

MS. BLONDIN: When we're talking about noncredit programs, which are of course a big wave, and not just a trend, but an important part of workforce education, we're talking about that as part of the substantive change process?

MR. BOUNDS: Right. If you're talking about (d), where it says the addition of any non-degree or degree-granting program, yeah, right.

MS. BLONDIN: At a level not previously offered.

MR. BOUNDS: At a level not- yeah, at a level not previously offered. I'm sorry. Yeah, that's correct.

MS. BLONDIN: Okay. I may have a follow-up. Thank you.

MR. BOUNDS: Okay.

MR. ROBERTS: Thank you both. Jillian, we'll go to you next.

MS. KLEIN: Yeah. Just some clarification on the distance ed portion, of course. One just point of clarification. What I'm reading, so

existing (c), an institution if they're planning to offer distance ed for the first time, that would be considered a substantive change because it would be a different method of delivery. Then under (d), they would go through the subchange process again when they are offering more than 50% via distance education. I just want to make sure I'm understanding that correctly. Is that correct?

MR. BOUNDS: Yeah. Let me look.

Yeah, under (c) there were really no changes there. It's the addition of programs that represent- [interposing]

MS. KLEIN: Just to clarify that (c) handles like I'm an institution that's never offered distance education. Now I'm going to offer distance education. So (c) would trigger a subchange, then a similar subchange would get triggered again when I have more than 50% of my-

MR. BOUNDS: That's correct. And really, I want to go back to the previous question when I made the example of offering a new program that would fall under (c), instead of, I think, the question that Jo answered, I just want to make sure I made it correct. Yeah, so basically, an institution that has been approved to offer distance. If that first approval of distance at the program, there was less than 50% of this

is being offered, once you then reach that 50% threshold, there would need to be another review of that institution. Now, if that first approval, you were already over if the institution was already over 50%, meaning they were offering a program 100%, then they would not be effective at, all in that situation. Again, I'll let my colleague come on if she wants to add.

MR. ROBERTS: Donna, I see your hand is raised. Go ahead.

MS. MANGOLD: Yeah. I just want to cross-reference that this relates to 34 CFR 668.8(m), which deals with the eligibility aspects of it. You may just want to also take a look at that provision.

MS. KLEIN: Okay. Thanks. Then so on the new (d) because I think we've talked about this a bit throughout the week in terms of just what we're talking about in terms of distance and programs, since we know many institutions offer like a hybrid course or program. I'm curious and also just might be helpful as a cleanup to language to be clear about if you're talking about like how hybrid courses or programs, for example, are handled. Is this talking about just courses or programs that are offered 100% online? If you're offering a hybrid course or a program where part of your course is online and part is on ground, how does that trip this or

not? I just think there's some lack of clarity in here that would maybe make it more useful for institutions and accreditors. I don't know that I have a perspective either way, but I think just as we've been talking about throughout this week, I think it's important to account for sort of the variety of different ways that distance ed gets infused through programs and institutions now.

MS. MANGOLD: And we can take that back and talk to our colleagues like Dave Musser and others, on how we might be able to clarify it better.

MS. KLEIN: Okay, thanks.

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

DR. PRINCE: Between these two documents. Question is I'm getting this question too. Is the Department also open to the- changing the percentage of the threshold?

MR. BOUNDS: I think we would be willing to entertain. I think Donna made a good point. Since this also, really involves eligibility, I think we would all have to go back and take a look at that. But sure, I don't think we would be unwilling to look at anything. But, as Donna said, I think our legal folks, Dave over in FSA, Greg, we'd all have to come back and take a look at it. But yeah, I don't see why we wouldn't entertain some additional thoughts.

DR. PRINCE: Has the Department had a discussion recently to get to this point around whether or not they have an interest in moving that threshold up or down. Knowing that what we've been through with Covid and everything else, and now the new space to be online hybrid and all the other questions. Has there been internal discussions where the Department would rather see things up or down? The percentage go up or down.

MR. BOUNDS: Well, I don't know about that, but I can tell you our whole reasoning for putting in this percentage is we just think that, if an institution had been offering, say, distance at a, you know, 10, you know, 5, 10, 20% level when you reach that 50% threshold, that really, we think deserves a new look. I mean, that's a significant increase. So that was really our reasoning or thinking behind even putting these requirements in the first place. So, yeah, there was considerable consideration in coming up with the 50% number. Is there room for some other discussion? I will just answer your question, overall, I would just say yes.

DR. PRINCE: Thank you.

MR. ROBERTS: Alright. Thank you.

Jamie, go ahead.

MS. STUDLEY: A few different points.
I'd like to draw in so I won't repeat the comments I made

yesterday about the 25% of content, which, depending on how it was interpreted by the Department and what its meaning is. Strikes me as risking being a break on course improvement and updating the kind of updating that's exactly what we expect to be sure that the program content is useful, relevant, effective for reaching the learning outcomes. Second, I will say we are looking hard at this one because it's got a lot of different ramifications. It can affect things like the distance definition, relates to lots of other sections, and in trying to shift toward looking at outcomes and understanding whether students are really learning and what part modality might play. There are many places where the Department is making changes, and we want to think about how to do this so that it's not an unreasonable constraint or a technical activity when the focus really should be on our students learning from the programs however delivered and in whatever combination. A very important point relates to visits. Going back to requiring visits to every additional location. Setting reasonable schedules is something that we are happy to do, but it sounds as though this does not allow if a reasonable schedule is not during the remaining cycle of this institutions accreditation would not be allowed. That's contrary to the Department's other good ideas

about risk-based allocation of resources. Just like you don't want to waste your time doing things that don't matter or don't add, there are situations in which visiting one of many locations, when we have the information that's specifically described. Are there any concerns from students about things not being delivered there? Is there faculty that is providing the program? There are lots of things that are mentioned in these regs, like are you capable of doing strategic planning that do not require a site visit? We've all learned a lot about what we can do effectively as we are today, without travel. We request that we rethink whether it's necessary to do visits every single time. Finally, item (b), small B, simple reference, about the additional requirement to report to the Secretary when certain subchanges are approved, and [30 seconds] an accreditor would take into account the status noncompliance concerns basis for a probation or other consideration. We don't think we're uncertain whether there would be value added by this additional reporting requirement.

MR. ROBERTS: Thank you all. A couple hands. Jillian, go ahead.

MS. KLEIN: Sorry, it's a super big section, so I'm just kind of working through as I go.

MR. ROBERTS: I was going to say, if

folks do have other questions about the section, we're kind of going down, so feel free to queue if you have additional questions about this.

MS. KLEIN: Yeah, I think not dissimilar from Jamie's comment. I'll try not to be duplicative, and maybe the Department talked about this yesterday, so apologies. But in terms of the rationale on (i) about the 25% more the content of the program and I care deeply about making sure that there are protections for students who are entering into programs where, part or all is delivered via a written arrangement, which I know is handled later, but just trying to understand, just more clarity on what the Department's getting to. I think, I'll share. We have had an experience with an accreditor where we've been reporting this type of information already. I don't know if this is lifted from a different section, but, where I think there's just been confusion about the value of this reporting to institutions or to accreditors in a way that's meaningful to accreditors, helpful for institutions, that doesn't take up sort of everybody's time on something that sometimes has proven to be low risk. So anyway, I just want to better understand what the Department is trying to get at here and then try and think about if there's a more efficient way, we can get at whatever the spirit is

behind what you're trying to accomplish so that we can be efficient with people's times, too. Hopefully that made sense. Thanks.

MR. BOUNDS: Yeah. You know, all of these came about, based on internal thought and internal conversations. I want to make it clear that there were a bunch of folk's kind of looking at these things when we put these into place. Again, we just thought that the 25% change in the clock-hour program, could be significant. If it's a program that, you know, has maybe licensure involved or something-

MS. KLEIN: Sorry, I'm asking about the next one. I'm sorry to cut you off, Herman. I'm asking about the next one, about (i).

MR. BOUNDS: About (i), so the change in-

MS. KLEIN: The content, yeah. Not the credit hour.

MR. BOUNDS: Same analogy. We just thought that the 25% or more of the change of content was significant. And wanted the agency to be able to look at that. Again, you know, we don't tell agencies what their sub change reviews must be. They can be a paper review based on their experience. Some agents may have come back and said, no, this we don't like this. We just

thought that it was important for the agency to be able to look at that and evaluate that. That's really the best answer that I can give you. Again, we're open to hearing other discussions about that percentage or whether, folks out there think that's important. But, that was our reasoning behind both of those, (g) and (i).

MS. KLEIN: Okay. Thanks. I may come back with, I don't know, ideas or whatever related to this, just in the spirit of making this a more useful process, I think, for everybody involved and making sure that things like, you know, making changes to your program because a specialized accreditor required something or something like that is not going to sort of hold up a process as an institution as moving forward with their program. Thanks. Appreciate it.

MR. ROBERTS: Alright. Thank you both. Barmak, go ahead.

MR. NASSIRIAN: I just want to understand, operationally, what recourse the Department has if it turns out that an accreditor is actually not doing what this regulation requires them to do? For example, because Jillian was on (i) on that page, I'll look at (l) which requires an evaluation and verification of the following academic control. This is in case of additional physical locations. Academic

control is clearly identified, the institution has adequate faculty facilities, resources. The institution is financially stable. What happens if an accreditor approves a substantive change when it either did not verify any of this or worse yet, approved it knowing that the institution is not financially stable. Knowing in real-time in a manner that is known not only to it, but to the public and to the Department? If the accreditor approves the change, is the only recourse the Department has at that point is the recognition process and the renewal process, or is there something you can do in real-time to catch that accreditor and say, wait a second, in approving this, you're out of compliance?

MR. BOUNDS: Yeah. So let me give you a long, short answer to try to encompass our review. Under current regulations, if you look under, 34 CFR 602.33, that regulation allows us to review an accrediting agency at any time during the recognition period based on information that we might receive. So that's our mechanism for reviewing an agency and bringing the agency in for a specific issue that has been brought to our attention. We currently use about five or six methods to gain additional information. I won't go into all those here. So that allows for that. Then during the normal petition for recognition, of course, you all know

that an agency must provide information and documentation to demonstrate the application of, these policies. Between those two processes, if we found out again that an agency had not accomplished one of these sub changes, then of course, the NACIQI process it goes through the agency can be, found noncompliant by the senior Department official based on our review. Then the agency can also have to then submit a compliance report depending on the severity of the issue.

MR. NASSIRIAN: Just for point of information, have you had any such action taken since information coming in prior to a renewal process?

MR. BOUNDS: Absolutely, numerous occasions.

MR. NASSIRIAN: Thank you.

MR. ROBERTS: Jamie, do you want to just make a note of your comment? We might be able to address it right now. Sorry. Putting you on the spot. You're muted right now by the way. I might have set you up for that.

MS. STUDLEY: My editing comment or something else?

MR. ROBERTS: Yeah, the editing comment. Because if you're correct, we can just make note of that right now.

MS. STUDLEY: Right. My numbering is not the same as yours, but my editing language is, I see a section, lowercase (d), the agency may determine the procedures to grant approval, and then I see it jump to (f) in the way that it's redlined. Is that something- was mine inappropriately- was that a slip on my part, or do other people have the same thing where it leaps from a (d) to an (f)?

MS. BLONDIN: Yes.

MS. STUDLEY: Other people have that ?

UNKNOWN MALE: Yes.

MR. BOUNDS: Okay. We'll make a note of that.

MS. STUDLEY: Thanks. I wouldn't have bothered to raise it, except that we were referring to things by sections

MR. ROBERTS: No, I appreciate it.

MS. STUDLEY: Thanks.

MR. ROBERTS: Were there any other comments or additional feedback for the Department on 602.20?

MR. BOUNDS: Can we put up in the page where Jamie is, so I think there's other folks that might want to see it looks like bottom of page 26, I think, just so everybody can see where she's referring to. Yeah.

Go back, there it is . Okay. I just want everybody to be able to see it. Alright, sir, that's it. We can go back where we were.

MR. ROBERTS: Great. Thank you. Any additional comments? Yeah, Jillian. Go ahead.

MS. KLEIN: Sorry. I said this yesterday, so sorry, I'll say it's super short and I can put in the chat too, but I think on the section about deleting agency staff approvals just in general. Just would love to figure out if there's a happy medium there where, if there's anything that we can think about that would make sense from an agency staff approval perspective instead of just deleting the whole section, I think many of us around the table felt like that was largely, potentially a good move. But I also appreciate that there may be some need to rein that in a little bit. So, just wanted to highlight that. I know I said it yesterday too. Thanks.

MR. ROBERTS: Okay. Thank you. Jillian. Herman, I think we can turn it back over to you and your team if you're ready to keep going.

MR. BOUNDS: I am. Okay, so where are we next? Are we down to 23?

MR. ROBERTS: I believe so. That's what I have on my screen as well. That's what I think is

being shared, yeah.

MR. BOUNDS: Okay. And what time do we have now? 11:45?

MR. ROBERTS: I have a quarter to noon. if we want to begin the discussion now and then if folks have their hands up, we can just take a note of the queue and just pick things right back up once we return, if that's alright with you and everyone else.

MR. BOUNDS: Yeah. That's good. That's good with me. And I know we went through 602.22 quick. So, if any other thoughts come up, you guys can drop those in I know that was a huge section. So, but we are at (c) basically where we're talking about our complaint processes and the changes, we made here to kind of help determine what timely, fair, and equitable means. I will open this up again for discussion.

MR. ROBERTS: Alright. Thank you. Any comments, questions, feedback on section (c), accrediting agency must, the proposed reg text? Yeah, DC, go ahead.

DR. PRINCE: On this one, the question I have is you state clear timelines. But in other regulations, you give, calendar days or business days. Is the Department open to redefining clear timelines to stipulating the days, like 30 business days, 45 calendar days? Whatever the case may be to really be clear, so

that there is no ambiguity or interpretation based on whoever is in charge of agency of what a clear timeline is?

MR. BOUNDS: I mean, we can certainly consider that. We just use the language clear timeline. Since again, I've always said there's, 62 different accrediting organizations and how they handle complaints or kind of structured differently. Some agencies, it's the commission that makes the decisions. Some folks have some additional subcommittees of the commission. They may have another group or entity in the organization that takes care of these complaints. We didn't want to prescribe a time here. We just said that whatever that time is, we wanted the agency to make sure that those timelines were clearly published and since complaint processes can take so many different routes from start to end. But again, if folks have other ideas, we're willing to kind of look at those.

DR. PRINCE: My follow-up to that is, I'm reading the red text, but I'm also reading the black text to just remind me. There was a question around reporting of complaints and dashboarding of complaints. Is that already a requirement of agencies to do as they get these ? Because I don't see that clearly stated in the new regulatory text. Am I overlooking something?

MR. BOUNDS: Yeah, there are no reporting. Reporting requirements now are covered either under, excuse me, 34 CFR 602.26, 27. There are some reporting in 28. We don't require agencies to report the number of complaints that they receive or that they process. So that has never been a requirement.

DR. PRINCE: Is the agency open? Well, that's a yes. But has the agency had discussions with accrediting bodies about the capacity and ability to do such a thing, if the agency, Department agency would require such a reporting mechanism to be in place?

MR. BOUNDS: T That could be a massive amount of information. Agencies may receive complaints that are, that are not valid or dismissed. Yeah, we haven't considered asking the agency to report complaints.

DR. PRINCE: Does the does the Department believe that in true transparency and for public confidence to increase around the need of the role of what agencies play in our system, That having a reporting structure in place like this would improve public confidence and/or provide greater information to a number of different stakeholders around. Kknowing how many complaints have been and how they've handled those complaints, whether they've dismissed it on immediate

email or done an investigation, dismissed it, whatever the case may be?

MR. BOUNDS: That would be something we have to take back and consider. But we haven't considered agencies reporting complaints.

DR. PRINCE: Thank you.

MR. BOUNDS: W When an agency comes up for renewal of recognition, we do discuss the number of complaints that we have maybe received from individuals who, may have filed a complaint against the agency itself. We haven't considered that part of it at all.

MR. ROBERTS: Alright. Thank you both. I think we'll have time to take Jamie, Carolyn, and Laura. So, Jamie, we'll turn to you first.

MS. STUDLEY: Okay. Thank you. Many agencies, as we discussed just yesterday, have revised their complaint policies, and have looked at it in light of the Department's guidance and conversations with NACIQI. I think there's been a lot of movement in the direction that the Department is suggesting. The challenge of handling anonymous or confidential complaints remains a thorny one. I think that it's something where we in the Department can work together to consider the best ways to hear the content or make an

appropriate judgment about whether to handle it as a complaint or as information to the agency that warrants consideration, whether it can be done best in the form of a complaint or another input. We are trying to think of ways that we can hear that information from students, staff and faculty who do not feel that they would be willing or comfortable to reveal who they are. But, it's a sticky one. I want to distinguish in what you just said, Herman, between complaints about an institution that the institution is not meeting standards, and complaints against an accrediting agency, which is made to the Department. Very specifically, the language does not technically follow, since we are all here about technically following the requirements that are imposed on us. I think we just need a better way to say something about reasonable flexibility or the agency making efforts to accept and handle the substance of a complaint wherever possible. But telling us don't technically follow goes against all these other days of do technically follow all the rules. I think there's a better way to express that point about responsiveness. Separately as a non-regulatory matter, accreditors, to my knowledge, have always been willing to talk with the Department and others who become aware of complaints and concerns. Because, the more we could know about the

serious and justified [30 seconds] complaints followed-
filed in very different arenas, the better we could spot
patterns. One complaint tells me what that one complaint
tells me, and it may open awareness of a bigger set of
problems. Coordination across the triad may be something
we want to tackle outside the regulatory process.

MR. ROBERTS: Thank you, Jamie.

Carolyn?

MR. ROBERTS: I wanted to express some
strong support for the Department's tackling this issue
of consumer complaints. It's very important for
accreditors to use information from the students who are
affected by the institution's conduct as part of their
review. Unfortunately, As the Department has noted in
its own analysis, there are examples of accreditors that
are actually putting up barriers to impede the ability of
students to make complaints to accreditors. For example,
not accepting complaints if the complaint wasn't provided
through snail mail or not accepting it if it had more
than one copy wasn't submitted. If it didn't refer to
the specific written standard that a lay person would
have difficulty figuring out how that was even relevant
to them. For example, saying that they wouldn't accept a
complaint after one year since the incident, even if the
student had been trying for that whole time to get the

problem resolved with their school. There is a really significant need for the Department to step in. Unfortunately, we've seen problems with the way accreditors have put restrictions on the ability of students to even make complaints. We really welcome and think we could strengthen further, these concrete measures to ensure that students can actually make their voices heard to the accreditors. We think that it is important and we hope to even strengthen these further and have proposed some suggestions in that regard in language submitted.

MR. ROBERTS: Thanks, Carolyn. Laura, go ahead. I think you'll probably be our last comment before lunch, but John and Jamie, I noted your position in the queue, and we'll pick right back up with the two of you after lunch. But, Laura, go ahead.

MS. RASAR KING: Okay. Thank you. I clarified this yesterday with Herman, and I think that what I heard him say is about the issue of anonymous complaints versus keeping them confidential. From what I understood, Herman, you said it wasn't anonymous complaints that you were trying to include in the regulations. It was really keeping the confidentiality of the complainant. So, and I understand that. There's some language in here, and it's hard without line numbers, but

in (c)(1), it talks about may not refuse to accept a complaint on the basis that it does not identify the complainant, which indicates that anonymous complaints would have to be accepted. I will say that anonymous complaints as Jamie alluded to, anonymous complaints can be used by the agencies for additional information. We all have policies that say, you know, you can complain, certainly submit a complaint through the process. We also take information that we receive from other sources. That includes, in our case, I don't know, media or, a phone call that comes in and that's kind of the anonymous complaint mechanism. I think that, in my experience, most complaints that come in anonymously don't have enough information in them to be able to do anything with. That you need to be able to reach back out to the complainant to clarify information to process it that way. So, I just want to be careful that we're not including language that would mandate processing anonymous complaints through the complaint process that's really not meant for that. Because we're not able to get enough information to actually process the complaint as a complaint, it's really used more as additional information for us to, put together with other information that we have or to ask questions of the program. I just wanted to call that confusing language

out.

MR. BOUNDS: Okay.

MR. ROBERTS: Thank you both. I have 11:57 on my watch. If it's okay, I want to make a quick process announcement and then send you to lunch, a minute or so early to resume promptly at 1 p.m. eastern. So first off, thank you for all the dialog today. It's been incredibly productive and helpful. A quick note of something that we heard yesterday. These meetings are being translated by ASL interpreters to ensure accessibility. there was just a request made that, as much as possible, for negotiators and members of the public who address us in the public comment period to slow down and enunciate as much as possible. Now, I'm aware that we do hold you to a strict three-minute comment, so there is a bit of a tension with those two requests. But, we would be remiss if we didn't mention, in the pursuit of making these meetings as accessible as possible, just to keep that in mind as we do make comments and continue the discussion. So again, I want to thank everyone. It's 11:58. We will pick back up at 1:00 with John and Jamie's comments. And thank you all very much for your time this morning.

**Zoom Chat Transcript
Program Integrity and Institutional Quality- Session 1, Day 4,
Morning, January 11, 2024**

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

From Krystil Smith | FMCS Facilitator to Everyone:

Good morning- please remember to update your name with the naming convention

From A-Michale McComis, Inst. Accreditors to Everyone:

ACCSC accredits several "Linesman" Schools!

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

Reacted to "ACCSC accredits seve..." with 😊

From P, Jillian Klein, Proprietary Instit to Everyone:

Reacted to "ACCSC accredits seve..." with ❤️

From A, Rob Anderson, State Officials to Everyone:

Reacted to "ACCSC accredits seve..." with ❤️

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

Reacted to "ACCSC accredits seve..." with ❤️

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

Agree with Barmak that Dept should add more specificity to existing rules on conflict of interest for members who are not public members, in addition to the Dept's helpful changes on public member definition.

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

did we mean to skip 602.12?

From P Jamie Studley, Institutional Accreditors to Everyone:

Agree with Laura -- track record + ED's extensive review including public comment are better evidence for recognized agencies than 3 letters. We could easily provide 3 letters but don't see what they would add or how they would address Barmak's valid concern.

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

On 602.10-- The staff resources issue is not a reason to deny recognition to agencies that meet statutory requirements.

From P Jamie Studley, Institutional Accreditors to Everyone:

Agree with Diana that continued strong review of agencies is essential.

From (P) Barmak Nassirian -- Veterans to Everyone:

Jamie's comments remind me that we would like to revisit 602.11 and have a conversation about how allowing regulated entities to choose their regulators enables a race to the bottom. The fact that a school chooses a particular regulator may well be a sign that it is

the most lenient agency--a la ACICS--rather than that it is a reliable authority.

From P Jamie Studley, Institutional Accreditors to Everyone:

The letters would simply be describing reputation -- "widely accepted." The level of responsibility we should count on is the Commission of the agency which has fiduciary responsibility for the agency quality and effectiveness, and responsibility for enforcement of standards and for the rigor and consistency of agency actions.

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

To Diana's comment: You raise the importance of programmatic accreditors. Outdated content in computer science programs should be something that programmatic accreditors address. I would observe that the computer science accreditor is not eligible for recognition by the Department. This is another reason why preserving eligibility for programmatic accreditors is important.

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

Agree with Barmak that we need actual consequences for accreditors that are not doing adequate job and that we need better processes for getting public information during the recertification process.

From P. Jo Blondin, Community Colleges to Everyone:

Agree with Jamie, having just gone through the re-recognition process with NACIQI as part of HLC Board.

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

I did not know that. Thank you! I will be on the lookout for the next renewal.

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

I would like to note that application process of "letters" from constituencies in 602.13 should also be applied in 602.12(b)2(ii). If someone wants to expand their scope, they should also be required to get more letters from a larger group of constituencies than just the institutions within the accreditors purview.

From (P) Barmak Nassirian -- Veterans to Everyone:

We strongly support the proposed deletion of (c) and (d)

From P Jamie Studley, Institutional Accreditors to Everyone:

Erika--we are looking at that question about innovation.

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

Reacted to "Erika--we are lookin..." with 👍

From P, Jillian Klein, Proprietary Instit to Everyone:

Just a note that I am supportive of the change in new (E) speaking specifically to non-degree programs.

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

Please confirm Donna's cross reference is 34 CFR 668.8(m)?

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

+1 to Jillian's comment about harmonizing definitions of distance

ed across changes

From Donna Mangold - ED OGC to Everyone:

Erika, yes 668.8(m) is what I mentioned

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

Reacted to "Erika, yes 668.8(m) ..." with 👍

From P Jamie Studley, Institutional Accreditors to Everyone:

with my proofreader hat on i see a section (d) and then (f), but i'm not finding an (e). is that my error or is there an editing mistake in the redlining?

From P, Jessi Morales, Student/Borrower to Everyone:

Want to just drop this in the chat about the issue with accreditors looking at student's complaints:

<https://www.newamerica.org/education-policy/briefs/higher-education-accreditors-dont-want-to-hear-your-complaints/>

From A, Emmett Blaney, Student/Borrower to Everyone:

Reacted to "Want to just drop th..." with 🍌

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

+1 to Carolyn's comment in support of ensuring student's voice is heard in this process