**CYoshitomi - Department of Education Regulatory Negotiations**

**Conference Agenda**

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**Topic 1:   DOE Regulatory Negotiations: Accreditation - Alternative Standards and Waivers Part B**

The Department also seeks recommendations from negotiators about when and how agencies should be allowed to grant waivers to one or more standards, such as to allow for educational innovations that may not fit neatly into the agency’s typical requirements, or in situations where an institution cannot reasonably be expected to comply with a given standard due to circumstances beyond their control, or in the event that an institution has agreed to serve as a teach-out provider for students enrolled at a closed or closing institution.

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| 1. | **Prior Learning Assessments for Student Veterans - D Elkins** We have found that institutions have been hesitant to innovate in their awarding of credit for student veterans because of their fear of their accrediting agency. We know of institutions who do want to create accelerated degree pathways, want to fill the gaps between their curriculums and military MOS, and take full account of Student Veterans’ prior training and effort. This, we believe, is a great example of innovation that deserves a waiver from accreditors.  *Comments:*   1. While I'm not going to say that an accreditor has never "stifled an innovation," I would throw one additional thought for consideration. Accreditors are blamed for A LOT by institutions. You would not believe the number of times I hear that "CEPH requires XYZ..." when we don't. Or "CEPH said we couldn't do XYZ...." We didn't. Or "We can't do that because of accreditation..." They can. Sometimes it is actually selected faculty or the administrators who are opposed to the innovation under consideration and the loudest ones throw up the best roadblock ever - accreditation. Nobody takes the time to fact check it. I think in the meeting we discussed all kinds of ways that accreditors ARE working with institutions on pilot projects. It is permissible now. I think actually allowing waivers of quality standards might not be the best way to accomplish this goal. 2. Tina F. - What often happens at the Public 4 Years is our faculty have no interest in making allowances for prior learning. We do offer students the option of earning credit by exam. 3. Just want to commend ACE for their Military Evaluations Program. Hesitancy to accept these credits seems equivalent to some regionally accredited institutions' hesitancy to review nationally accredited transcripts. Is there more that the Regionals .... and Programmatic accreditors for that matter ... could communicate to their members? |
| 2. | **Waivers and pilots ... some thoughts on minimum performance pre-pilot** Some thoughts: Let waivers be defined as approved variations from standards as distinct from variations among standards (as in Part A). The first consideration in approving a waiver should be that students (both current and future) be well served. What that means will vary depending on the variance/waiver. From the Committee’s discussions, there appear to be three types of waivers:  The first is permanent waivers. These would be granted in the event of an incompatibility regulatorily provided for between institutional mission and an agency standard. Obviously these would be specified as narrowly as possible, and would likely be arrived at through discussion and negotiation between the institution and the accreditor. Definition and rationale of the waiver would need to be appropriately memorialized, but how an agency might report such variations from standard to its constituency could be left up to the agency. The result would be continued institutional accreditation and student access to federal financial aid and licensing eligibility as appropriate.  The second is temporary waivers. These might come about due to temporary undertakings (such as teach-outs), or special short-term circumstances (such as natural disasters leading to unavailability of facilities). In these cases, the occasion for the waiver, its scope and its duration would need to be specified. If the case were such that students might experience deficiencies in their programs, plans to address those deficiencies should be part of the waiver. Full disclosure to students would be called for. Should there be additional student costs (e.g., travel to complete coursework at an assisting institution), provisions for those costs would need to be addressed. The results would be continued institutional accreditation, student access to federal financial aid and minimal student disruption.  I suggest that a third category, while technical temporary, should be distinguished: that is, pilots.  Michale’s language in response 4 under Part A is a good start. It might be well to add the language from Barbara’s draft in Part C as to goals, transparency, and protection of students. I also agree that there should be minimum standards for such pilots. Some thoughts: The institution should otherwise be in good standing (i.e., academic as well as financial), and the accreditor itself have sufficient credibility to assist in guiding the effort. That credibility might come from longevity or other criteria such as specialization and (independent) industry depth prior to becoming an accreditor. Probably there might be sense in limiting the number and range of pilots an accreditor might oversee at any given time. There would need to be a persuasive rationale for the pilot, including good reasons either to expect success or for the need for a solution to a critical problem to be such that a more speculative effort to find a solution is still worthwhile. The institutional proposal would need to be equivalent in quality of analysis etc. as that currently for a substantive change.  This is not meant to suggest that accreditors do not currently make provision for waivers. ACCSC, for example, on page 64 of its standards, has a very clear explanation of its waiver process. So, again, although regulations actively encouraging waivers may be valuable, passive permissions seems in place. I do not know the extent to which agencies have felt discouraged if not penalized for such efforts in the past, however. |
| 3. | **PLA: Barbara Gellman-Danley** My colleague is absolutely right. Accreditors expect institutions to have PLA policies that are consistently applied, so many know that's not the case and won't take a chance. Further, some of the good benefits of learningcounts.org don't work well with community colleges because the costs exceeds their tuition ceilings. Nevertheless, PLA is great for veterans and others who have measurable education experiences prior to attending a higher education institution. We need to help them translate that. |

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