Session 1: December 4-7, 2017

**Issue Paper #8**

**Issue:** Certification Requirements

**Statutory cites:** 20 U.S.C. § 1221e-3; 20 U.S.C. § 3474; 20 U.S.C. § 1231a; 20 U.S.C. §§ 1001(b)(1), 1002(b)(1)(A)(i), (c)(1)(A); 20 U.S.C. § 1088(b)

**Regulatory Cites:** 34 CFR §668.414

**Summary of issue:** Currently, an institution is required, as a condition of its participation in the title IV programs, to certify that:

* Each eligible GE program it offers is approved by a recognized accrediting agency or is otherwise included in the institution’s accreditation by its recognized accrediting agency (or if a public vocational postsecondary institution, the program is approved by a recognized State agency for this purpose);
* Each eligible GE program it offers is programmatically accredited, if such accreditation is required, by a Federal governmental entity or by a governmental entity in the State where the institution is located, or in which the institution is otherwise required to obtain state approval under 34 CFR 600.9;
* For the State in which the institution is located or in which the institution is required to obtain State approval, each eligible program it offers satisfies the applicable educational prerequisites for professional licensure or certification in that State so that a student who completes the program and seeks employment in that State qualifies to take any licensure or certification exam needed for the student to practice or find employment in the occupation that the program prepares the student to enter; and
* For a program which an institution seeks to establish eligibility, the program is not substantially similar to one that, in the prior three years, became ineligible under the D/E rates measure or was failing, or in the zone, and was voluntarily discontinued by the institution (an explanation of how the program is not substantially similar, i.e., shares the same four-digit CIP code, to any such ineligible or discontinued program must be included with the certification).

The above certifications must be made in the institution’s program participation agreement, and updated within 10 days if there are any changes in the approval for a program, or other changes for a program that make an existing certification no longer accurate.

**Questions for consideration by the committee:**

* Should existing regulations relevant to certification of GE programs be retained in their current form or modified, including in the event that the regulations are otherwise extended to cover all programs?
* Are the items which currently must be certified adequate for the purpose of ensuring that a GE program is properly accredited and/or approved by the appropriate entities, and actually preparing students for licensure or to be able to practice in the occupation for which the program is training them?
* Are additional certification requirements necessary?
* What, if any, certification requirements should be removed?
* Are the current regulations compatible with final rules regarding state authorization published December 19, 2016, especially as concerns institutions with multiple campuses across state lines or operating distance education programs?