

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 2:14 PM
To: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Diane,

Yes you are correct about the focused review and the use of the Handbook. I am attaching the memos that I sent out to agencies which explain just that. (b)(5)

(b)(5)

(b)(5) (b)(5) will respond and try to clear up any misunderstanding. I have highlighted the language in the letters explaining the focused review.

Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Tuesday, October 29, 2019 12:46 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Subject: RE: petitions for recognition

Herman,
I'll leave it to you to respond to Joseph, but are the answers I've embedded below correct?
Diane

From: Joseph Vibert <jvibert@aspa-usa.org>
Sent: Tuesday, October 29, 2019 12:06 PM
To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this

correct? yes

- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct? yes
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. (b)(5)

(b)(5)

(b)(5)

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020? *Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review. yes*

Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors

(b)(6)

Bounds, Herman

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Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors
773.857.7900

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 4:43 PM
To: Joseph Vibert
Cc: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Joseph, I have attached the memos that were sent to all agencies previously that specifically discuss the focused review. The individual instructions vary slightly depending on which NACIQI meeting the agency is scheduled to appear, and I have highlighted the specific language discussing the focused review. All

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- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct?
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. Could you clarify intent? There is confusion about the definition of "focused review" – is it the process identified in the 2013 letter or is it simply addressing all of the criteria but using the new Handbook?

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020?
Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review.

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Joseph, I have attached the memos that were sent to all agencies previously that specifically discuss the focused review. The individual instructions vary slightly depending on which NACIQI meeting the agency is scheduled to appear, and I have highlighted the specific language discussing the focused review. All agencies submitting their petition for recognition before the new regulations become effective (July 1, 2020) will be under the focused review/current regulations, and will follow the process associated with the

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(b)(5)

This information is in agreement with Diane's communications during the CHEA meeting. If any of your member agencies have additional questions please have them give me a call or their assigned analyst. I do want all agencies to clearly understand the process and requirements.

Thanks Herman

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Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020?
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UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

Accreditation Commission for Acupuncture and Oriental Medicine
Accrediting Bureau of Health Education Schools
Commission on Accrediting of the Association of Theological Schools
Accrediting Commission of Career Schools and Colleges
Council on Occupational Education
American Bar Association, Council of the Section of Legal Education and
Administrations to the Bar
American Psychological Association
American Osteopathic Association, Commission on Osteopathic College
Accreditation
Transnational Association of Christian Colleges and Schools, Accreditation
Commission
Accrediting Council of Independent Colleges and Schools

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency by the Secretary, is tentatively scheduled to be reviewed at the Summer 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, you should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. The *Handbook* and 34 C.F.R Part 602 are available on our website at:
<https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring agencies scheduled for review during the Summer 2021 NACIQI meeting to submit their petition for recognition **no later than February 1, 2020**. Agencies

submitting petitions for review by Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

<https://opeweb.ed.gov/aslweb/>

If this is your first time logging into the system, please contact the Help Desk for password assistance. If you have forgotten your password, you may retrieve it from the Help Desk by utilizing the "Contact the Help Desk" link under the Login button.

When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process

As you are aware, the Department recently held a negotiated rule making session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R.). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R. Part 602 and criteria in Subpart C of 34 C.F.R. Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency's petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures, while also providing guidance/advice to agencies regarding how to best demonstrate compliance. The additional time will provide an opportunity for Department staff to observe site visits and the corresponding decision-making meeting. This will allow Department staff to observe the full cycle of review for institutions or programs undergoing the accreditation process. In addition, agencies will now have more time to make standards and policy changes (if needed) well ahead of their scheduled appearance at the NACIQI.

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will experience the early stages of the extended review process. Department staff will take approximately **seven months** to complete the draft analysis and your agency will have approximately **180 days** to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency's petition for recognition and will work closely with you throughout this new process.

The Department expects the proposed regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released in September 2020, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review) once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Department staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifiable information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency in good faith considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency. However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will

make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with 34 CFR § 602.32 (b)(1), Department staff will observe, at a minimum, two of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops you have scheduled for 2020 and 2021. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks' lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR§ 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

Association of Institutions of Jewish Studies
Commission on Massage Therapy Accreditation
National Accrediting Commission of Career Arts and Sciences, Inc.
American Speech-Language-Hearing Association, Council on Academic
Accreditation in Audiology and Speech-Language Pathology
Council on Naturopathic Medical Education
Midwifery Education Accreditation Council
Montessori Accreditation Council for Teacher Education
American Board of Funeral Service Education, Committee on Accreditation

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency by the Secretary is tentatively scheduled to be reviewed at the Winter 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, you should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. The *Handbook* and 34 C.F.R Part 602 are available on our website at: <https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring agencies scheduled for review during the Winter 2021 NACIQI meeting to submit their petition for recognition **no later than February 1, 2019**. Agencies submitting petitions for review by Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

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Changes in Submission Protocols and the Recognition Process

As you are aware, the Department recently held a negotiated rulemaking session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R Part 602 and criteria in Subpart C of 34 C.F.R Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency’s petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures while also providing guidance/advice to agencies regarding how to best demonstrate compliance. In addition, agencies will now have more time to make standards and policy changes well ahead of their scheduled appearance at the NACIQI.

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will be in the first group to experience the early stages of the extended review process. Department staff will take approximately five months to complete the draft analysis and your agency will have approximately 90 days to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency’s petition for recognition and will work closely with you throughout this new process.

The new regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released between mid-July or mid-August, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review), once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Accreditation staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifying information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency, in good faith, considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency. However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with 34 CFR § 602.32 (b)(1), Department staff will observe, at a minimum, two of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops scheduled for 2019 and 2020. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR § 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

American Podiatric Medical Association

Council on Chiropractic Education

Commission on English Language Program Accreditation

Joint Review Committee on Education in Radiologic Technology

State Agency for the Approval of Nurse Education

North Dakota Board of Nursing

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency or State Agency for the Approval of Nurse Education by the Secretary, is tentatively scheduled to be reviewed at the Winter 2022 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, accrediting agencies should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports (Handbook)*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. State Agencies for the Approval of Nurse Education will be reviewed using the *Criteria and Procedures for Recognition of State Agencies for the Approval of Nurse Education (Nurse Criteria)*. State agencies will also adhere to the procedures found in Subpart C of 34 C.F.R Part 602 which prescribes the recognition process.

The Nurse Criteria, the *Handbook*, and 34 C.F.R Part 602 are available on our website at:
<https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring accrediting agencies and State agencies scheduled for review during the Winter 2022 NACIQI meeting to submit their petition for recognition **no later than February 1, 2020**. Accrediting agencies and State agencies submitting petitions for review by

Department staff and by the NACIQI are to submit using the Department's electronic submission system.

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When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process (Accrediting Agencies)

As you are aware, the Department recently held a negotiated rule making session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R.). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R Part 602 and criteria in Subpart C of 34 C.F.R Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency's petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures, while also providing guidance/advice to agencies regarding how to best demonstrate compliance. The additional time will provide an opportunity for Department staff to observe site visits and the corresponding decision-making meeting. This will allow Department staff to observe the full cycle of review for institutions or programs undergoing the accreditation process. In addition, agencies will now have more time to make standards and policy changes (if needed) well ahead of their scheduled appearance at the NACIQI

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will experience the early stages of the extended review process. Department staff will take approximately **12 months** to complete the draft analysis and your agency will have approximately **180 days** to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency's petition for recognition and will work closely with you throughout this new process.

The Department expects the proposed regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note for Accrediting Agencies

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released in September 2020, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review) once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Important Note for State Approval Agencies for Nurse Education

As you are aware, State Agencies for the Approval of Nurse Education are not governed by 34 C.F.R Part 602, as State approval agencies for nurse education are regulated by the Federal nurse criteria, which was published in a 1969 Federal Register. Therefore, State agencies are not affected by the regulatory changes at this time.

However, it has been Department policy that State agencies will adhere to the procedures found in Subpart C of 34 C.F.R Part 602 which prescribes the recognition process and contain the procedures for appearance at the NACIQI meetings. Therefore, State agencies will be reviewed using the same **expanded timelines** as previously discussed for recognized accrediting agencies.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Department staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifiable information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department

under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency in good faith considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency

However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with Subpart C of 34 CFR § 602.32 (b) (1) Department staff will observe, at a minimum, three of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops you have scheduled for 2020 and 2021. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks' lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement (**not applicable to State agencies**)

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR§ 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 4:43 PM
To: 'Joseph Vibert'
Cc: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Joseph, I have attached the memos that were sent to all agencies previously that specifically discuss the focused review. The individual instructions vary slightly depending on which NACIQI meeting the agency is scheduled to appear, and I have highlighted the specific language discussing the focused review. All

(b)(6)

This information is in agreement with Diane's communications during the CHEA meeting. If any of your member agencies have additional questions please have them give me a call or their assigned analyst. I do want all agencies to clearly understand the process and requirements.

Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: (b)(6)
Sent: Tuesday, October 29, 2019 12:06 PM

To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>

Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this correct?
- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct?
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. Could you clarify intent? There is confusion about the definition of "focused review" – is it the process identified in the 2013 letter or is it simply addressing all of the criteria but using the new Handbook?

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020?
Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review.

Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director

ASPA – Association of Specialized and Professional Accreditors

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

From: Petersen, Molly <Molly.Petersen@ed.gov>
Sent: Thursday, December 12, 2019 3:57:33 PM
To: King, Robert <Robert.King@ed.gov>
Subject: FW: ACICS Compliance Report

(b)(6)

Thank you,

Molly Petersen
Legislative Director

From: Petersen, Molly
Sent: Thursday, December 12, 2019 12:11 PM
To: Brickman, Michael (Michael.Brickman@ed.gov) <Michael.Brickman@ed.gov>
Subject: FW: ACICS Compliance Report
Importance: High

(b)(5)

Thanks,

Molly Petersen
Legislative Director

From: POLITICO Pro Education
Sent: Monday, December 9, 2019 5:29:01 PM (UTC-05:00) Eastern Time (US & Canada)
Subject: Education Department finds new 'compliance concerns' with accreditor ACICS

Education Department finds new 'compliance concerns' with accreditor ACICS

By Michael Stratford

12/09/2019 05:28 PM EST

The Education Department has identified new potential violations of federal standards by the controversial college accreditor reinstated last year by Secretary Betsy DeVos, according to newly released documents obtained by POLITICO.

Career department officials uncovered a series of “compliance concerns” with how the Accrediting Council for Independent Colleges and Schools monitors and oversees the schools it accredits as part of a fresh review of the accrediting organization over the past several months.

The results of the review, which [began in June](#) in response to press reports about the accreditor’s financial difficulties, were provided to ACICS in a [Nov. 21 letter](#) from Herman Bounds, the director of the department’s accreditation group.

Bounds wrote that the department concluded that ACICS “has sufficient financial resources to carry out its accrediting responsibilities” but that the new review nonetheless uncovered a range of potential problems.

DeVos last year [extended for another year](#) the federal approval of ACICS, which had been terminated by the Obama administration over concerns about how it approved for-profit schools like some campuses owned by Corinthian Colleges and ITT Tech.

Education Department career officials are now focused on ACICS’s approval of two troubled nonprofit schools.

The department, Bounds wrote, is concerned about ACICS’s “lack of effective evaluation and monitoring approaches” related to two nonprofit schools, Virginia International University and San Diego University for Integrative Studies.

Virginia state regulators earlier this year moved to shut down VIU after finding widespread academic deficiencies at the school, including plagiarism and low-quality online classes. But Bounds wrote that ACICS was slow to act and then ultimately continued VIU’s accreditation without any conditions, even as state officials ended up imposing a three-year moratorium on the school’s distance education programs because of the widespread problems.

The department’s review also questioned whether ACICS had properly conducted its own analysis to determine whether San Diego University for Integrative Studies met ACICS’ standards.

Bounds said that ACICS would be required by Feb. 1 to “provide information and documentation to address the compliance concerns” related to five federal standards that were identified as part of the new review.

Michelle Edwards, president and CEO of ACICS, said in an email: “We are working to respond to the letter and I am confident that ACICS is not only able to meet our obligations but also able to respond to the changing needs of the institutions we accredit.”

ACICS had already been required to submit a report to the Education Department later this month proving that it has come into compliance with the two federal standards — related to “competency of representatives” and “conflict of interest” — identified by DeVos as problems last year even as she extended the organization’s federal recognition for 12 months.

The letter describing the results of the new review — as well as the [trove of evidence submitted to the department by ACICS](#) earlier this year — were released by the department in response to a Freedom of Information Act request filed by the progressive group Allied Progress. The group provided the documents to POLITICO.

“This letter is as damning an indictment as we’ve seen from career government auditors,” said spokesperson Jeremy Funk, who added that the newly identified issues were “pretty cut and dry evidence DeVos was wrong” in reinstating the federal powers of ACICS.

Congressional Democrats sharply criticized the Trump administration’s decision to reinstate ACICS and have called on DeVos to rescind her approval of the accreditor. DeVos also faces a [proposed class-action lawsuit](#) over the decision to restore ACICS.

The department’s inspector general separately has an [ongoing inquiry](#) into the Trump administration’s decision to restore the federal powers of ACICS.

To view online:

<https://subscriber.politicopro.com/education/article/2019/12/education-department-finds-new-compliance-concerns-with-accreditor-acics-1842611>

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

(b)(6)

Subject: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Dear Executive Directors and Presidents:

Please see the attached information for accrediting agencies regarding temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies.

Sincerely,

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<mailto:Herman.Bounds@ed.gov>
202-453-7615

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

(b)(6)

Cc: King, Robert <Robert.King@ed.gov>; Huston, John <John.Huston@ed.gov>; Hilsey, Shaina <Shaina.Hilsey@ed.gov>; Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>; Daggett, Elizabeth <Elizabeth.Daggett@ed.gov>; Harris, Nicole S. <Nicole.S.Harris@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>; Holt, Jass <Jass.Holt@ed.gov>; Lefor, Valerie <Valerie.LeFor@ed.gov>; McKissic, Stephanie <Stephanie.McKissic@ed.gov>; Sheffield, Cathy <Cathy.Sheffield@ed.gov>; Simms-Coates, Karmon <Karmon.Simms-Coates@ed.gov>; Stein, Michael <Michael.Stein@ed.gov>

Subject: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Dear Executive Directors and Presidents:

Please see the attached information for accrediting agencies regarding temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies.

Sincerely,

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
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Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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Subject: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Dear Executive Directors and Presidents:

Please see the attached information for accrediting agencies regarding temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies.

Sincerely,

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<mailto:Herman.Bounds@ed.gov>
202-453-7615

King, Robert

From: King, Robert
Sent: Tuesday, March 17, 2020 6:29 PM
To: Solares, Grace
Cc: Bounds, Herman; Hilsey, Shaina; Cox, Jack; Myers, Terri L.
Subject: Re: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

(b)(5)

Sent from my iPhone

On Mar 17, 2020, at 5:48 PM, Solares, Grace <Grace.Solares@ed.gov> wrote:

?
Herman,

(b)(5)

If the former, Terri can make the posting.

On Mar 17, 2020, at 5:18 PM, Bounds, Herman <Herman.Bounds@ed.gov> wrote:

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<mailto:Herman.Bounds@ed.gov>
202-453-7615

From: King, Robert <Robert.King@ed.gov>
Sent: Tuesday, March 17, 2020 5:16 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Cc: Hilsey, Shaina <Shaina.Hilsey@ed.gov>; Cox, Jack <Jack.Cox@ed.gov>; Solares, Grace <Grace.Solares@ed.gov>

Subject: RE: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

(b)(5)

Bob

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Bounds, Herman <Herman.Bounds@ed.gov>

Sent: Tuesday, March 17, 2020 5:13 PM

(b)(6)

(b)(6)

Subject: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Dear Executive Directors and Presidents:

Please see the attached information for accrediting agencies regarding temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies.

Sincerely,

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<mailto:Herman.Bounds@ed.gov>
202-453-7615

From: King, Robert
Sent: Tuesday, May 5, 2020 8:06 PM
To: Jones, Diane
Cc: Thompson, Farnaz; Eitel, Robert; McCaghren, Christopher
Subject: Re: Updating (a)(2) allocations

(b)(5)

Sent from my iPhone

On May 5, 2020, at 6:05 PM, Jones, Diane <Diane.Jones@ed.gov> wrote:

I agree - and I wanted you to have uninterrupted sleep tonight!!!

Sent from my iPhone

On May 5, 2020, at 6:01 PM, King, Robert <Robert.King@ed.gov> wrote:

Thanks, I just wanted to be certain. Bob

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Tuesday, May 5, 2020 5:59 PM
To: Thompson, Farnaz <Farnaz.Thompson@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>; Eitel, Robert <Robert.Eitel@ed.gov>;
McCaghren, Christopher <Christopher.McCaghren@ed.gov>
Subject: Re: Updating (a)(2) allocations

(b)(5)

Sent from my iPhone

On May 5, 2020, at 5:13 PM, Thompson, Farnaz
<Farnaz.Thompson@ed.gov> wrote:

Not according to Caroline. Academy of Arts in Illinois is listed in the OPE
chart for 18004(a)(2) funds that is on ED's website. The school,

(b)(5)

Deputy General Counsel
Office of the General Counsel
U.S. Department of Education
400 Maryland Avenue S.W.
Washington, D.C. 20202
(202) 453-7063
Farnaz.Thompson@ed.gov

This e-mail and any attachments to the e-mail are intended only for the person or entity to which it is addressed, and may contain information that is privileged, confidential, or otherwise protected from disclosure. Dissemination, distribution, or copying of this e-mail or the information herein by anyone other than the intended recipient is strictly prohibited. If you have received this e-mail in error, please notify me immediately by reply e-mail and destroy the original e-mail and all copies. Thank you.

From: King, Robert <Robert.King@ed.gov>
Sent: Tuesday, May 5, 2020 5:11 PM
To: Thompson, Farnaz <Farnaz.Thompson@ed.gov>; Eitel, Robert <Robert.Eitel@ed.gov>; Jones, Diane <Diane.Jones@ed.gov>; McCaghren, Christopher <Christopher.McCaghren@ed.gov>
Subject: RE: Updating (a)(2) allocations

(b)(6)

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Thompson, Farnaz <Farnaz.Thompson@ed.gov>
Sent: Tuesday, May 5, 2020 5:01 PM
To: Eitel, Robert <Robert.Eitel@ed.gov>; Jones, Diane <Diane.Jones@ed.gov>; King, Robert <Robert.King@ed.gov>; McCaghren, Christopher <Christopher.McCaghren@ed.gov>
Subject: FW: Updating (a)(2) allocations

FYI ONLY

From: Hong, Caroline <Caroline.Hong@ed.gov>
Sent: Tuesday, May 5, 2020 3:15 PM
To: Thompson, Farnaz <Farnaz.Thompson@ed.gov>
Cc: Siegel, Brian <Brian.Siegel@ed.gov>; Hodel, Hannah <Hannah.Hodel@ed.gov>
Subject: RE: Updating (a)(2) allocations

Farnaz,

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

(b)(5)

of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Bounds, Herman

From: Bounds, Herman
Sent: Wednesday, July 8, 2020 3:10 PM
To: Sierra, Angela; Huston, John; Smith, George.Alan; Weisman, Annmarie
Cc: King, Robert
Subject: RE: Guide final
Attachments: FW: OPEWEB login.msg

John,

These are responses to questions 12 and 13. Not sure if you want to include the email verifying that HLC was notified.

(b)(5)

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:32 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Thank you!

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234
Washington, D.C. 20202
(202) 453-7786

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 2:30 PM
To: Sierra, Angela <Angela.Sierra@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Attached

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:29 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Hi John,

Sure I am happy to look at the cover letter. Could you please forward me a copy of the letter that HLC sent?

(b)(5)

(b)(5)

Thanks!

-Angela

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234

Washington, D.C. 20202
(202) 453-7786

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 2:24 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>; Sierra, Angela <Angela.Sierra@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

(b)(5)

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Wednesday, July 8, 2020 1:26 PM
To: Smith, George.Alan <George.Smith@ed.gov>; Huston, John <John.Huston@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

(b)(5)

Herman.Bounds@ed.gov
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Smith, George.Alan <George.Smith@ed.gov>
Sent: Wednesday, July 8, 2020 12:12 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Cc: Huston, John <John.Huston@ed.gov>
Subject: RE: Guide final

I have Jass and Valerie listed as contact people; we would need to add Charity and delete Valerie.

George Alan Smith, Ed.D.

Executive Director
National Advisory Committee on Institutional Quality and Integrity, [NACIQI](#)
National Committee on Foreign Medical Education and Accreditation, [NCFMEA](#)
Office of Postsecondary Education (OPE)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
(202) 453-7757

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 12:08 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>
Subject: RE: Guide final

(b)(5)

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Wednesday, July 8, 2020 11:59 AM
To: Huston, John <John.Huston@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>
Subject: FW: Guide final

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
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Office of Post Secondary Education
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Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Helton, Charity <Charity.Helton@ed.gov>
Sent: Wednesday, July 8, 2020 11:34 AM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Cc: Holt, Jass <Jass.Holt@ed.gov>; Daggett, Elizabeth <Elizabeth.Daggett@ed.gov>

Subject: Guide final

Hey, Herman –

Updated the guide for HLC reviewers.

Hope it is helpful; feel free to pass my name and phone number on to any Ed staff or committee members who want someone to walk them through where to find all the documents.

We had a meeting with the contractors this morning. Currently, there is no one place to view all the documents from the committee's view, but based on our conversation this morning, that isn't going to change anytime soon. The guide points out all the documents, however, and provides a table of contents -

Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

Office of Postsecondary Education

The Accreditation Group

[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

charity.helton@ed.gov

(Phone) [202-453-6124](tel:202-453-6124)

Helton, Charity

From: Helton, Charity
Sent: Wednesday, July 8, 2020 2:39 PM
To: Bounds, Herman
Subject: FW: OPEWEB login

The two emails I sent each included the text and contacts below -

From: Helton, Charity
Sent: Friday, June 19, 2020 6:43 PM
To: bgdanley@hlcommission.org; asweeney@hlcommission.org
Subject: OPEWEB login

Good afternoon,

I wanted to let you know that your OPEWEB/eRec account has been reset in preparation for the next NACIQI meeting. You may have received an email notifying you of this; please disregard it at this time. Thank you -

Best,

Charity Helton
Education Program Specialist
U.S. Department of Education
Office of Postsecondary Education
The Accreditation Group
[400 Maryland Avenue, S.W.](#) Mailstop 270-30
[Washington, D.C. 20202](#)
charity.helton@ed.gov
(Phone) [202-453-6124](tel:202-453-6124)

Bounds, Herman

From: Bounds, Herman
Sent: Wednesday, July 8, 2020 3:10 PM
To: Sierra, Angela; Huston, John; Smith, George.Alan; Weisman, Annmarie
Cc: King, Robert
Subject: RE: Guide final
Attachments: FW: OPEWEB login.msg

John,

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:32 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Thank you!

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234
Washington, D.C. 20202
(202) 453-7786

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 2:30 PM
To: Sierra, Angela <Angela.Sierra@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Attached

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:29 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Hi John,

Sure I am happy to look at the cover letter. Could you please forward me a copy of the letter that HLC sent?

(b)(5)

(b)(5)

Thanks!

-Angela

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234

Washington, D.C. 20202
(202) 453-7786

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 2:24 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>; Sierra, Angela <Angela.Sierra@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

(b)(5)

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Wednesday, July 8, 2020 1:26 PM
To: Smith, George.Alan <George.Smith@ed.gov>; Huston, John <John.Huston@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Smith, George.Alan <George.Smith@ed.gov>
Sent: Wednesday, July 8, 2020 12:12 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Cc: Huston, John <John.Huston@ed.gov>
Subject: RE: Guide final

(b)(5)

George Alan Smith, Ed.D.

Executive Director
National Advisory Committee on Institutional Quality and Integrity, [NACIQI](#)
National Committee on Foreign Medical Education and Accreditation, [NCFMEA](#)
Office of Postsecondary Education (OPE)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
(202) 453-7757

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 12:08 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>
Subject: RE: Guide final

(b)(5)

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Wednesday, July 8, 2020 11:59 AM
To: Huston, John <John.Huston@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>
Subject: FW: Guide final

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
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Subject: Guide final

Hey, Herman –

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Hope it is helpful; feel free to pass my name and phone number on to any Ed staff or committee members who want someone to walk them through where to find all the documents.

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Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

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[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

charity.helton@ed.gov

(Phone) [202-453-6124](tel:202-453-6124)

King, Robert

From: King, Robert
Sent: Thursday, July 9, 2020 10:08 AM
To: Sierra, Angela; Huston, John; Bounds, Herman; Smith, George.Alan; Weisman, Annmarie
Subject: RE: Guide final

(b)(5)

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:29 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Hi John,

Sure I am happy to look at the cover letter. Could you please forward me a copy of the letter that HLC sent?

(b)(5)

(b)(5)

Thanks!

-Angela

Angela L. Sierra
General Attorney
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Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

(b)(5)

Herman, George identified two questions at the bottom of his list that should be answered by AG staff. Could you take a look at that?

Angela, would you be able to review the cover letter?

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Wednesday, July 8, 2020 1:26 PM
To: Smith, George.Alan <George.Smith@ed.gov>; Huston, John <John.Huston@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
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(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
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400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
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Cc: Huston, John <John.Huston@ed.gov>
Subject: RE: Guide final

(b)(5)

George Alan Smith, Ed.D.
Executive Director
National Advisory Committee on Institutional Quality and Integrity, [NACIQI](#)
National Committee on Foreign Medical Education and Accreditation, [NCFMEA](#)
Office of Postsecondary Education (OPE)
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202
(202) 453-7757

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To: Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie

<Annmarie.Weisman@ed.gov>

Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>

Subject: RE: Guide final

(b)(5)

From: Bounds, Herman <Herman.Bounds@ed.gov>

Sent: Wednesday, July 8, 2020 11:59 AM

To: Huston, John <John.Huston@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>

Cc: King, Robert <Robert.King@ed.gov>; Helton, Charity <Charity.Helton@ed.gov>

Subject: FW: Guide final

(b)(5)

Herman Bounds Jr., Ed.S., MS.

Director

Accreditation Group

Office of Post Secondary Education

US Department of Education

400 Maryland Ave

Washington DC 20202

Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>

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Cc: Holt, Jass <Jass.Holt@ed.gov>; Daggett, Elizabeth <Elizabeth.Daggett@ed.gov>

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Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

Office of Postsecondary Education

The Accreditation Group

[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

charity.helton@ed.gov

(Phone) [202-453-6124](tel:202-453-6124)

King, Robert

From: King, Robert
Sent: Friday, July 17, 2020 9:18 AM
To: Huston, John; Sierra, Angela; Mangold, Donna; Bounds, Herman
Subject: RE: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

John: can I see the letter or motion Barbara made to the board recommending (b)(5)

(b)(6) Bob

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Huston, John <John.Huston@ed.gov>
Sent: Thursday, July 16, 2020 4:25 PM
To: King, Robert <Robert.King@ed.gov>; Sierra, Angela <Angela.Sierra@ed.gov>; Mangold, Donna <Donna.Mangold@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
Subject: FW: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

(b)(5)

From: Huston, John
Sent: Thursday, April 23, 2020 6:54 PM
To: Brinton, Jed <Jed.Brinton@ed.gov>; Eitel, Robert <Robert.Eitel@ed.gov>; King, Robert <Robert.King@ed.gov>
Subject: FW: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

(b)(5)

From: Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Sent: Thursday, April 23, 2020 6:40 PM
To: Huston, John <John.Huston@ed.gov>
Subject: Fwd: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

Sent from my iPhone

Begin forwarded message:

From: Barbara Gellman-Danley <bgdanley@hlcommission.org>
Date: April 23, 2020 at 5:55:57 PM EDT
To: "Mahaffie, Lynn" <Lynn.Mahaffie@ed.gov>
Cc: Anthea Sweeney <asweeney@hlcommission.org>, Marla Morgen <mmorgen@hlcommission.org>,

"Bounds, Herman" <Herman.Bounds@ed.gov>, "julie.miceli@huschblackwell.com" <julie.miceli@huschblackwell.com>, "Brinton, Jed" <Jed.Brinton@ed.gov>

Subject: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

?

Good Afternoon,

Further to the email below, attached, please find a letter regarding the action taken by the HLC Board at its recent meeting.

Thank you,
Barbara

Barbara Gellman-Danley, Ph.D.
President, Higher Learning Commission

(b)(6)

From: Barbara Gellman-Danley <bgdanley@hlcommission.org>

Sent: Wednesday, April 8, 2020 10:19 AM

To: lynn.mahaffie@ed.gov

(b)(6)

Subject: HLC Letter to Art Institute of Colorado and Illinois Institute of Art

Dear Dr. Mahaffie:

In follow-up to the Higher Learning Commission's March 20, 2020 response to the Department's January 31, 2020 Draft Analysis, I am writing to inform you that the Higher Learning Commission Board of Trustees will consider the action described in the attached letter at a meeting scheduled for April 23, 2020. In summary, and as further described in the letter, the HLC Board will consider, in accordance with its policies, modifying the effective date of the Institutes' Candidacy status from January 20, 2018 to January 8, 2019. If this modification is adopted by the HLC Board, such action will benefit former students of the Institutes, including for example, by potentially facilitating the transferability of credits and degrees earned by students of the Institutes, up through the date of their closure, to schools that, per each school's own policies and procedures, only accept credits issued by an accredited institution.

As you are aware, counsel for HLC reached out to counsel for the Department on February 24 by phone and February 25 by email to inquire about "[w]hat 'efforts' are underway relating to the correction of transcripts," in reference to the Department's directive in the Draft Analysis that HLC show "adequate steps...to assist in any efforts to correct the relevant transcripts of those students who attended the Institutions..." HLC also asked the Department how HLC may be able to support those efforts. In the absence of a substantive response from the Department to that inquiry, and given the burden on students, HLC will consider this action described above. As you are aware, no action is final until taken by the HLC Board.

Please let me know if you have any questions. Otherwise, HLC will inform the Department of the Board's decision following its meeting.

Sincerely,

Barbara

Barbara Gellman-Danley, Ph.D.

President, Higher Learning Commission

(b)(6)



The information contained in this communication is confidential and intended only for the use of the recipient named above, and may be legally privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please resend it to the sender and delete the original message and copy of it from your computer system. Opinions, conclusions and other information in this message that do not relate to our official business should be understood as neither given nor endorsed by the organization.

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 2:14 PM
To: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Diane,

(b)(5)

Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Jones, Diane <Diane.Jones@ed.gov>
Sent: Tuesday, October 29, 2019 12:46 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Subject: RE: petitions for recognition

(b)(5)

From: Joseph Vibert <jvibert@aspa-usa.org>
Sent: Tuesday, October 29, 2019 12:06 PM
To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

(b)(5)

correct? yes

- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct? yes
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. Could you clarify intent? There is confusion about the definition of "focused review" – is it the process identified in the 2013 letter or is it simply addressing all of the criteria but using the new Handbook? For agencies in a renewal of recognition cycle, the focused review is sufficient and it can be done either under the new handbook or the old one.

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020? *Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review. yes*

Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors
773.857.7900

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 2:14 PM
To: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Diane,

(b)(5)

Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

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Subject: RE: petitions for recognition

(b)(6)

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Sent: Tuesday, October 29, 2019 12:06 PM
To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this

correct? yes

- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct? yes
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Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors
773.857.7900

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 4:43 PM
To: Joseph Vibert
Cc: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
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US Department of Education
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Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Joseph Vibert <jvibert@aspa-usa.org>
Sent: Tuesday, October 29, 2019 12:06 PM

To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>

Subject: petitions for recognition

Hello Diane and Herman,

(b)(6)

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020?
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Joseph

Joseph Vibert, Executive Director
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Sent: Tuesday, October 29, 2019 12:06 PM

To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>

Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this correct?
- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct?
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Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors
773.857.7900



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

Accreditation Commission for Acupuncture and Oriental Medicine
Accrediting Bureau of Health Education Schools
Commission on Accrediting of the Association of Theological Schools
Accrediting Commission of Career Schools and Colleges
Council on Occupational Education
American Bar Association, Council of the Section of Legal Education and
Administrations to the Bar
American Psychological Association
American Osteopathic Association, Commission on Osteopathic College
Accreditation
Transnational Association of Christian Colleges and Schools, Accreditation
Commission
Accrediting Council of Independent Colleges and Schools

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency by the Secretary, is tentatively scheduled to be reviewed at the Summer 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, you should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. The *Handbook* and 34 C.F.R Part 602 are available on our website at:
<https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring agencies scheduled for review during the Summer 2021 NACIQI meeting to submit their petition for recognition **no later than February 1, 2020**. Agencies

submitting petitions for review by Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

<https://opeweb.ed.gov/aslweb/>

If this is your first time logging into the system, please contact the Help Desk for password assistance. If you have forgotten your password, you may retrieve it from the Help Desk by utilizing the "Contact the Help Desk" link under the Login button.

When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process

As you are aware, the Department recently held a negotiated rule making session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R.). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R. Part 602 and criteria in Subpart C of 34 C.F.R. Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency's petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures, while also providing guidance/advice to agencies regarding how to best demonstrate compliance. The additional time will provide an opportunity for Department staff to observe site visits and the corresponding decision-making meeting. This will allow Department staff to observe the full cycle of review for institutions or programs undergoing the accreditation process. In addition, agencies will now have more time to make standards and policy changes (if needed) well ahead of their scheduled appearance at the NACIQI.

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will experience the early stages of the extended review process. Department staff will take approximately **seven months** to complete the draft analysis and your agency will have approximately **180 days** to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency's petition for recognition and will work closely with you throughout this new process.

The Department expects the proposed regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released in September 2020, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review) once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Department staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifiable information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency in good faith considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency. However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will

make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with 34 CFR § 602.32 (b)(1), Department staff will observe, at a minimum, two of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops you have scheduled for 2020 and 2021. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks' lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR§ 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

Association of Institutions of Jewish Studies
Commission on Massage Therapy Accreditation
National Accrediting Commission of Career Arts and Sciences, Inc.
American Speech-Language-Hearing Association, Council on Academic
Accreditation in Audiology and Speech-Language Pathology
Council on Naturopathic Medical Education
Midwifery Education Accreditation Council
Montessori Accreditation Council for Teacher Education
American Board of Funeral Service Education, Committee on Accreditation

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency by the Secretary is tentatively scheduled to be reviewed at the Winter 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, you should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. The *Handbook* and 34 C.F.R Part 602 are available on our website at: <https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring agencies scheduled for review during the Winter 2021 NACIQI meeting to submit their petition for recognition **no later than February 1, 2019**. Agencies submitting petitions for review by Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

<https://opeweb.ed.gov/aslweb/>

If this is your first time logging into the system, please contact the Help Desk for password assistance. If you have forgotten your password, you may retrieve it from the Help Desk by utilizing the “Contact the Help Desk” link under the Login button.

When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process

As you are aware, the Department recently held a negotiated rulemaking session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R Part 602 and criteria in Subpart C of 34 C.F.R Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency’s petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures while also providing guidance/advice to agencies regarding how to best demonstrate compliance. In addition, agencies will now have more time to make standards and policy changes well ahead of their scheduled appearance at the NACIQI.

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will be in the first group to experience the early stages of the extended review process. Department staff will take approximately five months to complete the draft analysis and your agency will have approximately 90 days to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency’s petition for recognition and will work closely with you throughout this new process.

The new regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released between mid-July or mid-August, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review), once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Accreditation staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifying information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency, in good faith, considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency. However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with 34 CFR § 602.32 (b)(1), Department staff will observe, at a minimum, two of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops scheduled for 2019 and 2020. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR § 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

American Podiatric Medical Association

Council on Chiropractic Education

Commission on English Language Program Accreditation

Joint Review Committee on Education in Radiologic Technology

State Agency for the Approval of Nurse Education

North Dakota Board of Nursing

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency or State Agency for the Approval of Nurse Education by the Secretary, is tentatively scheduled to be reviewed at the Winter 2022 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, accrediting agencies should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports (Handbook)*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. State Agencies for the Approval of Nurse Education will be reviewed using the *Criteria and Procedures for Recognition of State Agencies for the Approval of Nurse Education (Nurse Criteria)*. State agencies will also adhere to the procedures found in Subpart C of 34 C.F.R Part 602 which prescribes the recognition process.

The Nurse Criteria, the *Handbook*, and 34 C.F.R Part 602 are available on our website at:
<https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring accrediting agencies and State agencies scheduled for review during the Winter 2022 NACIQI meeting to submit their petition for recognition **no later than February 1, 2020**. Accrediting agencies and State agencies submitting petitions for review by

Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

<https://opeweb.ed.gov/aslweb/>

If this will be your first-time logging into the system, please contact the Help Desk for password assistance. If you have forgotten your password, you may retrieve it from the Help Desk by utilizing the "Contact the Help Desk" link under the Login button.

When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process (Accrediting Agencies)

As you are aware, the Department recently held a negotiated rule making session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R.). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R Part 602 and criteria in Subpart C of 34 C.F.R Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency's petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures, while also providing guidance/advice to agencies regarding how to best demonstrate compliance. The additional time will provide an opportunity for Department staff to observe site visits and the corresponding decision-making meeting. This will allow Department staff to observe the full cycle of review for institutions or programs undergoing the accreditation process. In addition, agencies will now have more time to make standards and policy changes (if needed) well ahead of their scheduled appearance at the NACIQI

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will experience the early stages of the extended review process. Department staff will take approximately **12 months** to complete the draft analysis and your agency will have approximately **180 days** to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency's petition for recognition and will work closely with you throughout this new process.

The Department expects the proposed regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note for Accrediting Agencies

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released in September 2020, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review) once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Important Note for State Approval Agencies for Nurse Education

As you are aware, State Agencies for the Approval of Nurse Education are not governed by 34 C.F.R Part 602, as State approval agencies for nurse education are regulated by the Federal nurse criteria, which was published in a 1969 Federal Register. Therefore, State agencies are not affected by the regulatory changes at this time.

However, it has been Department policy that State agencies will adhere to the procedures found in Subpart C of 34 C.F.R Part 602 which prescribes the recognition process and contain the procedures for appearance at the NACIQI meetings. Therefore, State agencies will be reviewed using the same **expanded timelines** as previously discussed for recognized accrediting agencies.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Department staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifiable information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department

under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency in good faith considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency

However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with Subpart C of 34 CFR § 602.32 (b) (1) Department staff will observe, at a minimum, three of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops you have scheduled for 2020 and 2021. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks' lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement (**not applicable to State agencies**)

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR§ 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 4:43 PM
To: 'Joseph Vibert'
Cc: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

(b)(5)

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: Joseph Vibert <jvibert@aspa-usa.org>
Sent: Tuesday, October 29, 2019 12:06 PM

To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>

Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this correct?
- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct?
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. Could you clarify intent? There is confusion about the definition of "focused review" – is it the process identified in the 2013 letter or is it simply addressing all of the criteria but using the new Handbook?

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020? *Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review.*

Thanks for your assistance.

Joseph

Joseph Vibert, Executive Director
ASPA – Association of Specialized and Professional Accreditors

(b)(6)

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

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of the Freedom of Information and Privacy Act

Withheld pursuant to exemption

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of the Freedom of Information and Privacy Act

(b)(5)

From: POLITICO Pro Education

Sent: Monday, December 9, 2019 5:29:01 PM (UTC-05:00) Eastern Time (US & Canada)

Subject: Education Department finds new 'compliance concerns' with accreditor ACICS

Education Department finds new 'compliance concerns' with accreditor ACICS

By Michael Stratford

12/09/2019 05:28 PM EST

The Education Department has identified new potential violations of federal standards by the controversial college accreditor reinstated last year by Secretary Betsy DeVos, according to newly released documents obtained by POLITICO.

Career department officials uncovered a series of “compliance concerns” with how the Accrediting Council for Independent Colleges and Schools monitors and oversees the schools it accredits as part of a fresh review of the accrediting organization over the past several months.

The results of the review, which [began in June](#) in response to press reports about the accreditor’s financial difficulties, were provided to ACICS in a [Nov. 21 letter](#) from Herman Bounds, the director of the department’s accreditation group.

Bounds wrote that the department concluded that ACICS “has sufficient financial resources to carry out its accrediting responsibilities” but that the new review nonetheless uncovered a range of potential problems.

DeVos last year [extended for another year](#) the federal approval of ACICS, which had been terminated by the Obama administration over concerns about how it approved for-profit schools like some campuses owned by Corinthian Colleges and ITT Tech.

Education Department career officials are now focused on ACICS’s approval of two troubled nonprofit schools.

The department, Bounds wrote, is concerned about ACICS’s “lack of effective evaluation and monitoring approaches” related to two nonprofit schools, Virginia International University and San Diego University for Integrative Studies.

Virginia state regulators earlier this year moved to shut down VIU after finding widespread academic deficiencies at the school, including plagiarism and low-quality online classes. But Bounds wrote that ACICS was slow to act and then ultimately continued VIU’s accreditation without any conditions, even as state officials ended up imposing a three-year moratorium on the school’s distance education programs because of the widespread problems.

The department’s review also questioned whether ACICS had properly conducted its own analysis to determine whether San Diego University for Integrative Studies met ACICS’ standards.

Bounds said that ACICS would be required by Feb. 1 to “provide information and documentation to address the compliance concerns” related to five federal standards that were identified as part of the new review.

Michelle Edwards, president and CEO of ACICS, said in an email: “We are working to respond to the letter and I am confident that ACICS is not only able to meet our obligations but also able to respond to the changing needs of the institutions we accredit. ”

ACICS had already been required to submit a report to the Education Department later this month proving that it has come into compliance with the two federal standards — related to “competency of representatives” and “conflict of interest” — identified by DeVos as problems last year even as she extended the organization’s federal recognition for 12 months.

The letter describing the results of the new review — as well as the [trove of evidence submitted to the department by ACICS](#) earlier this year — were released by the department in response to a Freedom of Information Act request filed by the progressive group Allied Progress. The group provided the documents to POLITICO.

“This letter is as damning an indictment as we’ve seen from career government auditors,” said spokesperson Jeremy Funk, who added that the newly identified issues were “pretty cut and dry evidence DeVos was wrong” in reinstating the federal powers of ACICS.

Congressional Democrats sharply criticized the Trump administration’s decision to reinstate ACICS and have called on DeVos to rescind her approval of the accreditor. DeVos also faces a [proposed class-action lawsuit](#) over the decision to restore ACICS.

The department’s inspector general separately has an [ongoing inquiry](#) into the Trump administration’s decision to restore the federal powers of ACICS.

To view online:

<https://subscriber.politicopro.com/education/article/2019/12/education-department-finds-new-compliance-concerns-with-accreditor-acics-1842611>

From: Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Sent: Wednesday, March 4, 2020 5:39 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
Subject: FW: HLC Request for Second Extension to Respond to January 31 Letter
Importance: High

Please see attached. Thanks.

From: Barbara Gellman-Danley <bgdanley@hlcommission.org>
Sent: Wednesday, March 4, 2020 3:31 PM
To: Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Cc: Bounds, Herman <Herman.Bounds@ed.gov>; Anthea Sweeney <asweeney@hlcommission.org>;
Marla Morgen <mmorgen@hlcommission.org>; Brinton, Jed <Jed.Brinton@ed.gov>;
julie.miceli@huschblackwell.com
Subject: HLC Request for Second Extension to Respond to January 31 Letter
Importance: High

Please see the attached letter.

Barbara Gellman-Danley, Ph.D.
President, Higher Learning Commission
Office: 312.263-0456, ext. 102 | Direct: 312.881.8102
230 South LaSalle Street, Suite 7-500 | Chicago, IL 60604
bgdanley@hlcommission.org | hlcommission.org

The information contained in this communication is confidential and intended only for the use of the recipient named above, and may be legally privileged and exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please resend it to the sender and delete the original message and copy of it from your computer system. Opinions, conclusions and other information in this message that do not relate to our official business should be understood as neither given nor endorsed by the organization.

<HLC Letter to Lynn Mahaffie 3.4.20.pdf>

From: Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Sent: Wednesday, March 4, 2020 5:39 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>
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Marla Morgen <mmorgen@hlcommission.org>; Brinton, Jed <Jed.Brinton@ed.gov>;
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<HLC Letter to Lynn Mahaffie 3.4.20.pdf>

(b)(5)

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Subject: FW: HLC Request for Second Extension to Respond to January 31 Letter
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Marla Morgen <mmorgen@hlcommission.org>; Brinton, Jed <Jed.Brinton@ed.gov>;
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<HLC Letter to Lynn Mahaffie 3.4.20.pdf>

King, Robert

From: King, Robert
Sent: Tuesday, March 17, 2020 5:19 PM
To: Bounds, Herman
Cc: Hilsey, Shaina; Cox, Jack; Solares, Grace
Subject: RE: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Thanks so much.

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Tuesday, March 17, 2020 5:19 PM
To: King, Robert <Robert.King@ed.gov>
Cc: Hilsey, Shaina <Shaina.Hilsey@ed.gov>; Cox, Jack <Jack.Cox@ed.gov>; Solares, Grace <Grace.Solares@ed.gov>
Subject: RE: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

I am pretty sure we can get it posted tomorrow. I will find out how.

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

From: King, Robert <Robert.King@ed.gov>
Sent: Tuesday, March 17, 2020 5:16 PM
To: Bounds, Herman <Herman.Bounds@ed.gov>
Cc: Hilsey, Shaina <Shaina.Hilsey@ed.gov>; Cox, Jack <Jack.Cox@ed.gov>; Solares, Grace <Grace.Solares@ed.gov>
Subject: RE: Temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies

Herman: thanks so much. Will we be able to get this onto a website tonight or tomorrow? Bob

Robert L. King
Assistant Secretary for Postsecondary Education
U.S. Department of Education

From: Bounds, Herman <Herman.Bounds@ed.gov>
Sent: Tuesday, March 17, 2020 5:13 PM
To: Higher Learning Commission (bgdanley@hlcommission.org) <bgdanley@hlcommission.org>; New York Board of

Withheld pursuant to exemption

(b)(6)

of the Freedom of Information and Privacy Act

Dear Executive Directors and Presidents:

Please see the attached information for accrediting agencies regarding temporary flexibilities provided to coronavirus impacted institutions or accrediting agencies.

Sincerely,

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<mailto:Herman.Bounds@ed.gov>
202-453-7615

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Helton, Charity

From: Helton, Charity
Sent: Wednesday, July 8, 2020 2:39 PM
To: Bounds, Herman
Subject: FW: OPEWEB login

The two emails I sent each included the text and contacts below -

From: Helton, Charity
Sent: Friday, June 19, 2020 6:43 PM
To: bgdanley@hlcommission.org; asweeney@hlcommission.org
Subject: OPEWEB login

Good afternoon,

I wanted to let you know that your OPEWEB/eRec account has been reset in preparation for the next NACIQI meeting. You may have received an email notifying you of this; please disregard it at this time. Thank you -

Best,

Charity Helton
Education Program Specialist
U.S. Department of Education
Office of Postsecondary Education
The Accreditation Group
[400 Maryland Avenue, S.W.](#) Mailstop 270-30
[Washington, D.C. 20202](#)
charity.helton@ed.gov
(Phone) [202-453-6124](tel:202-453-6124)

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Subject: Guide final

Hey, Herman –

Updated the guide for HLC reviewers.

Hope it is helpful; feel free to pass my name and phone number on to any Ed staff or committee members who want someone to walk them through where to find all the documents.

We had a meeting with the contractors this morning. Currently, there is no one place to view all the documents from the committee's view, but based on our conversation this morning, that isn't going to change anytime soon. The guide points out all the documents, however, and provides a table of contents -

Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

Office of Postsecondary Education

The Accreditation Group

[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

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Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

Office of Postsecondary Education

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[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

charity.helton@ed.gov

(Phone) [202-453-6124](tel:202-453-6124)

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"Bounds, Herman" <Herman.Bounds@ed.gov>, "julie.miceli@huschblackwell.com" <julie.miceli@huschblackwell.com>, "Brinton, Jed" <Jed.Brinton@ed.gov>

Subject: HLC Letter to Art Institute of Colorado and Illinois Institute of Art (April 23 Board Action)

?

Good Afternoon,

Further to the email below, attached, please find a letter regarding the action taken by the HLC Board at its recent meeting.

Thank you,
Barbara

Barbara Gellman-Danley, Ph.D.

(b)(6)

From: Barbara Gellman-Danley (b)(6)
Sent: Wednesday, April 8, 2020 10:19 AM
To: lynn.mahaffie@ed.gov

(b)(6)

Subject: HLC Letter to Art Institute of Colorado and Illinois Institute of Art

Dear Dr. Mahaffie:

In follow-up to the Higher Learning Commission's March 20, 2020 response to the Department's January 31, 2020 Draft Analysis, I am writing to inform you that the Higher Learning Commission Board of Trustees will consider the action described in the attached letter at a meeting scheduled for April 23, 2020. In summary, and as further described in the letter, the HLC Board will consider, in accordance with its policies, modifying the effective date of the Institutes' Candidacy status from January 20, 2018 to January 8, 2019. If this modification is adopted by the HLC Board, such action will benefit former students of the Institutes, including for example, by potentially facilitating the transferability of credits and degrees earned by students of the Institutes, up through the date of their closure, to schools that, per each school's own policies and procedures, only accept credits issued by an accredited institution.

As you are aware, counsel for HLC reached out to counsel for the Department on February 24 by phone and February 25 by email to inquire about "[w]hat 'efforts' are underway relating to the correction of transcripts," in reference to the Department's directive in the Draft Analysis that HLC show "adequate steps...to assist in any efforts to correct the relevant transcripts of those students who attended the Institutions..." HLC also asked the Department how HLC may be able to support those efforts. In the absence of a substantive response from the Department to that inquiry, and given the burden on students, HLC will consider this action described above. As you are aware, no action is final until taken by the HLC Board.

Please let me know if you have any questions. Otherwise, HLC will inform the Department of the Board's decision following its meeting.

Sincerely,

Barbara

(b)(6)



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King, Robert

From: King, Robert
Sent: Wednesday, August 28, 2019 10:44 AM
To: Sanders, P.J.; Akins, Karen; Bounds, Herman
Cc: Cox, Jack; Hilsey, Shaina
Attachments: NACIQI.FEB2020.08.13.19.pjs_final draft version with all edits accepted
hb.pjs.082119.LBM_.docx1.docx

Final copy with date change to October 3rd.

DEPARTMENT OF EDUCATION

Office of Postsecondary Education

AGENCY: U.S. Department of Education, Accreditation Group,
Office of Postsecondary Education.

ACTION: Call for written third-party comments.

SUMMARY: This notice provides information to members of the public on submitting written comments for accrediting agencies currently undergoing review for purposes of recognition by the U.S. Secretary of Education.

FOR FURTHER INFORMATION CONTACT:

Herman Bounds, Director, Accreditation Group, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue, SW, Room 270-01, Washington, D.C. 20202, telephone: (202) 453-7615, or email: herman.bounds@ed.gov.

SUPPLEMENTARY INFORMATION:

This solicitation of third-party comments concerning the performance of accrediting agencies under review by the Secretary of Education is required by § 496(n)(1)(A) of the Higher Education Act (HEA) of 1965, as amended. These accrediting agencies will be on the agenda for the Winter 2020 National Advisory Committee on Institutional Quality and

Integrity meeting. The meeting date has not been determined but will be announced in a separate Federal Register notice.

Agencies Under Review and Evaluation: Below is a list of agencies currently undergoing review and evaluation by the Department's Office of Postsecondary Education Accreditation Group, including each agency's current and requested scopes of recognition:

Application for Initial Recognition

1. National Nurse Practitioner Residency and Fellowship Training Consortium. Requested Scope of Recognition: The accreditation of postgraduate residency and fellowship nurse practitioner (NP) postgraduate training programs in the United States. This recognition also extends to the agency's Appeals Panel.

Applications for Renewal of Recognition

1. New York State Board of Regents, State Education Department, Office of the Professions (Public Postsecondary Vocational Education, Practical Nursing).
2. Pennsylvania State Board of Vocational Education, Bureau of Career and Technical Education.
3. Kansas State Board of Nursing.
4. Maryland Board of Nursing.

Application for an Expansion of Scope

1. The Association for Biblical Higher Education, Commission on Accreditation. Scope of Recognition: The accreditation and preaccreditation ("Candidate for Accreditation"), at the undergraduate level, of institutions of biblical higher education in the United States offering both campus-based and distance education instructional programs. Requested Scope of Recognition: The accreditation and preaccreditation ("Candidate Status") of institutions of biblical higher education in the United States offering undergraduate certificates, associate degrees, baccalaureate degrees, graduate certificates, and master's degrees, including the accreditation of educational programs offered via distance education.

Application for Granting of Academic (Masters and Doctoral) Degrees by Federal Agencies and Institutions

1. National Intelligence University: Undergoing Substantive Change (Reorganization/Command Change).

Compliance Report

1. The Oklahoma Board of Career and Technology Education (OBCTE) compliance report includes findings of noncompliance with the criteria in 34 Code of Federal Regulations (CFR) § 603 identified in the May 9, 2018

letter from the senior Department official following the February 7, 2018 NACIQI meeting available at:

<https://opeweb.ed.gov/aslweb/finalstaffreports.cfm>

Submission of Written Comments Regarding a Specific Accrediting Agency or State Approval Agency Under Review:

Written comments about the recognition of a specific accrediting or State agency must be received by October 3, 2019, in the ThirdPartyComments@ed.gov mailbox and include the subject line "Written Comments: (agency name)." The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number of the person(s) making the comment. Comments should be submitted as a Microsoft Word document or in a medium compatible with Microsoft Word (not a PDF file) that is attached to an electronic mail message (email) or provided in the body of an email message. Comments about an agency that has submitted a compliance report scheduled for review by the Department must relate to the criteria for recognition cited in the senior Department official's letter that requested the report, or in the Secretary's appeal decision, if any. Comments about an agency that has submitted a petition for renewal of recognition must relate to the agency's compliance with the Criteria for the Recognition of Accrediting Agencies, or the Criteria and Procedures for Recognition of

State Agencies for the Approval of Vocational and Nurse Education as appropriate, which are available at <http://www.ed.gov/admins/finaid/accred/index.html>.

Only written material submitted by the deadline to the email address listed in this notice, and in accordance with these instructions, become part of the official record concerning agencies scheduled for review and are considered by the Department and NACIQI in their deliberations.

A later Federal Register notice will describe how to register to provide oral comments at the Winter 2020 meeting regarding the recognition of a specific accrediting agency or State approval agency.

Electronic Access to this Document: The official version of this document is the document published in the Federal Register. Free Internet access to the official edition of the Federal Register and the Code of Federal Regulations is available via the Federal Digital System at: www.gpo.gov/fdsys. At this site you can view this document, as well as all other documents of this Department published in the Federal Register, in text or Adobe Portable Document Format (PDF). To use PDF, you must have Adobe Acrobat Reader, which is available free at the site. You may also access documents of the Department published in the Federal Register by using the article search feature at: www.federalregister.gov.

Specifically, through the advanced search feature at this site, you can limit your search to documents published by the Department.

Authority: 20 U.S.C. 1011c

Robert L. King
Assistant Secretary
for Postsecondary Education.

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, October 29, 2019 4:43 PM
To: 'Joseph Vibert'
Cc: Jones, Diane
Subject: RE: petitions for recognition
Attachments: Final memo to agencies W2021 NACIQI.docx; Final Memo to agencies W2022 NACIQI.docx; Final Memo to agencies S2021 NACIQI.docx

Joseph, I have attached the memos that were sent to all agencies previously that specifically discuss the focused review. The individual instructions vary slightly depending on which NACIQI meeting the agency is scheduled to appear, and I have highlighted the specific language discussing the focused review. All agencies submitting their petition for recognition before the new regulations become effective (July 1, 2020) will be under the focused review/current regulations, and will follow the process associated with the focused review. All ASPA members should be very familiar with the focused review and all requirements associated with the focused review. During our Accreditation Group staff meetings we have discussed this many times, so I am not aware of any analysts informing agencies submitting petitions prior to July 1, 2020 of a requirement to respond to all of the regulations. The focused review letter has always required agencies to provide an attestation statement for criteria that are not part of the focused review. That is something which has been required as long as the focused review has been in effect and explained in the 2013 letter.

The highlighted language in the memos explain: **After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review), once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.**

This information is in agreement with Diane's communications during the CHEA meeting. If any of your member agencies have additional questions please have them give me a call or their assigned analyst. I do want all agencies to clearly understand the process and requirements.

Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

(b)(6)

To: Jones, Diane <Diane.Jones@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>

Subject: petitions for recognition

Hello Diane and Herman,

Several ASPA members are required to submit their petitions for recognition by February 1, 2020. I am writing you both as there is some confusion among them about the process and the information agencies have received:

- Agencies can choose to use the new June 2019 Handbook, or the old guidebook from 2012 (per Diane's introduction of the Handbook at the CHEA conference in June, and remarks at the fall ASPA conference). Is this correct?
- Agencies submitting petitions for recognition by February 1, 2020 (before the effective date of the new regulations) will respond to the focused review criteria (per Herman's July memo to agencies). Is this correct?
- Agencies have been directed by some Department staff analysts to respond to the 25 criteria outlined in the 2013 Dear Colleague Letter addressing focused review, and other agencies have been directed (by other staff analysts) to respond to the full criteria, using the new guidebook. Could you clarify intent? There is confusion about the definition of "focused review" – is it the process identified in the 2013 letter or is it simply addressing all of the criteria but using the new Handbook?

Is this an accurate interpretation of the requirements for accreditors submitting petitions by February 1, 2020?
Accreditors will respond to the focused review criteria as identified in the 2013 Dear Colleague Letter. Accreditors can choose to use either the 2012 or 2019 guides for information and document submission requirements for the 25 criteria of the focused review.

Thanks for your assistance.

Joseph

(b)(6)



UNITED STATES DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
Accreditation Group

DATE: July 1, 2019

TO: Executive Directors and Presidents:

Renewal Petitions

Accreditation Commission for Acupuncture and Oriental Medicine
Accrediting Bureau of Health Education Schools
Commission on Accrediting of the Association of Theological Schools
Accrediting Commission of Career Schools and Colleges
Council on Occupational Education
American Bar Association, Council of the Section of Legal Education and
Administrations to the Bar
American Psychological Association
American Osteopathic Association, Commission on Osteopathic College
Accreditation
Transnational Association of Christian Colleges and Schools, Accreditation
Commission
Accrediting Council of Independent Colleges and Schools

FROM: Herman Bounds Jr. /s/
Director
Accreditation Group

SUBJECT: Petition for Renewal of Recognition

Your agency's petition for renewal of your listing as a nationally recognized accrediting agency by the Secretary, is tentatively scheduled to be reviewed at the Summer 2021 meeting of the National Advisory Committee on Institutional Quality and Integrity (NACIQI) (dates not yet established), subject to concurrence of the Chairperson of the committee. For the purpose of the upcoming review, you should submit your agency's petition for recognition using the *Handbook for Submitting Petitions for Recognition and Compliance Reports*. The purpose of the *Handbook* is to clarify what specific type and quantity of documentation is required to demonstrate compliance with each of the regulatory criteria in 34 Code of Federal Regulations (C.F.R.) Part 602. The *Handbook* and 34 C.F.R Part 602 are available on our website at:
<https://www2.ed.gov/admins/finaid/accred/index.html>

The Department is requiring agencies scheduled for review during the Summer 2021 NACIQI meeting to submit their petition for recognition **no later than February 1, 2020**. Agencies

submitting petitions for review by Department staff and by the NACIQI are to submit using the Department's electronic submission system.

The system can be accessed at:

<https://opeweb.ed.gov/aslweb/>

If this is your first time logging into the system, please contact the Help Desk for password assistance. If you have forgotten your password, you may retrieve it from the Help Desk by utilizing the "Contact the Help Desk" link under the Login button.

When logged on, you will have access to the Electronic Submission Process User Guide and will find information for accessing technical support. If you have questions about the system, please contact Cathy Sheffield by phone at (202) 453-7615 or by email at Cathy.Sheffield@ed.gov.

Changes in Submission Protocols and the Recognition Process

As you are aware, the Department recently held a negotiated rule making session with the purpose of revising the regulatory criteria in 34 Code of Federal Regulation (C.F.R.). Most relevant to accreditation and the recognition process are revisions to the regulations in 34 C.F.R. Part 602 and criteria in Subpart C of 34 C.F.R. Part 602 (the Recognition Process) which affect the current timelines associated with the review of an agency's petition. Currently, the recognition process occurs over a one-year period starting with agencies being notified one-year in advance of the NACIQI meeting for which they are scheduled to appear. The purpose of the revisions is to afford additional time to conduct reviews of agency policies and procedures, while also providing guidance/advice to agencies regarding how to best demonstrate compliance. The additional time will provide an opportunity for Department staff to observe site visits and the corresponding decision-making meeting. This will allow Department staff to observe the full cycle of review for institutions or programs undergoing the accreditation process. In addition, agencies will now have more time to make standards and policy changes (if needed) well ahead of their scheduled appearance at the NACIQI.

Regulatory revisions will mandate an expansion of the recognition process from one-year to two-years and will be initiated in a multiphase process. This should reduce the number of compliance reports as minor issues should be able to be corrected during the extended recognition process. However, due to the differences in the time remaining in agency recognition periods, timelines for the completion of the draft and final analysis will vary until the two-year recognition process is fully implemented.

Your agency will experience the early stages of the extended review process. Department staff will take approximately **seven months** to complete the draft analysis and your agency will have approximately **180 days** to respond (30 days previously). Your assigned analyst will provide more detailed information regarding the specific timelines for the review of your agency's petition for recognition and will work closely with you throughout this new process.

The Department expects the proposed regulations will become effective on July 1, 2020, and the focused review will be suspended for petitions received after the new regulations become effective. Since the focused review criteria are basically a subset of regulations that will have been revised (due to negotiated rulemaking) it **would not** be legally supportable to continue the focused review and compliance must be demonstrated with all revised regulations.

Important Note

Your agency is required to submit its petition for recognition by February 1, 2020, which is before the effective date of the new regulations. Therefore, your agency will be responding to the focused review criteria. We estimate that the draft staff analysis will be released in September 2020, which is after the revised regulations become effective. After the new regulations become effective, your agency can request to be reviewed under individual, new regulations (as applicable to the criteria sections of the focused review) once implemented, if the review using the new regulation would provide a more favorable compliance outcome for your agency. Please contact your assigned analyst to discuss this option.

Requirements under 34 CFR§ 5.11 and 34 CFR § 602.31(f)

Protecting Information Under the Federal Advisory Committee Act, Privacy Act, Freedom of Information Act, and Family Educational Rights and Privacy Act. Your agency is responsible for redacting from your exhibits the names and any other personally identifying information about individual students and any other individuals who are not agents of your agency or of an institution or program your agency is reviewing before submission to the Department, as well as the personal addresses, personal telephone numbers, personal email addresses, social security numbers, and any other personally identifiable information regarding individuals who are acting as agents of your agency or of an institution or program under review. Petitions containing personal information not redacted as described will not be reviewed by Department staff and will be returned in its entirety to the agency for redaction. Delays in Department staff review of your agency's petition resulting from your agency's failure to timely redact personally identifiable information will be deducted from the agency's response time.

Before submission of your exhibits, pursuant to 34 CFR 5.11, if your agency intends to submit business information that it believes to be protected from public disclosure by the Department under Exemption (b)(4) of the Freedom of Information Act, 5 U.S.C. 552(b)(4), your agency must appropriately mark all portions of the document your agency in good faith considers to be so protected. Blanket designations that all information contained on each page of the submission is protected from disclosure will be presumed to have not been made in good faith. The Department will consider a lack of such designations as demonstrating that the submission is not subject to Exemption (b)(4). The Department will consider designations not made in good faith as a waiver by the agency of any claims Exemption (b)(4) applies.

Your agency may, but is not required to, redact from its exhibits the identities of institutions or programs that it believes are not essential to the Department's review of the agency. However, by request of Department staff, your agency must disclose any specific material or information your agency has redacted that the staff member states is needed for the staff review. Staff will

make necessary arrangements to ensure that the materials are not made public if prohibited by law.

Observations of agency activities

In accordance with 34 CFR § 602.32 (b)(1), Department staff will observe, at a minimum, two of the following accreditation activities: an on-site evaluation of an institution or program undergoing an accreditation review; an accreditation decision meeting; and training workshops. For this reason, we request that you provide us with a schedule of site visits, decision meetings, and training workshops you have scheduled for 2020 and 2021. As usual, the Department will pay all expenses for staff, but staff members need at least three to five weeks' lead-time in order to schedule an on-site observation.

Distance education and/or correspondence education

If your agency's scope of recognition included distance education as of the August 14, 2008, enactment of the Higher Education Opportunity Act, the agency is also recognized for correspondence education pending re-evaluation for renewal of recognition. In your petition for renewal of recognition, you must indicate whether you wish to be recognized for correspondence education, distance education, or both and document your accreditation of distance education and/or correspondence education. You must also provide documentation of agency standards, policies and procedures that address the accreditation of distance education and/or correspondence education programs, as applicable.

Requirements under 34 CFR § 602.16(a)(1)(i) – Student Achievement

(a) The agency must demonstrate that it has standards for accreditation, and preaccreditation, if offered, that are **sufficiently rigorous** to ensure that the agency is a reliable authority regarding the quality of the education or training provided by the institutions or programs it accredits. The agency meets this requirement if-

(1) The agency's accreditation standards effectively address the quality of the institution or program in the following areas:

(i) Success with respect to student achievement in relation to the institution's mission, which may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of course completion, State licensing examination, and job placement rates.

Please ensure your response to this section of the criteria discusses how you determined that your student achievement standards are **sufficiently rigorous**. If you allow the institution or program to establish its own standards, please explain how you evaluate or determine that the institution's or program's standards are **sufficiently rigorous** as required by the Higher Education Act of 1965 as amended and the implementing regulations found in 34 CFR§ 602.

Please call (202) 453-7615 to confirm receipt of this email. My staff and I are available, as always, to respond to any questions you may have.

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of the Freedom of Information and Privacy Act

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Best,

--

John Huston
Office of Postsecondary Education
U.S. Department of Education
295-03 | 202.453.5772
John.Huston@ed.gov

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of the Freedom of Information and Privacy Act

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:32 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Thank you!

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234
Washington, D.C. 20202
(202) 453-7786

From: Huston, John <John.Huston@ed.gov>
Sent: Wednesday, July 8, 2020 2:30 PM
To: Sierra, Angela <Angela.Sierra@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Attached

From: Sierra, Angela <Angela.Sierra@ed.gov>
Sent: Wednesday, July 8, 2020 2:29 PM
To: Huston, John <John.Huston@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Smith, George.Alan <George.Smith@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>
Cc: King, Robert <Robert.King@ed.gov>
Subject: RE: Guide final

Hi John,

Sure I am happy to look at the cover letter. Could you please forward me a copy of the letter that HLC sent? (b)(5)

(b)(5)

Thanks!

-Angela

Angela L. Sierra
General Attorney
U.S. Department of Education
Office of the General Counsel
Division of Postsecondary Education
400 Maryland Avenue, SW, Room 6E234

Withheld pursuant to exemption

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Subject: Guide final

Hey, Herman –

Updated the guide for HLC reviewers.

Hope it is helpful; feel free to pass my name and phone number on to any Ed staff or committee members who want someone to walk them through where to find all the documents.

We had a meeting with the contractors this morning. Currently, there is no one place to view all the documents from the committee's view, but based on our conversation this morning, that isn't going to change anytime soon. The guide points out all the documents, however, and provides a table of contents -

Best,

Charity Helton

Education Program Specialist

U.S. Department of Education

Office of Postsecondary Education

The Accreditation Group

[400 Maryland Avenue, S.W.](#) Mailstop 270-30

[Washington, D.C. 20202](#)

charity.helton@ed.gov

(Phone) [202-453-6124](tel:202-453-6124)

Helton, Charity

From: Helton, Charity
Sent: Wednesday, July 8, 2020 2:39 PM
To: Bounds, Herman
Subject: FW: OPEWEB login

The two emails I sent each included the text and contacts below -

From: Helton, Charity
Sent: Friday, June 19, 2020 6:43 PM
To: bgdanley@hlcommission.org; asweeney@hlcommission.org
Subject: OPEWEB login

Good afternoon,

I wanted to let you know that your OPEWEB/eRec account has been reset in preparation for the next NACIQI meeting. You may have received an email notifying you of this; please disregard it at this time. Thank you -

Best,

Charity Helton
Education Program Specialist
U.S. Department of Education
Office of Postsecondary Education
The Accreditation Group
[400 Maryland Avenue, S.W.](#) Mailstop 270-30
[Washington, D.C. 20202](#)
charity.helton@ed.gov
(Phone) [202-453-6124](tel:202-453-6124)

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, August 4, 2020 11:31 AM
To: Zais, Mitchell; Talbert, Kent; Sherman, Brandon; Willox, Kendyl
Cc: Holt, Jass; Helton, Charity
Subject: Senior Department Official for the review of the Higher Learning Commission

Good morning Deputy Secretary Zais and everyone,

We have been made aware that you will be serving as the Senior Department Official for the review of the Higher Learning Commission only. Jass Holt and Charity Helton from the Accreditation Group will be contacting everyone today regarding access to the Accreditation Group's E-recognition system to facilitate your review of the documents in the system. Hopefully, this process will not consume too much of your time, but some orientation with the system will be necessary. Deputy Secretary Zais, we understand that your schedule is probably quite full. We can provide system orientation to all others, and they can assist you when it is most convenient for you. The HLC review was conducted differently from what is normal; therefore, the documentation is not arranged as it normally would be. However, Jass and Charity will assist everyone with navigating the system, and locating all documents. Thanks Herman

Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

Bounds, Herman

From: Bounds, Herman
Sent: Tuesday, August 4, 2020 11:31 AM
To: Zais, Mitchell; Talbert, Kent; Sherman, Brandon; Willox, Kendyl
Cc: Holt, Jass; Helton, Charity
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Herman Bounds Jr., Ed.S., MS.
Director
Accreditation Group
Office of Post Secondary Education
US Department of Education
400 Maryland Ave
Washington DC 20202
Herman.Bounds@ed.gov<<mailto:Herman.Bounds@ed.gov>>
202-453-7615

King, Robert

From: King, Robert
Sent: Wednesday, August 28, 2019 10:17 AM
To: Sanders, P.J.; Bounds, Herman; Akins, Karen
Cc: Cox, Jack; Hilsey, Shaina
Subject: RE: NACIQI Winter 2020 Meeting - Federal Register Notice
Attachments: NACIQI.FEB2020.08.13.19.pjs_final draft version with all edits accepted
hb.pjs.082119.LBM_.docx

As requested

From: Cox, Jack <Jack.Cox@ed.gov>
Sent: Monday, August 26, 2019 11:44 AM
To: King, Robert <Robert.King@ed.gov>
Subject: FW: NACIQI Winter 2020 Meeting - Federal Register Notice

From: Sanders, P.J. <Phyllis.Jean.Sanders@ed.gov>
Sent: Thursday, August 22, 2019 8:40 AM
To: Hilsey, Shaina <Shaina.Hilsey@ed.gov>; Cox, Jack <Jack.Cox@ed.gov>
Cc: Sanders, P.J. <Phyllis.Jean.Sanders@ed.gov>; Bounds, Herman <Herman.Bounds@ed.gov>; Akins, Karen <Karen.Akins@ed.gov>; Weisman, Annmarie <Annmarie.Weisman@ed.gov>; Mahaffie, Lynn <Lynn.Mahaffie@ed.gov>
Subject: NACIQI Winter 2020 Meeting - Federal Register Notice

Shaina and Jack:

Attached is the [Federal Register](#) notice for the NACIQI Winter 2020 Meeting. Please electronically sign the notice and forward copies of the signed notice to Karin Akins, P. J. Sanders, and Herman Bounds. Karin will then transmit the notice to the Office of the Federal Register for publication. Please and thank you.

P.J.

King, Robert

From: King, Robert
Sent: Wednesday, August 28, 2019 10:44 AM
To: Sanders, P.J.; Akins, Karen; Bounds, Herman
Cc: Cox, Jack; Hilsey, Shaina
Attachments: NACIQI.FEB2020.08.13.19.pjs_final draft version with all edits accepted
hb.pjs.082119.LBM_.docx1.docx

Final copy with date change to October 3rd.

DEPARTMENT OF EDUCATION

Office of Postsecondary Education

AGENCY: U.S. Department of Education, Accreditation Group,
Office of Postsecondary Education.

ACTION: Call for written third-party comments.

SUMMARY: This notice provides information to members of the public on submitting written comments for accrediting agencies currently undergoing review for purposes of recognition by the U.S. Secretary of Education.

FOR FURTHER INFORMATION CONTACT:

Herman Bounds, Director, Accreditation Group, Office of Postsecondary Education, U.S. Department of Education, 400 Maryland Avenue, SW, Room 270-01, Washington, D.C. 20202, telephone: (202) 453-7615, or email: herman.bounds@ed.gov.

SUPPLEMENTARY INFORMATION:

This solicitation of third-party comments concerning the performance of accrediting agencies under review by the Secretary of Education is required by § 496(n)(1)(A) of the Higher Education Act (HEA) of 1965, as amended. These accrediting agencies will be on the agenda for the Winter 2020 National Advisory Committee on Institutional Quality and

Integrity meeting. The meeting date has not been determined but will be announced in a separate Federal Register notice.

Agencies Under Review and Evaluation: Below is a list of agencies currently undergoing review and evaluation by the Department's Office of Postsecondary Education Accreditation Group, including each agency's current and requested scopes of recognition:

Application for Initial Recognition

1. National Nurse Practitioner Residency and Fellowship Training Consortium. Requested Scope of Recognition: The accreditation of postgraduate residency and fellowship nurse practitioner (NP) postgraduate training programs in the United States. This recognition also extends to the agency's Appeals Panel.

Applications for Renewal of Recognition

1. New York State Board of Regents, State Education Department, Office of the Professions (Public Postsecondary Vocational Education, Practical Nursing).
2. Pennsylvania State Board of Vocational Education, Bureau of Career and Technical Education.
3. Kansas State Board of Nursing.
4. Maryland Board of Nursing.

Application for an Expansion of Scope

1. The Association for Biblical Higher Education, Commission on Accreditation. Scope of Recognition: The accreditation and preaccreditation ("Candidate for Accreditation"), at the undergraduate level, of institutions of biblical higher education in the United States offering both campus-based and distance education instructional programs. Requested Scope of Recognition: The accreditation and preaccreditation ("Candidate Status") of institutions of biblical higher education in the United States offering undergraduate certificates, associate degrees, baccalaureate degrees, graduate certificates, and master's degrees, including the accreditation of educational programs offered via distance education.

Application for Granting of Academic (Masters and Doctoral) Degrees by Federal Agencies and Institutions

1. National Intelligence University: Undergoing Substantive Change (Reorganization/Command Change).

Compliance Report

1. The Oklahoma Board of Career and Technology Education (OBCTE) compliance report includes findings of noncompliance with the criteria in 34 Code of Federal Regulations (CFR) § 603 identified in the May 9, 2018

letter from the senior Department official following the February 7, 2018 NACIQI meeting available at:

<https://opeweb.ed.gov/aslweb/finalstaffreports.cfm>

Submission of Written Comments Regarding a Specific Accrediting Agency or State Approval Agency Under Review:

Written comments about the recognition of a specific accrediting or State agency must be received by October 3, 2019, in the ThirdPartyComments@ed.gov mailbox and include the subject line "Written Comments: (agency name)." The email must include the name(s), title, organization/affiliation, mailing address, email address, and telephone number of the person(s) making the comment. Comments should be submitted as a Microsoft Word document or in a medium compatible with Microsoft Word (not a PDF file) that is attached to an electronic mail message (email) or provided in the body of an email message. Comments about an agency that has submitted a compliance report scheduled for review by the Department must relate to the criteria for recognition cited in the senior Department official's letter that requested the report, or in the Secretary's appeal decision, if any. Comments about an agency that has submitted a petition for renewal of recognition must relate to the agency's compliance with the Criteria for the Recognition of Accrediting Agencies, or the Criteria and Procedures for Recognition of