

**U.S. Department of Education  
Program Integrity and Institutional Quality  
Negotiated Rulemaking**

**Meeting Summary  
January 8-11, 2024**

**Welcome**

Federal Mediation and Conciliation Service Facilitator (FMCS), Cynthia Jeffries, welcomed and thanked Committee members for agreeing to assist the Department’s negotiated rulemaking developing proposed regulations regarding Program Integrity and Institutional Quality.

Gregory Martin introduced Under Secretary James Kvaal. Under Secretary Kvaal addressed the committee with opening remarks and thanked the Committee members for agreeing to assist the Department in developing the proposed regulations.

**Introductions**

Gregory Martin was formally introduced as the Federal Negotiator who gave opening remarks to the Non-Federal Negotiators.

Gregory Martin provided the committee with an introduction of himself as well as David Musser who will be at the table with him.

**Department of Education General Council:**

Ms. Denise Morelli for issues other than accreditation.  
Ms. Donna Mangold for issues on accreditation.

**From Federal Student Aid Office of Policy Implementation and Oversight:**

Mr. David Musser who will be at the table with Gregory Martin.

**From the Office of Postsecondary Education’s Accreditation Group:**

Mr. Herman Bounds who will be at the table for the accreditation issue.

**Committee members introduced themselves by virtue of rollcall.**

**Membership**

The following individuals are the Members of the Program Integrity and Institutional Quality Committee Negotiated Rulemaking Committee:

Community of Interest	Primary Negotiator	Alternate Negotiator
<b>Business Officers from Institutions of Higher Education</b>	Joe Weglarz, Marist College	Dom Chase, Ivy Tech Community College of Indiana
<b>Civil Rights Organizations and Consumer Advocates</b>	Carolyn Fast, The Century Foundation	Magin Misael Sanchez, UnidosUS
<b>Financial Aid Administrators</b>	JoEllen Price, San Jacinto College	Zack Goodwin, University of Nevada, Las Vegas
<b>Historically Black Colleges and Universities, Tribal Colleges and Universities and Minority-Serving Institutions (institutions of higher education eligible to receive Federal Assistance under title III, parts A and F, and title V of the HEA)</b>	Dr. Charles B. W. Prince, Dillard University	D'Angelo Sands, Texas A&M Corpus Christi
<b>Institutional Accrediting Agencies Recognized by the Secretary</b>	Jamiene S. Studley, WASC College and University Commission	Michale McComis, Accrediting Commission of Career Schools, and Colleges
<b>Legal Assistance Organization</b>	Robyn Smith, Legal Aid Foundation of Los Angeles, and National Consumer Law Center	Sophie Laing, Pine Tree Legal Assistance
<b>Private Nonprofit Institutions of Higher Education</b>	Erika Linden, Des Moines University	Scott Dolan, Excelsior University
<b>Programmatic accrediting agencies recognized by the Secretary, to include State Agencies recognized for approval of nurse education</b>	Dr. Laura Raser King, Council on Education for Public Health	Amy Ackerson, Missouri State Board of Nursing
<b>Proprietary Institutions of Higher Education</b>	Jillian Klein, Strategic Education, Inc. (SEI)	David Cohen, Five Towns College – APC Board of Directors

<b>Public Four-Year Institutions of Higher Education</b>	Jason Lorgan, University of California, Davis	Alyssa Dobson, Slippery Rock University
<b>Public Two-Year Institutions of Higher Education</b>	Jo Alice Blondin, Clark State College	Michael Cioce, Rowan College at Burlington County
<b>State Attorneys General</b>	Diana Hooley, Massachusetts Attorneys General Office	Vacant
<b>State Officials, including State higher education executive officers, State authorizing agencies, and State regulators of institutions of higher education.</b>	John Ware, Ohio State Board of Career Colleges, and Schools	Robert Anderson, State Higher Education Executive Officers Association
<b>Student or borrowers, including currently enrolled borrowers, or groups representing them</b>	Jessica Morales, American University Washington School of Law	Emmett Blaney, Young Invincibles
<b>U.S Military Service Members, Veterans, or groups representing them</b>	Barmak Nassirian, Veterans Education Success	Ashlynn Haycock-Lohmann, Tragedy Assistance Program for Survivors
<b>Federal Negotiator</b>	Gregory Martin	David Musser Herman Bounds

**Additional Membership Discussion and Action**

Two additional proposals were made for committee membership as follows:

1. Proposal to split the current Consumer Advocates and Civil Rights combined group into two separate constituency groups. The motion failed in consensus check by full committee.
2. Proposal to add a constituency group for Distance Education. No consensus was taken as clear dissent was noted in the discussion. No objection to not proceeding with consensus was made by full committee as protocols require 100% agreement by the full committee to be approved.

**Federal TRIO Program Subcommittee**

FMCS announced there will be a subcommittee on Federal TRIO Programs. The role and responsibility as outlined in the protocols was reviewed. The members of the TRIO subcommittee were introduced as follows but were not present except for one committee member that serves on both the full committee and TRIO subcommittee:

Community of Interest	Member
<b>Institutions of Higher Education</b>	D'Angelo Sands
<b>Current of former participants in a Federal TRIO Program</b>	Wade Williams
<b>Secondary Schools, including local educational agencies with secondary schools</b>	Geoff Ganer
<b>Organizations, including community-based organizations with experience in serving disadvantaged</b>	Emalyn Lopus
<b>State officials, including State Higher Education Executive Officers, State Authorizing Agencies, and State Regulators of Institutions of Higher Education</b>	Michael Meotti
<b>Department of Education, Office of Policy, Planning, and Innovation within the Office of Postsecondary Education</b>	Aaron Washington, Subcommittee leader
<b>Department of Education, Higher Education Programs, office within the Office of Postsecondary Education</b>	Gaby Watts
<b>Department of Education, Office of General Counsel</b>	Hannah Hodel

## **FMCS Facilitation Team introduced**

Cynthia Jeffries, Team Lead  
Brady Roberts  
Krystil Smith  
John Weathers  
Kevin Wagner

## **Overview of the Negotiated Rulemaking Process**

FMCS explained and reviewed the negotiated rulemaking process, the virtual meeting technology, the protocols, consensus, and how to submit questions and data requests via the FMCS team.

## **Review and Adopt Protocols**

The Committee approved the organizational protocols as proposed.

## **Agenda**

The committee reviewed and discussed issue papers and proposed regulatory text provided by the Department in advance of the Session on the following:

- Cash Management
- State Authorization
- Distance Education
- Withdraws and Return of Title IV Funds
- Accreditation

## **Public Comment**

The Committee provided opportunity for public comment at the end of each day. Public comment was received on all four days of the session.

## **Next Meeting**

The next meeting will be held via Zoom Gov February 5-8, 2024

## **Next Steps**

FMCS will distribute a final summary and final agenda to the negotiators. Any information that members want to share with the Department, or the Committee as a whole, should be sent to the facilitators. Additionally, any questions members have may be directed to the facilitators.

Committee members will communicate with others within their communities of interest to inform and get feedback from them.

Addendum

**U.S. Department of Education  
Federal TRIO Program Subcommittee**

**Meeting Summary of Session 1  
January 12, 2024**

**Welcome**

Federal Mediation and Conciliation Service Facilitator, Krystil Smith, welcomed and thanked the subcommittee members for agreeing to serve on the Federal Trio Program subcommittee.

Aaron Washington introduced Dr. Nasser Paydar, Assistant Secretary for Postsecondary Education.

Dr. Paydar providing opening remarks to the subcommittee.

**Roll Call**

FMCS conducted roll call of members. FMCS announced a new member, Michael Meotti to fill the vacancy on the subcommittee for State officials, including State Higher Education Executive Officers, State Authorizing Agencies, and State Regulators of Institutions of Higher Education. Mr. Meotti will be in attendance for the afternoon session today.

Community of Interest	Member
<b>Institutions of Higher Education</b>	D'Angelo Sands
<b>Current of former participants in a Federal TRIO Program</b>	Wade Williams
<b>Secondary Schools, including local educational agencies with secondary schools</b>	Geoff Ganer
<b>Organizations, including community-based organizations with experience in serving disadvantaged</b>	Emalyn Lopus

<b>State officials, including State Higher Education Executive Officers, State Authorizing Agencies, and State Regulators of Institutions of Higher Education</b>	Michael P. Meotti
<b>Department of Education, Office of Policy, Planning, and Innovation within the Office of Postsecondary Education</b>	Aaron Washington, Subcommittee leader
<b>Department of Education, Higher Education Programs, office within the Office of Postsecondary Education</b>	Gaby Watts
<b>Department of Education, Office of General Counsel</b>	Hannah Hodel

**Introductions**

FMCS introduced Aaron Washington, Department of Education member as the team lead.

Aaron Washington led the subcommittee in introductions of themselves.

**Overview of the subcommittee role**

An overview of logistics/subcommittee role was given by Aaron Washington, Subcommittee Lead.

**Agenda**

- Talent Search program
- Upward Bound program
- Educational Opportunity Centers program

Aaron Washington led the subcommittee providing an overview of each of the TRIO programs in the agenda. He also did an overview of the issue paper as well as walking through the proposed amended regulatory text from the Department. Discussions took place on the proposed text.

In the afternoon, the subcommittee discussed a counter proposal from four of the members for consideration by the Department.

### **Next Steps**

The next session is scheduled for February 9, 2024.

The Department will get back to the subcommittee on additional or changes on the next steps. FMCS will be in contact with the members to relay final next steps as well as the agenda.

### **Adjournment**

The subcommittee adjourned at 3:00pm ET.