

DEPARTMENT OF EDUCATION
OFFICE OF POSTSECONDARY EDUCATION
NEGOTIATED RULEMAKING PROGRAM INTEGRITY
AND INSTITUTIONAL QUALITY
SESSION 3, DAY 2, MORNING
MARCH 5, 2024

On the 5th day of March, 2024, the following meeting was held virtually, from 10:00 a.m. to 12:00 p.m.

P R O C E E D I N G S

MS. K. SMITH: Good morning, everyone, and welcome or welcome back to the Program Integrity and Institutional Quality Committee of the Department Negotiated Rulemaking. This is session three, day two. I'm Krystil Smith with FMCS, and I will be the facilitator for today. Our co-facilitator will be Cynthia Jeffries and along with us are also facilitators Brady Roberts and Kevin Wagner. We'd like to start off this morning with our roll call, and we will begin with our non-Federal negotiators beginning with the business officers. Joe Weglarz is our primary. Joe?

MR. WEGLARZ: I'm here. Good morning.

MS. K. SMITH: Good morning. And the alternate is Dom Chase.

MR. CHASE: Present. Good morning.

MS. K. SMITH: Good morning. For the civil rights organizations and consumer advocates. Carolyn Fast, the primary.

MS. FAST: Good morning.

MS. K. SMITH: Good morning. And alternate is Magin Sanchez.

MR. SANCHEZ: Good morning.

MS. K. SMITH: Good morning. Our financial aid administrators are JoEllen Price. Jo?

MS. PRICE: Good morning.

MS. K. SMITH: Good morning. And the alternate is Zach Goodwin.

MR. GOODWIN: Good morning.

MS. K. SMITH: Good morning.

Representing the Historically Black colleges and universities, tribal colleges and universities and minority serving institutions, Dr. Charles Prince.

DR. PRINCE: Good morning.

MS. K. SMITH: Good morning. And D'Angelo Sands is the alternate.

MR. SANDS: Good morning.

MS. K. SMITH: Good morning. For the institutional accrediting agencies, we have primary, Jamie Studley.

MS. STUDLEY: Good morning, everyone.

MS. K. SMITH: Good morning. And Michale McComas is the alternate.

MR. MCCOMIS: Good morning.

MS. K. SMITH: Good morning.

Representing the legal assistance organizations, Robyn Smith is the primary.

MS. R. SMITH: Hi, everyone.

MS. K. SMITH: Good morning. And the alternate is Sophie Laing.

MS. LAING: Good morning.

MS. K. SMITH: Good morning. For our private nonprofit institutions of higher education, the primary is Erika Linden.

MS. LINDEN: Good morning.

MS. K. SMITH: Good morning. And the alternate is Scott Dolan.

MR. DOLAN: Good morning, everybody.

MS. K. SMITH: Good morning. For our programmatic accrediting agencies recognized by the Secretary, our primary is Laura Rasar King. Laura?

DR. KING: Good morning.

MS. K. SMITH: Good morning. And the alternate is Amy Ackerson.

MS. ACKERSON: I'm here. Good morning.

MS. K. SMITH: Good morning. Our proprietary institutions of higher education, our primary is Jillian Klein.

MS. KLEIN: Good morning.

MS. K. SMITH: Good morning, Jillian. And the alternate is David Cohen.

MR. COHEN: Good morning.

MS. K. SMITH: Good morning. For our public four-year institutions of higher education, our primary is Jason Lorgan.

MR. LORGAN: Good morning.

MS. K. SMITH: Good morning. And the alternate is Alyssa Dobson.

MS. DOBSON: Good morning.

MS. K. SMITH: Good morning. For our public two-year institutions of higher education, Jo Blondin.

MS. BLONDIN: Yes. Thank you.

MS. K. SMITH: Good morning, Jo. And the alternate is Michael Cioce. Is Michael on yet? Okay. We don't have him on yet. For our state attorneys general, our primary is Diana Hooley.

MS. HOOLEY: Good morning.

MS. K. SMITH: Good morning. And the alternate position is vacant. Our state officials, including state higher education executive officers, state authorizing agencies and state regulators of institutions of higher education, the primary is John Ware.

MR. WARE: Good morning.

MS. K. SMITH: Good morning. And the alternate is Robert Anderson.

MR. ANDERSON: Good morning.

MS. K. SMITH: Good morning.
Representing our students or borrowers, including

currently enrolled borrowers or groups representing them, our primary is Jesse Morales. Okay. I don't see Jesse on just yet. Our alternate is Emmett Blaney.

MR. BLANEY: Good morning.

MS. K. SMITH: Good morning. And representing the U.S. military service members, veterans or groups representing them, our primary is Barmak Nassirian.

MR. NASSIRIAN: Good morning.

MS. K. SMITH: Good morning, Barmak. And the alternate is Ashlyn Haycock-Lohmann.

MS. HAYCOCK-LOHMANN: Good morning.

MS. K. SMITH: Good morning. Alright.

As I mentioned, today is our second day of our last session. That means we have two days left. So not a lot of time. So here are a couple of reminders. We want to first encourage you all to continue to seek consensus. We are in the end game here. So let's continue to work together to find those areas that we can live with. Right? We may not be able to get everything we're looking for but we're looking for things that will be workable and looking for some consensus there. With that in mind, we do ask that you all continue to make good use of the chat box. So the plus ones, the concurrences, other questions that are directed to the Department. The

Department is still looking at those. That is a good way to do that in the interest of time. And when you do speak, of course, continue to raise your virtual hands and make sure to bring forth new ideas and not reiterations of things that we've already spoke about. Today, we do have a number of things on our agenda. And the first one. Yes, Cynthia.

MS. JEFFRIES: I just wanted to introduce the Federal negotiator and the Department staff. Could you do that, Krystil?

MS. K. SMITH: Yes, I was going to do that with TRIO. So I'll first introduce our Federal negotiator, Greg Martin.

MR. MARTIN: Good morning.

MS. K. SMITH: And Greg is being assisted by a number of people from the Department, including Herman Bounds. Is Herman on?

MR. BOUNDS: Good morning. Good morning everyone. Yep. I'm here.

MS. K. SMITH: Good morning, Herman. Dave Musser.

MR. MUSSER: Good morning, all.

MS. K. SMITH: Good morning, Dave. And Aaron Washington. I'll introduce Aaron, again very briefly.

MR. WASHINGTON: Hello.

MS. K. SMITH: Thank you, Aaron. And assisting the Department as well, we have a number of those from the general counsel. Donna Mangold.

MS. MANGOLD: Good morning.

MS. K. SMITH: And is Denise on?

MS. MORELLI: Yes, I am. Good morning.

MS. K. SMITH: Good morning, Denise Morelli. And Hannah Hodel.

MS. HODEL: Good morning.

MS. K. SMITH: We will be discussing the TRIO program. As we know there was a separate subcommittee set up specifically for TRIO. So I would like at this time to introduce Aaron. And Aaron, if you can also introduce anyone else from the Department that is assisting you. And we'll also have a report out from the TRIO subcommittee. Aaron?

MR. WASHINGTON: Sure. Thank you, Krystil. Yeah. We have- my name is Aaron. We also have, in addition to Hannah, who is our general counsel, Gaby Watts, who is our director of student support services. Gaby, are you here with us? Can you say hi?

MS. WATTS: Yes. Good morning, everyone.

MR. WASHINGTON: Gaby was there with

us throughout the duration of the subcommittee. She's the expert on all things TRIO. Yeah. So basically, I just wanted to talk with you about before we turn it over to our subcommittee to report out, is just give you kind of a high level of what we did during the subcommittee and what the Department is proposing. Right? So the Department proposes to expand participant eligibility for those who do not meet the citizen or non-citizen requirements. And we think this will better align with the goals of the Higher Education Act. The Higher Education Act for those viewing, I know the subcommittee and the main committee already knows this, but the Higher Education Act is the law or the statute that authorizes the TRIO programs. The three programs in question today are Upward Bound, Talent Search, and Educational Opportunity Centers. I won't go into the specifics on the programs here. We do have a little bit of background if anybody, you know, if any main committee member wants more background, I can go into that during the question period. But those were authorized by the Higher Education Act that have served students from underrepresented backgrounds that include homeless and unhoused individuals, individuals with disabilities, individuals who are limited in English proficiency, and individuals who are in foster care or are aging out of foster care

and low income individuals. So what we're proposing is that if a prospective student does not meet the existing requirements, then the individual would be able to qualify for some of the TRIO programs that I just mentioned, if they're enrolled or seek to enroll in a high school in the United States, they're freely associated states or U.S. territory. Let's see. So we think that this will simplify program administration. Simpler and broader eligibility criteria will especially help programs where TRIO grantees make providing a range of services to students with differing levels of intensity and involvement. So with that, I'll just turn it over to D'Angelo Sands and Michael Meotti to give a subcommittee report out. D'Angelo will lead the report out, and Michael will fill if he chooses to. And after the report out, we'll post the language and open up for questions. So I'll turn it over to D'Angelo.

MR. SANDS: Good morning. To the negotiated rulemaking committee and to the Department, we appreciate the opportunity to participate in this process and to offer insight on the proposed expansion of services to an additional demographic. TRIO program staff have consistently demonstrated their dedication to serving first generation, low income and students with disabilities for many years. Our goal is to serve as many

of these students as possible. Therefore, we are committed to continuing this work in accordance with the proposed changes. Furthermore, we urge the Department to provide guidance to TRIO program directors and staff to navigate these changes. Training and additional resources are essential to equip TRIO program staff with the necessary skills and competencies to effectively serve students, while ensuring they are treated with dignity and respect. As we progress forward, we strongly encourage the Department to update TRIO regulations to address the current challenges facing our programs and students in the immediate future. Specifically, we recommend allowing Pell Grant recipients to qualify as low income individuals, which would alleviate administrative burdens on TRIO undergraduate programs. Additionally, we advocate for the elimination of standardized testing and dropout data requirements in Upward Bound programs. Given the disruption caused by the global pandemic, such data may not accurately reflect the needs of effectiveness of these programs, of these programs, excuse me. Instead, the Department should focus on the positive impact TRIO programs have on the overall academic culture of high schools. Moreover, it is crucial to update student stipends to align with current student needs. The stipends outlined in the 2008 reauthorization

have not kept pace with the rising costs faced by students looking to recent legislation for guidance such as the Educational Opportunity and Success Act of 2023 would be beneficial in adjusting stipends within TRIO programs. Lastly, we urge the Department to address regulatory limitations that hinder professional and student development across all TRIO programs. This includes broadening allowable costs to support the participation of students and events aimed at their intellectual, social and cultural development across all programs, for example, not just limited to Upward Bound. Thank you for your time and consideration.

MS. K. SMITH: Thank you, D'Angelo, for that report out. Michael, did you have anything to add?

MR. MEOTTI: Yes, yes. Thank you. Thank you, Krystil. My name is Michael Meotti. I'm the Executive Director of the Washington Student Achievement Council. We are the state's higher education agency in the state of Washington. And we are- and I serve on the Governor's executive cabinet. We are extensively involved in college going pathways for middle school through high school completion, across every school district in the state of Washington and a variety of ways. And while we're very familiar with TRIO programs, we don't run any

TRIO programs as a state agency. We do run a large number of comparable Federally funded programs in the Gear Up program in which we are doing secondary school college pathway supports across 50 plus high schools in the state of Washington. And those programs are inclusive of all students, as the Department's proposal would bring TRIOs secondary programs in alignment with the model that we use in Gear Up. And it has worked very well in the state of Washington. And we have found that, like almost any holistic approach that builds on financial aid, but goes much further to individual supports for students who face many challenges in looking at opportunities after high school, that if you put them- you give them a holistic package of services. One thing it clearly does is improve academic performance in high school and high school graduation. I think elders around the country have seen this. We've seen this repeatedly in Washington, not only in our Gear Up programs, but other programs as well. So we think it is very important to be inclusive in the TRIO programs. And we very much support the Department's proposal as it is before you today. Thank you.

MS. K. SMITH: Okay. Thank you. And we do want to take this time to thank all of those that worked on the TRIO subcommittee. D'Angelo, Michael and there were three others on the committee as well. So

thank you. So for. Aaron?

MR. WASHINGTON: Go ahead. I didn't.
Go ahead, Krystil.

MS. K. SMITH: So our next step as the committee, as we know, the subcommittee was convened solely to make a recommendation to this committee regarding the proposed changes. So at this time, the committee has the opportunity to ask any additional questions. And then we will take a look at the language, or we will then vote or look at consensus on the language. Aaron, did you have anything to say before I went to any of the other committee members?

MR. WASHINGTON: Yeah. Maybe let's pull up the language so they can see it. And then just do a super high level. Vanessa or Joe? I'm sorry, it's Joe. And so you'll see here the language- like I won't go through every single section because the language pretty much mirrors the language under each of the TRIO programs. But you'll see the citizenship requirements there, the current citizenship requirements. You either have to be a U.S. citizen or permanent resident or here for other than a temporary purpose with the intention of becoming a U.S. citizen. Those could be individuals granted refugee status or asylee status by the Department of Homeland Security. And so what we have here, if you

don't meet one of those criteria, then you could either, it would be- you could be an individual who enrolls or seeks to enroll in high school in the United States, a territory or freely associated state. So that's the language and a super high-level overview. And I think Krystil we can go to questions now.

MS. K. SMITH: Okay.

MR. WASHINGTON: Thank you very much, Krystil.

MS. K. SMITH: Thank you. We'll start with Magin. And Magin is coming in on behalf of students. I'm sorry, Magin is in for the civil rights consumer advocates. My apology.

MR. SANCHEZ: Thank you. I have more of a comment. I want to thank the subcommittee for their unanimous recommendation of the Department's proposal. You know, it's abundantly clear that these proposed changes to TRIO eligibility will first strengthen the program's ability to serve students from disadvantaged backgrounds, regardless of their citizenship status. And at the crux of this proposal is to resolve the misalignment between the regulations and the statutory mission of TRIO to serve low-income, disadvantaged youth by facilitating access to higher education. And yet, for 40 years, the regulations and solely the regulations have

excluded population of students simply for something outside of their control. I can't tell you what life was like 40 years ago. I wasn't born yet. I can tell you that's a very long time for such a misalignment. 40 senior classes have graduated but soon turned away from life-changing support that could help them to pursue postsecondary education. Not the fault of the TRIO of facilitators or the student simply because of these unfair rules. 40 cohorts of college freshmen, and we'll never know how many more students could have been a part of those classes. But we're not for this denial of access. These students would have been able to support themselves, their families, and their communities. Let me first say that I support with the subcommittee members have asked for. The Department should further support Accessibility TRIO by addressing the other concerns in the subregulatory and preamble avenues and for our friends on the hill listening through the appropriations and HEA statutory process. But we know that TRIO works, and we know that it works for undocumented students. You know, you can look at the programs in California and Oregon where these regulations have been temporarily waived. The early reports indicate students perform just as well as their peers, attain their grade point averages, and remain in good academic standing when

they're given the chance. It's time that we do the same and choose to correct this arbitrary solution once and for all. Not let politics drive this decision at the expense of students. I look forward to hearing from my colleagues at the table on this matter, also whom I've already spoken with on this important issue. This is a pivotal moment for TRIO, for the students that stand to benefit from gaining access to this life-changing support and life-changing programs. And don't get me wrong, even after we finish up this week, there'll still be further opportunities to serve more students by expanding access to the collegiate TRIO programs. But today, the mandate from the unanimous subcommittee recommendations is clear and that's to move forward with the Department's proposal so that all our constituencies can solve this misalignment once and for all. But let's get the job done. And I urge all my fellow negotiators to vote in support of this proposal.

MS. K. SMITH: Thank you, Magin. Jo?

MS. BLONDIN: Thank you. And I just want to say that as somebody who has always worked at open-access institutions that are as inclusive as absolutely possible, this is critical to signal to our future workforce and college-going credential-attaining population that everybody is at the table, everybody is

included. And I echo Magin's comments. Thank you.

MS. K. SMITH: Thank you, Jo. Jason?

MR. LORGAN: Hi. In addition to echoing the strong support for this change, I wanted to just share that UC Davis, the institution that I work for, is part of the current pilot that allows undocumented students as part of our TRIO programs. We could not be more thrilled. It has gone incredibly well. All of the University of California campuses have undocumented student centers on them and have had so for ten years. So I just wanted to share that the pilot has gone extremely well, and I'm very much in support of this.

MS. K. SMITH: Thank you, Jason.

Emmett?

MR. BLANEY: Yeah. Thank you. I don't want to reiterate too much and want to keep it brief, but just wanted to say that as a student who has not utilized any of the TRIO programs, I still would like to express, you know, my full support for the Department's recommendation. I think that, you know, like many have said that we're all about data and it shows that these programs work and they work for diversifying and strengthening, you know, the marginalized populations who utilize these programs. And it doesn't take away from

folks like myself who haven't utilized these programs. And so, again, strongly recommend the expansion of TRIO programs to serve undocumented students. Thanks.

MS. K. SMITH: Thank you, Emmett.

Jamie?

MS. STUDLEY: I support the proposal and appreciate the work of the subcommittee and everyone who's commented. Thank you, Magin. Just two quick questions. One, following up on Magin's comment about the collegiate TRIO programs. I was already planning to ask whether there were other programs at the edge or that are not included in this proposal that might have been and why it's not possible, or why the committee is not recommending that they be added at this point. And the other one is that there was a reference to broadening the allowable costs. And just wondered if the subcommittee could say a little bit more about the nature of that expansion.

MS. K. SMITH: Okay. Did the Department.

MR. WASHINGTON: If the subcommittee- I mean, you know, I don't want to get ahead of the subcommittee. If you all want me to answer, I can answer that. D'Angelo or Michael? Okay, I.

MR. MEOTTI: I think it's more

D'Angelo that had made the recommendation.

MR. WASHINGTON: How about how about I take a stab at it and then D'Angelo, if you want to fill in? Okay. Alright, alright. So there are other TRIO programs. McNair and Student Support Services. Those are at the collegiate or postsecondary level. The Department's rationale for the expansion of eligibility in the pre-postsecondary programs is based on the 1982 Plyler vs Doe decision that made it possible for undocumented children to enroll in Texas public schools. In that decision, the Supreme Court held that states cannot deprive children from a basic education. And we interpret that decision in context of the TRIO grant programs to mean that an otherwise eligible applicant cannot be deprived from participation in pre-postsecondary TRIO programs. So we believe that by denying children this form of basic education, you're denying students the ability to contribute to the progress of our nation. And because there's an overlapping purpose of the TRIO programs to support students from the most disadvantaged backgrounds and prepare them for a program of postsecondary education, we believe that expanding the TRIO grant programs to provide additional support for students to achieve this most basic level of education will further the statutory

purpose of the programs. So while the primary focus of the TRIO remains postsecondary achievement, that is impossible to address without ensuring that all students, regardless of citizenship status can overcome a lifetime hardship that would be imposed by the lack of a high school degree. So, Jamie, you see I was very prepared for your question. I hope I was able to answer it sufficiently. Was I and then I can go on to the next part?

MS. STUDLEY: Yeah. No, that's very helpful. I was just trying to understand, you know, what the basis was for that line drawing. That was brilliant, Aaron. Thank you.

MR. WASHINGTON: Oh, yeah. Thank you very much. And you see, I was prepared. So it wasn't off the top of my head.

MS. STUDLEY: You had me fooled for a while.

MR. WASHINGTON: Oh did I? Sometimes I try to read stuff like with a little personality so it doesn't sound like I'm like, I am going like, alright. And the second question. You know, we knew we anticipated and we actually talked during the subcommittee like that other topics outside of program participant eligibility would come up. We thought first we had limited time. You

know, there's other topics that the main committee needs to discuss. And we really wanted- and we announced in the Federal Register that we would focus on program participant eligibility. We did say that, you know, we're there are areas that, you know, maybe the community needs more guidance or resources we could, you know, try and provide the TRIO grantees with just more information on the current requirements. But for things like, you know, expanding stipends, those are- that's statutory or changing the definition of low-income individual, that's statutory. And, you know, allowable cost. A lot of those are outlined in the statute as well. And we felt as though that was outside of the scope of kind of what we were talking about and what we announced to the public specifically on program participant eligibility. So I hope that answered that question.

MS. STUDLEY: Yes. Maybe I misunderstood the initial presentation. I thought that it was including a recommendation about broadening allowable costs. Maybe that was in the- maybe the presenter was saying that that was outside your scope. That's fine, I appreciate it, Aaron. Thank you.

MR. WASHINGTON: Yeah. We talked about a lot of these things, Jamie, during the subcommittee and we really wanted to focus on program participant

eligibility. I think, D'Angelo, correct me if I'm wrong, I think those- you were talking about things that you would like to see changed, but understanding that, you know, those were generally outside of the scope of what we were brought here to talk about.

MR. SANDS: Exactly. Correct.

MR. WASHINGTON: Okay.

MS. K. SMITH: Alright. So we do have a question in the chat. I'll get to Jillian and then we'll address the question in the chat. Jillian?

MS. KLEIN: Yeah, thanks. Good morning. I just have one sort of annoying wording question. Apologies. So I see in the existing language that you all haven't touched, there are some places where the phrase expresses a desire to enroll as included. But then I noticed in the proposed red line you use the phrase seeks to enroll. And I'm just curious if there's a reason why the language approach is different. I don't really know what that means. I'm assuming the practitioners here know how they would document, or what it means to seek to enroll versus express a desire to enroll, but I don't know if there would be an advantage to using consistent language throughout.

MR. WASHINGTON: Vanessa. Can you?

MS. KLEIN: Sorry.

MR. WASHINGTON: No. It's okay. Can you pull the language back up just so I can?

MS. KLEIN: It's on page three. So three right at the break towards the bottom. It says- there's a section which. Oops, sorry. Scroll back up. Yeah. So three on here. The existing language talks about expressing a desire to enroll. But then I see in the proposed red lines from the subcommittee that sort of phrase consistently is, seeks to enroll. And I just don't know if there is an advantage in building consistency throughout this section.

MR. WASHINGTON: Oh okay. So that provision looks like it's about postsecondary education. I think we're talking about yeah. Oh so you're just saying that you want that language to change to.

MS. KLEIN: I'm not- I'm just asking the question about if there's a reason why that like, that approach wasn't used in the language that you all proposed. Or if there's something different suggested by the phrase seeks to enroll.

MR. WASHINGTON: Alright, alright. So by seeks to enroll, we mean that if you're enrolled in a form of public education that would naturally lead to a progression of high school, like grades 6, 7 or 8, or you've dropped out of high school and are reenrolling,

the Department would assume that you are meeting the requirements of seeking to enroll in high school. I mean, I think you know what we can also do if you're okay with it, Gillian is, you know, try like just making a- stating on record that we will explain, like, what this means, what seeks to enroll for the purposes of secondary education means and also you know, that is a preexisting language that expresses a desire to enroll. I don't think that we took that into consideration that there was a difference at all. But we did have an idea or a path forward on what seeks to enrollment and that can be thoroughly explained in the preamble of the rule. So is that a deal breaker?

MS. KLEIN: No, it's not a deal breaker at all. I was just raising the question because I didn't know from a practitioner perspective if there were different expectations between those two phrases.

MS. K. SMITH: Okay, there is a question. Is America Samoa meant to be included? I think in the language it lists a number of.

MR. WASHINGTON: Give me a second. Can you pull the language back up, Vanessa? Okay, so can you pull that language back up, Vanessa? One more time. Joe. Sorry, Joe. So the first line says is a citizen or national of the United States. So you'll see there. So

essentially individuals from American Samoa are nationals of the United States. So, you know, they would already have been eligible to participate in TRIO regardless of this change. Whoever asked that question, did I answer your question?

MR. ANDERSON: Yes. This is Rob Anderson. I was- my Western colleagues followed this closely, so I was asking on their behalf, and they just want to make sure that that is the intent there. And I think the observation about [inaudible], I think it might have been changed in one spot in the language, but not in another. So just making sure that it's shown as being a freely associated state.

MR. WASHINGTON: Yeah. I, you know, we got some, you know,- I was notified that, you know, some of the language and like some of the preexisting language, you know, I think this language was written a long time ago. And like the freely associated states are ratifying the Compact of Free Association. So some of those things might have changed. We have contacts at the Department of Homeland Security. So those would be considered. I mean, so if there's anything that needs to change in the preexisting language, we will make sure to update that before publishing a final rule, just to make sure we get it right. But, you know, the main idea here

is that we're- I mean, you can all talk about whatever you want, but the main idea is to focus on the idea that individuals that don't meet the citizenship or non-citizen requirements can still participate if they enroll or seek to enroll in a high school in the United States. So a lot of you will be familiar with the, you know, the TRIO program participant eligibility for citizenship requirements mirror that of Title IV aid requirements. So a lot of the schools you all be familiar with this. So you know, if you're a U.S. citizen, again, a national or you're from a freely associated state, or you are designated as an eligible non-citizen, we generally use the ID PRWORA. It's a law that defines who is a qualified alien. That is a statutory term to receive Federal public benefits. And that's outlined in statute. So we're not changing the citizen or non-citizen current requirements. It's just that we're expanding them out so you wouldn't have to worry about somebody from a freely associated state or like somebody from American Samoa or Guam or Puerto Rico or, you know, any territory not being eligible based on this language.

MR. ANDERSON: Thanks for all your work on this and everyone else who's involved. It's good.

MS. K. SMITH: Okay, so we have reviewed the proposed language from the Department and

heard the report out from the TRIO subcommittee. Are there any comments? I believe what's our pleasure? Are we ready for a consensus? Okay.

MR. MARTIN: We are if there are no more comments.

MS. K. SMITH: Okay. Seeing no comments. And I'll just for the record Magin is at the table for the civil rights consumers for this, and Emmett Blaney is as well for the students and borrowers. If we can, we'll go according to my screen. Yes, Cindy?

MS. JEFFRIES: Krystil, I think you mentioned two alternates at the table.

MS. K. SMITH: Yes.

MS. JEFFRIES: Are there primaries present?

MS. K. SMITH: No.

MS. JEFFRIES: Okay. They're not in the meeting at all?

MS. K. SMITH: Well, Magin is at the table. Let me see, is your primary here Magin?

MR. SANCHEZ: Yes. Carolyn's here, but I'll be at the table for the vote.

MS. JEFFRIES: Okay, but per the protocols, it's only the primary that can cast the consensus indicator. So Carolyn would need to come to the

table to cast that, as well as any other primary that is present.

MS. K. SMITH: Alright. The primary for student borrowers is not here.

MS. JEFFRIES: Okay, so in that case, the alternate can serve in their place.

MS. K. SMITH: Okay. Thank you. Alright. We are good now. And we'll go- I'll go screen by screen, starting with JoEllen for the consensus check. Alright, that's a thumbs up. Jamie. Thumbs up. Erika. Thumbs up. Laura. Thumbs up. Thank you. Robyn. Thumbs up. Carolyn. Thumbs up. Jason. Thumbs up. Joe Weglarz. Thumbs up. Thank you. Oh, and Jo Blondin as well. Thumbs up. Diana. Thumbs up. Thank you. DC. DC? Can we get your consensus vote here? Sideways. Thank you. Jillian. Thumbs up. John Ware. Thumbs up. Thank you. Barmak. Thumbs up. Emmett. Thumbs up. Okay. And, Greg. Thumbs up. Okay. Thank you. And the TRIO. Thank you again. That language has passed. I do and if you don't mind, I will reference the other three people. If you all don't mind, I would like to read their names. There was lots of work done here. So in addition to Aaron as the lead of the subcommittee, there was D'Angelo Sands, Michael Meotti, Emalyn Lopus, Wade Williams, and Geof Garner. We want to thank all of them for their help on the TRIO

subcommittee. At this time, if we're ready, Greg, we can move over to where we left off with state authorization. I know that we had a hand-up from Scott Dolan. I don't know. Do we want- can we go straight into that hand? Are there any comments you want to make before we move on to that?

MR. MARTIN: The Department like to take a 15-minute caucus with itself, please, before we start state authorization.

MS. K. SMITH: Okay, so 15 minutes with the Department. Thank you. Welcome back. So we are ready. Was there anything that the Department wanted to report out or anything or are we ready to go straight into state authorization?

MR. MARTIN: I think we're ready to go straight in. I do want to say before we start with state authorization, there was some suggestion yesterday about how we proceed or some comments about how we proceed through the papers. Yesterday we did look at state auth more in a holistic way before we entered into the discussion. I understand that there is a desire on the part of many to go through each- to go through the papers section by section. I do think that one of the reasons why we took that approach we did yesterday with state auth is it is more of a holistic- it does require a

little more of a holistic view. What we're doing with state auth, I think certainly with cash management lends us up a lot more to a section-by-section discussion. But since that's what's been requested, I will go back and we'll start with looking at the reg section by section again. And I think at this time since we are in the final stages of negotiation and I just heard some comments. I think I would reiterate those that we should be looking at it at this point, what our like- where do people stand final, you know, what would it take to move anybody toward consensus, to try to get some context around that as we move through. So we will go through the document that way. As far as the votes on consensus go, we did have some requests to look at how we're taking consensus. Currently, we're doing it after each section. Yesterday we did agree to move distance education to Thursday because there were going to be some, we expect, some further submissions from the negotiators. Again, we did discuss whether or not we could move everything, the votes all to Thursday, and we could do that, but our concerns with that are that if we move all the votes until after we're through with the entire- with all the issue papers that would take us until after accreditation. We're concerned about the time frame and compressing all those votes into a short period of time.

And there would not be an opportunity at that point for people to go back and revisit anything or have discussions. So we still believe that the best approach is to walk through the papers and take the consensus vote after each paper. So that is the way we'll proceed. And I'll have Joe pull up the text for state authorization.

MS. K. SMITH: Yes. And while he's doing that we do have Rob Anderson coming back to the table for state officials. And Scott Dolan is coming in for the private nonprofits. Scott also had a question from yesterday. We would like to have him ask his question at this point, at this time. Oh, you're on mute.

MR. DOLAN: Actually, I think there were two questions at the end of the day yesterday. One from Rob that probably wasn't addressed because of the short time. And I actually am one of the negotiators that would like to hear a response to that particular question. So I don't know if Rob could potentially restate that. And then, you know, the question I have is a bit more holistic. So, you know, I think it's worthwhile asking it, but I'm also very supportive of the direction of moving through section by section a little bit more intentionally. So is it okay if maybe Rob restates his question?

MR. MARTIN: I'm fine with that.

MR. ANDERSON: Thanks, everyone, I appreciate it. It was just that scenario around DEI state laws that I think we're going to start to get into with very specific instructions in varying directions based on the politics taking shape in states. So if you have that student from a particular state where they want to put limits on what a teacher can or cannot say and it's antithetical to the direction of the state that they're going into and it's one of these distant ed classes and we're in a situation where the state can enforce their own state laws. How does that play out, then, when they directly oppose each other in that manner?

MR. MARTIN: I can't address it if I'm on mute and that's a bit of an issue. So we did discuss that and I think inasmuch as the DEI laws or any state laws or state matters, the Department doesn't believe it's in a position to, you know, opine about those rules. I think there's always- we would concede that there's always the possibility that not just with DEI, but with any state laws, that there could be a conflict from state to state. With respect to DEI, from our research, it appears most of those rules are applicable to public institutions. So we don't perceive that it would be a big problem. Where state rules do come into conflict, it ultimately would be the decision of institutions whether

to do business and whether they could operate in a state where there was a conflict, how they would resolve the conflict from one state to another. But I don't think I can say much more about DEI, you know, rules specifically. There obviously is the possibility that, as I said before, any state rule, including DEI, any rule might be different from state to state.

MS. K. SMITH: Alright. Thank you, Greg. And I just want to, Barmak, if you don't mind. I think Scott did you ask your question?

MR. DOLAN: No, I didn't.

MS. K. SMITH: Okay. So Barmak we'll take Scott and then you'll be up, Barmak. Scott?

MR. DOLAN: Yeah. And there was a really good conversation that wasn't part of the recording where we were talking about the intent of negotiations. And, you know, given that time is short, you know, the importance of being able to recommend proposed language that can get us closer to a middle ground and a compromise across constituents. And I think one of the challenges that, you know, I've had and I think others have had is that each session the language that we're presented gets farther away from where we started. Right? And as part of the data request that we put in in February, we asked the Department to define

education specific, you know, to provide data, evidence, research of how, you know, introducing new language would increase student protections. And, you know, since February to now we've gone from education specific to all applicable laws without a really good definition of how this change would potentially increase student protections, data, evidence, and specifics about why this is important. What we heard very clearly from our state representatives yesterday that this is fundamentally going to undermine the work that they've done legislatively to enter into these reciprocity agreements. So, you know, I think it's incumbent upon all of us to be clear about what it is we're trying to do and what problems we're trying to solve and to define those problems a bit more clearly so we can have a good faith negotiation. We can disagree. But I think we all agree that we're trying to come to protections for students. So what are those things that are not clearly codified within the current reciprocity agreements that all of us would like to see more clearly codified? I heard the Department say a bit about certifications around closure. Are those the elements that will help us get a little bit farther? Can we have a conversation about those rather than getting farther and farther away from where we started? And I just remind the Department, we started

this conversation in January around complaints and governance. And now we are talking about applying all state laws to institutions. And again from most people at this table, if not all we see this as a fundamental negation of what states have done legislatively to try to protect students at better rates. So I think we need to hear more evidence of the concerns and how this proposal around all applicable laws will actually serve students better than the current reciprocity agreements.

MS. K. SMITH: Thank you, Scott.

Barmak?

MR. NASSIRIAN: Yeah. I want to address Rob's point. I think it's an important one. Candidly, I'm a little confused because, Rob, you're also the same person who constantly and rightly has reminded us of the state's prerogative not being trampled on by any kind of a Federal preemption. So it's, you know, you kind of can't, sadly for us, maybe we could all come to a consensus as to which state policies we should prevent. But it's kind of hard to do that. And we don't want to do that. But the response, the substantive response I want to give you is that DEI as an academic proposition, you know, the study of the causes of the Civil War, for example, should be the prerogative of accreditors, not that of the states. The states should not get into the

business of articulating what is and is not substantively true about a particular discipline. And therefore I think you're concerned about, you know, the state coming in and essentially micromanaging the curriculum is handled by that. I don't think they have the right to do that. They certainly can use the power of the purse within the state, and as some have, to micromanage the practices of their public institutions. But I really don't know that there is any- that they have a leg to stand on with regard to the substance of the academic offerings of programs from out of state. So I see that as not that big a concern, candidly.

MS. K. SMITH: Thank you, Barmak.
Denise is going to weigh in on this.

MS. MORELLI: Alright. I just wanted to make a note. Scott, I think- we had put a- I think one of the negotiators had put the proposal forward, and I'm not sure who it was about education-specific laws. And so we put that out as a kind of a directed question as to get input on what would be appropriate as education-specific laws. And we did not, I believe, get anything in that area. So I think that's why we moved over to the broader applicable laws so that the state itself would be able to determine what laws they want to apply in the situations, and so that it would allow those states to

apply them. So that's kind of how we moved from what you consider broader, was because we didn't get the input that we felt we needed on what education-specific laws we should be addressing in the regulations.

MR. DOLAN: Like, can I, I'm not technically, can I respond?

MS. MORELLI: I mean, go ahead. I just wanted to let you know why. Because why it went from applicable. I think you made that comment between education-specific to applicable which made it appear broader. And I think that was trying to encompass more because we didn't get any of the specifics that we asked for in terms of education-specific law, and I'm not sure who proposed it. So whoever the proposal came from, they might want to be able to address that now. But we didn't get anything from our directed questions.

MR. DOLAN: I guess for those states that have concerns about how the reciprocity is working right now. What prevents them from making the voluntary decision to remove themselves from reciprocity? You know, if we take Massachusetts as an example, I think reciprocity works really well for some of the large online providers in Massachusetts at the institutional level. Yet maybe the state wants a different approach around students who are being served by institutions

outside of that state. So I guess which states, right? And if those states have concerns, they can make a decision legislatively voluntarily to remove themselves and to handle issues within their boundaries differently. And again, the shift from education-specific to the more broad language does not have a clear justification in terms of evidence, research, and how this will protect students better across the board. So that's the concern that I think we're raising that I don't think has been responded to in terms of the data requests from the last session.

MS. K. SMITH: Thank you. Diana?

MS. HOOLEY: Thank you. I want to lend our support for the Department's approach here to include this language about the applicable laws. One of the things- one of the reasons in support of this that I had mentioned, I believe, in the last session was, to try to enumerate these consumer protection laws. One, it's arguably a bit of a burden shift, right? Because the initial intent of the reciprocation reciprocity agreements is merely to, you know, was to waive the initial approval, the initial authorization. And so that's sort of what I think we should just be focused on is saying like, well, that's what those are supposed to do. They're supposed to waive that. And the other point

is that with the trying to enumerate all the consumer protection is, you know, this is an evolving landscape. And so if we start trying to enumerate each one of those right now, we're just going to constantly be trying to play catch up. So I wanted to make that point. And to say that as well, numerous states have raised issues with the consumer protection standards or the lack thereof with the reciprocity agreements. There was bipartisan support of letters that have been sent to again, NC-SARA, just because it is the only one right now looking for increased consumer protections. And they haven't been- those needs haven't been met. And so if it's going to continue to be not met, then the states need to be able to enforce their own applicable laws. You know, again, in Massachusetts, we have these- we have specific regulation disclosures that again pertain to for-profit schools. That's just one example. But I just wanted to make that point, so thank you.

MS. K. SMITH: Thank you, Diana.

Carolyn?

MS. FAST: So just wanted to add support for the Department's current proposal related to letting states enforce all applicable laws. One of the reasons that that works even better than education specific here. I, you know, I agree with Diana that it

makes it, you know, it appropriately puts a burden on an institution that's operating to figure out what laws apply. That's a normal, reasonable expectation for any school that wants to take advantage of enrolling students in a particular space, they make a decision to, you know, get the tuition dollars of those students and those students invest their money and Federal money in the program. It seems a pretty reasonable requirement that they follow state laws. And those laws if you say education specific that's helpful because that means, you know, whatever laws the state has, the regulation that the state feels are appropriate to protect students, but all applicable is, in my view, better because there could be laws, for example, related to debt collection or you know, whatever that might fall in some other section of law, for example, that could apply, for example. So when you say all applicable, that puts the control in the state legislature who writes the laws and decides where they apply. So they might state might decide that they are writing a law about closure requirements that apply to all online schools that operate in their board, in their jurisdictions, or they might say it doesn't apply to all and that is possible under this language to do. It's increasing the choices from the situation now where a state that wants to be part of reciprocity is told you

can't; you just cannot apply these laws unless it happens to fall in the part of your laws that apply across the board to any business that operates in your state. So that's the distinction. And I think that it makes, in my view, makes a lot of sense. And it's a reasonable expectation for a school that wants to take advantage of enrolling students in various states, that they look at what the rules are in those states and that they follow them. It's that's what happens in every other industry. And it makes sense as a minimal requirement that a school look into what laws apply.

MS. K. SMITH: Thank you. And Erika Linden will be coming back to the table for the private nonprofits. Rob?

MR. ANDERSON: Thanks. And I'll make this very quick. But, you know, it feels a bit like Groundhog Day, and it is that Dave Mason song that we do disagree because nothing stops states from applying their laws. There in a reciprocity agreement and these are terms that have been agreed to leave the agreement, apply them any way that you want to moving forward. That is always on the table. And when you talk about in terms of states choosing which ones they might apply and which ones they won't, I mean, you get whipsawed with all the different education-specific regulations that could be

applied out there in any given state, even to very specific outcomes that are expected, and having regulators who already have burdensome loads to have to pick up this and to try to deal with this on a national front with limited resources. There's been some limited talk about, yeah, let's get more money into their hands so that states can really monitor this, but there's no real proposal on the table about how to do that and what that looks like. It's going to leave states underfunded, under-resourced, overwhelmed with what's in front of them. Students aren't going to be served well through this. I know that people argue on the counter and feel that they will. That's not how it's going to play out. You're going to have so many small players in the game who are going to bail out on this because they can't afford it. Distance education opportunities won't exist for their students, and this is a part of the fabric of our education process moving forward and we need to be willing to work to recognize that and to work within it and to strengthen it the best we can. But this is going to blow up the whole process. We're going to be back to ground zero. And when you think of those 21 states that don't have any regulations on these fronts, good luck to those students and good luck to those environments. That's all I'm saying. I'll have comments about specific

language, but man, this is one of those be careful what you ask for.

MS. K. SMITH: Alright. We'll take Jamie and then Carolyn, and then I think we'll have to go on to our next topic. Jamie?

MS. STUDLEY: Since we're still on the broad issues, one of the things that's at play here and that I know I'm trying to balance is we're talking a lot about respecting state authority to make state decisions. And yet there are other places in which acknowledging that the Federal Government has a role to define what meets state authorization for Federal purposes. We're not going to have perfect consistency. But I would ask us to think about where we should be allowing the states to make their own decisions. So just, you know, take, you know, Carolyn's strong point about states should be able to decide what laws should apply. They should also be able to decide what qualifies as state authorization for them and on what basis they want to decide what should be authorized by a state. And also whether there is a scale issue, whether they want a reciprocity arrangement that covers a large number of the institutions who might beam to their state, or whether for them it should be only for a certain scale or type of institution. But once, having made that principle that states should be able to make a

decision about what's useful to them, as long as it fits the Federal state authorization definition. I think we're pulling and tugging and we're trying to figure out where those apply. I think we, you know, I, for one, find the question about applying applicable state laws difficult because I realized it's not just whether it's a high bar or a low bar. It's and we'll come back to this when we decide it specifically, it's different laws. It's the confusion of different answers to the same practical requirement. But to conclude, I simply want to ask if we're going to honor state decisions, shouldn't we do that in more of the decisions that they have made in how to set up a reciprocity arrangement that works for the states, and then let each state decide whether it wants to play in that arrangement or not, create others, or stay out and handle it all themselves.

MS. K. SMITH: Thank you, Jamie.
Carolyn, your hand is no longer up. Okay. Thank you.
Jillian?

MS. KLEIN: Yeah, I guess I don't know the function of the chat. I put my question in the chat. Nobody answered, and I put it again. I'm just wondering to the back-and-forth between the Department and Scott about education specific, which, with all due respect, I think you got a lot of feedback from negotiators about

that. But what I think I heard you say is there was no language proposed. So if negotiators come back this week and provide you with the definition on education specific would the Department consider that?

MR. MARTIN: If you propose language on that we will consider it and bring it to the table.

MS. K. SMITH: Thank you. And I do just want to say the chat is being utilized very well, though, there's, you know concurrences and questions. So I will encourage you all to continue to do that when possible. We know that we have a tight schedule and we do want to make sure we get through everything that we have on our agenda. So with that being said, I think we can move on to our next topic, Greg. And if you can remind us where we left off yesterday.

MR. MARTIN: Yeah. Okay. Well, I had intended to walk through each section individually. So I think the discussion we just had, I believe was largely in- and I'll have Joe bring up (a) (1), please. 600.9 (a) (1). And just scroll down there a little Joe, till we get to that. Right, where we talked about requires the institution to comply with any applicable state authorization or licensure requirements in all applicable state laws and regulations. I believe we just are discussing just focused on that. I do want to point out

that yesterday we did have a request for the Department to disseminate the talking points that I went over yesterday when we introduced the session. So we have Department staff working on producing a document that will provide those talking points and our rationale for proposing the rule as it is. So we hope to have that done in reasonably short order. Next, I'd like to move on to (a) (3). And this says the institution may be exempted from requirements for initial or renewed application. And this has to do with the exceptions and the off-ramps. So before we get into a discussion here. The Department had received a proposal from Carolyn and Barmak on some modifications to this language. So if I could impose upon either one of those individuals or both to give us a brief summary of what they proposed, I would like to do that.

MS. FAST: Barmak, do you want to do that or do you want me to do that?

MR. NASSIRIAN: Go ahead.

MS. FAST: Okay. Barmak, please correct me if I'm wrong. We had heard from other negotiators that there were some concerns about the Department's proposal to essentially prohibit, for purposes of state authorization, exemptions based on state actions through charters or through legislation or

through the status of the school's accreditation or being in operation more than 20 years and that this might cause some concerns. And so we had suggested as a compromise, some potential language that would kind of fall in the middle of where things used to be and the Department's new proposal in terms of state authorization. And our proposed language would restore the ability of state action through a charter to exempt a school through a law, statute, or charter, or constitutional provision, and that establishes an institution by name. That would be not something that would expire in July 2030. It would continue as an option for states. And then we also suggested that the state could exempt an institution through state action based on the institution being in operation on or before the enactment of the Higher Education Act in 1965. This would be, instead of an exemption that was based on a school operating for more than 20 years. That would continue to be something that would the 20-year operation or the accreditation would expire in 2030. And we put this forward as a compromise to address some of the concerns of negotiators about getting rid of the exemption entirely. But we'd be happy to hear feedback on that.

MR. MARTIN: We would be interested in hearing any comments on that proposal.

MS. K. SMITH: Jamie?

MS. STUDLEY: I'll start with a specific one. It's been pointed out that the year 1965 precedes the creation of the movement of community colleges in the United States. And to the extent that this is a more efficient pathway and allows states to make their decisions about what review they need. The community colleges I've spoken to are wondering why a date that closes them out of this provision would work and whether that's a consideration here. But more broadly, yeah, there's a broader question that I spoke to earlier about letting the states make the decision about what they need to know about an institution to determine that they can authorize it.

MS. FAST: Would it be okay for me to respond?

MS. STUDLEY: That's up to the facilitator.

MR. MARTIN: Yes. Absolutely.

MS. FAST: Okay. So, Jamie, I appreciate that feedback and that's helpful feedback, but I'm wondering whether community colleges would generally be established by a charter or statute or constitutional provision in that so they would be in fact exempted under a state action permitted under this compromise language?

MS. STUDLEY: I don't know. I don't know whether charters are an older provision. It was raised to me as a concern by community colleges who felt that that might foreclose them. And I have not sorted out whether there's a public exemption such that that doesn't matter. Some junior and community and associate granting institutions are private. Many are public. So you would know better where and here that the public.

MS. FAST: Well, that seems to be a reasonable concern. In my view, it seems that community colleges would be something that should be it seems, fall into the category of state being able to exempt if through state action. So maybe that would require.

MS. STUDLEY: Right. I just don't know whether every community college is established by statute, or whether an entity is given the authority to expand or contract its offerings for institutions.

MS. FAST: That might require a tweak to the language to take into account that situation then.

MS. K. SMITH: And just for- it looks like in the chat, Jo, who represents community colleges, it sounds like it's not all of them are established by charter. Is that correct, Jo? Is that what you're saying in the chat?

MS. BLONDIN: Correct. I mean, in Ohio

alone, there are three types of public community colleges. Not all of them have charters.

MS. FAST: But I assume that for those who don't have charters, there may have been some other type of legislative action to create them ordinarily. And correct me if I'm wrong, I might not know the answer to this, but the idea would be that if there was some kind of legislative action that would also be sufficient under this to create an exemption.

MS. K. SMITH: Okay. Thank you, all.
Erika.

MS. LINDEN: Are there some schools-community colleges that are created by districts by local communities as opposed to states? I'm not as familiar with that, but it seemed like, Jo, we had a conversation that that was also the case. So we need to make sure that this language and we appreciate some mitigating language here. But if we can refine the language to make sure that we're not creating a problem for some of those that are established differently.

MS. BLONDIN: Erika, I'm sorry to jump in here very quickly, but there's also there's a two-tiered system as well where maybe globally they were created by state, founded by district. There could be a Byzantine unraveling of some of these laws. I appreciate

everybody wanting to understand them very much. And I have a request in to AACC to fully answer your question. Hopefully, I'll have something by after lunch. Thank you.

MS. K. SMITH: Alright. Thank you. And thank you for all those that are coming up with some answers and comments in the chat. Erika, did that complete your question?

MS. LINDEN: Well, I did have another request to consider between in this revised language, which we appreciate, the putting an "and" between the charter and the exemption piece. So it would be between romanette (i) and (ii). I think I'm saying that right. There, instead of an or. Again, it's a drafting thing. We appreciate the idea and just want to make sure the language accomplishes the idea of providing for those exemptions.

MS. K. SMITH: Okay. Thank you, Erika. Barmak?

MR. NASSIRIAN: Yeah. One comment and then a response to Erika's particular point. Folks, this was not an attempt at further limiting authorization. This was an attempt to address the concerns that have legitimate concerns that have been raised, particularly by the private nonprofit sector, about the elimination of existing rules. So we think this is a fairly reasonable

approach. I think the concern about community college status is a legitimate one, and we can address it, I'm confident. Particularly if Jo gets some guidance from AACC or we do our own, or the Department itself can figure it out. I think in general, the control of the institution being public strongly implies authorization. It's very unlikely that a Governmental entity would fund an entity and then not authorize it to operate. So we can address that. The question of and or I, you know, my worry there is that if you put an and between romanette (i) and (ii), you're now requiring two.

MS. K. SMITH: I think she corrected it to or, correct?

MS. BLONDIN: I'm sorry, I meant or. So sorry.

MR. NASSIRIAN: Yeah, that's fine. You know, the or is sort of implied, you know, at the end of romanette (iii), you know, you're like enumerating (i), (ii), (iii) or (iv). But if you think you want to have ors between each provision, that's okay. That's fine. Just to clarify that it's not a conjunction. It's just, if you satisfy any one of these things, you should be okay.

MS. K. SMITH: Thank you. Jamie?

MS. STUDLEY: I'm going to tackle

romanette, I guess it's (iii) at this point. The principle is when the state should be able to decide when it has the information it needs to know whether it's prepared to authorize the institution within the state. And it seems to me that we should respect their decisions as much as possible in that balance. But I do think there are two different pieces of that with different salience. If we're going to tell states what to do, it would be- I would see more basis for saying an institution being in operation for at least 20 years is looking at an act that happened 20 years ago and not at the current situation of the institution. So I can see that that basis may be one that would be on a spectrum more reasonable to have expire and let the state make sure that it has a more current basis for its authorization. But accreditation is a current analysis. And while we will debate accreditation issues later, given the system that we have within the triad, it seems reasonable for a state to be able to make its determination whether it's not requiring a state to exempt, it's allowing the state to make an exemption for accredited institutions. And the state should be able to judge whether it meets their criteria, whether it's only partial and they want other things in addition, or they want to go a whole other direction to determine whether they should authorize. But taking apart

the legs of the stool for this purpose is an unreasonable intrusion on the state's ability to make that decision. Yeah, I'll stop there.

MS. K. SMITH: Alright. Thank you.

Barmak, did you have anything new to add?

MR. NASSIRIAN: Yeah, I actually have—some concern has been expressed about romanette (ii). But I want to quickly address Jamie's point. We are not attempting to circumscribe the state's right to decide for itself what institutions it wants to authorize for its purposes. Federal law, however, relies on a triad that should not become a dyad or a monad. The three legs of the triad are in Federal statute, and for a state to choose to essentially collapse its function onto accreditors, really sort of undoes the design of the Title IV program, which is why we would like to keep this prohibition with a timeout, with a sunset period, to allow for an orderly transition. That's just, you know, we may disagree philosophically on which one of us is knocking a leg from under the triad, but I think collapsing state authorization onto accreditation is, in fact, knocking a leg out from under the triad. I wanted to add another comment on romanette (ii). Again, this is a concern expressed to me by some nonprofit private nonprofits. And that is that the state action— the use of

the word based on. In other words, we don't think it's necessary for the state to literally say, because you were founded prior to date X, you're exempt. The state may have enacted something in 1972 that said, any state, any institution, any private institution that has been in existence for ten years is deemed authorized. That puts the date of founding to 1962. 1962 is before 1965, ergo, that should suffice. So it's the use of that word based has concerned some private institutions that somehow the state has to specifically cite the enactment of the Higher Ed Act. That's not the intent. The intent is if some state action exempts the institution and the institution has been in existence since 1965, that that should suffice. So you know that causality, that implied causality, need not be explicit in the state action as long as the institution was founded prior to 1965, we think that that's a path for that institution if the state chooses to give it to them. Thank you.

MS. K. SMITH: Thank you, Barmak. Jamie, did you have a response or something else new as well?

MS. STUDLEY: Quickly. I think the answer to the balance there, just quote back, Barmak's right. It's the state's right to decide what it wants to use for authorization. My new item relates to romanette

(iv), and when there's a change in ownership this provision would have I think this is the Department's provision not a new one, but looking at this, it speaks about initial approval for state authorization and must initially receive approval from the state in which it's physically located or legally authorized to provide. What I wonder is, does this mean that after the initial approval, such an institution, having gone through that change, could participate through a reciprocity arrangement? Or is this foreclosing them from ever doing that? I just want to understand what the mechanics of this are in the Department's view.

MR. MARTIN: Yeah, but on this section here, dealing with the exceptions, is not about reciprocity. It's simply about state authorization. I'm not sure-

MS. STUDLEY: Yeah, and that's what I'm trying to clarify. If once having done it and gotten the state authorization, is there anything- is that the end and now they can do what any, you know, operating in.

MR. MARTIN: Yes, they'd be able to. Yes. I'm sorry. Yes.

MS. STUDLEY: Okay. Got it.

MR. MARTIN: Oh, I just got that confirmed. Yes. So. Yes. I'm sorry. I wasn't quite

understanding what you said, but I see where you're going now. Yes, correct.

MS. STUDLEY: We're on the same page.
Thanks.

MS. K. SMITH: Alright, Greg, I think no hands at the moment. We can move forward.

MR. MARTIN: Okay, before we do that. I'd like to just put up- let's just Joe, put up that proposal that we received. And let's put back up the original language what we proposed in this paper, just so we have a starting point to go from when we look at that again so they can compare what was proposed. You can see here that we had the off-ramps here for [inaudible] I won't call it an off-ramp, but the expiration, the road to expiration here for- in romanette 1 and also in romanette (ii). So the Department is amenable to the proposal that was made we also amenable to something that would take into consideration the issue of community colleges. So we'll take that back and look at that and make appropriate changes here. It seems as if there was general support for these changes. I would ask if anybody would like to make any final comments about that before we take that back.

MS. K. SMITH: It looks like there's a question in the chat about 1965. Why 1965 and not when

reauthorized in 2008? I think that's been in the chat a few times.

MR. MARTIN: Well, Barmak and Carolyn proposed it. I think I would refer back to them as to why they chose 1965. I think that's a date that establishes, you know, a record of a number being in existence a number of years keyed to that, you know, keyed to the passage of the Higher Education Act. But I'll defer to either Carolyn or Barmak as to why they chose that date.

MS. K. SMITH: Scott, did you need to briefly clarify your question?

MR. DOLAN: No, I think we're trying to get around boundaries here. We don't know full answers around community colleges and all the stipulations there. The Higher Education Act has been reauthorized on a number of occasions, most recently in 2008. Unfortunately, not since then. But, you know, I think, you know, what's so magical about 1965 when we've reauthorized the act since 2008, and that's nearly three decades of operation. So maybe that addresses some of the challenges and concerns that have been raised by some. I don't necessarily share all of that sentiment, but maybe this is a middle ground here around more recent time that addresses most of the issues for the community colleges as well.

MS. K. SMITH: And I just want to say, for the record, Scott is in as alternate for the private nonprofits. Barmak?

MR. NASSIRIAN: Yeah. Look, it was not on the 11th tablet that broke on the way down the mountain. You had 20 years in law. Is that an arbitrary number? Sure, it's an arbitrary number. You know, what's sacred about 20 years? We have had multiple cycles of waves of fraud in the 20 years prior to the drafting of that regulatory provision. It seems to me that if an institution- and again, this is a step in the direction of institutions, folks, this is expanding on the waiver that the Department had already put on the table. And the idea is that if an institution was founded in antiquity, that it predates the enactment of the Higher Education Act and the opening of the spigot of Federal funding, that somehow it is probably safe to assume that the state's decision to exempt it is not an attempt at evasion of any kind of responsibility of oversight. That it has been around long enough prior to the enactment of this law for us to trust the state's decision to exempt it. That's just about the only, you know, the only objective date we could dig up that made any sense to us. Otherwise, we can pick, you know, some other number and then the question is, why that number or why that date?

MS. K. SMITH: Thank you. Jamie?

MS. STUDLEY: But if you can stand up for those provisions, then why have the exemption expire in 2030? If you can make the case for why they are appropriate bases for the state to allow authorization. It's not requiring the state to base its authorization on either 20 years of age or accreditation. It is permitting the states to take that into consideration.

MS. K. SMITH: Thank you. And Erika Linden is back in for the private nonprofits. Okay. Greg?

MR. MARTIN: Okay. Why don't we move on to the next area where there are changes, which is (d) (3). Okay. I'm sorry. Let's just go to the top of (d). I'm sorry. Let's just move to the top. There we go. Okay. So this is if an institution is authorized to offer distance education to another state under state authorization reciprocity agreement as defined in 600.2. It may be exempted from initial state authorization or licensure requirements in that state. And you can see the next change we made there was allow any member state of the agreement to enforce its own applicable state laws and regulations outside of the initial approval for state authorization of distance education, except for authorization or application fees and processes. Down to the next change that we made was in (3). Yeah (d) (3). And

this is if administered by an organization the Governing body of such organization must consist solely of representatives from state regulatory, we added, and licensing bodies, enforcement agencies and attorneys general offices, which was moved over from 600.2. And finally the addition of (4) as a condition of participation, the institution must obtain within one year, direct authorization from any participating state where it enrolls more than 500 students. So I'll open the floor for discussion on (d).

MS. K. SMITH: Rob?

MR. ANDERSON: Thank you so much.

Regarding the language that was changed as far as the board goes and its composition. In the spirit of kind of trying to meet in the middle and compromise, we had suggested some language that made it known that we, as board members, see ourselves as stewards of this process. And we think the diverse points of view around that table really influence considered direction and strategy moving forward. But we do not want to veto anything that is agreed upon by the compact. So we submitted language that in essence said as much. It was accepted by the Department and appeared in November, but it has been removed for this set of language and I was wondering why it was removed.

MR. MARTIN: Well, I want to make sure I give you a full answer. Could I defer that for a moment, please?

MR. ANDERSON: Sure, sure.

MR. MARTIN: I want to make sure we get the full answer on that. Thank you.

MS. K. SMITH: Okay. Think no further.

MR. ANDERSON: Well, no. I've got another question, as well, if I can ask that? Regarding the number that was put in 500. We discussed that somewhat yesterday. You know, personally, I still think it's somewhat arbitrary. I see how it aligns with cash management and what was done there. In the Department's estimation, you know, there's been discussion of even going lower than that. You know, I would say if we're going to discuss numbers and meeting in the middle, maybe we should discuss a thousand, which I know has been mentioned by some around this table before. But would the Department consider going below that 500, and if so, what would be the basis for that decision when we talk about the 21 states where there are no protections in this regard to distance education? Why would you potentially do that since that has been put out there as a suggestion? And I'd say go in the other direction.

MR. MARTIN: Oh, I mean, the 500 is

obviously what we settled on. I think that and there's no getting around the fact that any time there's any number ascribed to anything there is some- probably shouldn't use the word arbitrary, but there is some- it's decided upon number. I mean, I always use a lot of numbers. Now, you know, why is 18 the age of majority? Is 21 the drinking age? I mean, not, you know, not 20 in 6 months? I think that we had to arrive at a number that we thought was a reasonable number. We do try where we don't have something in the statute because Congress can be very- they can just choose anything, it's the law. They can do what they want. So if we have a statutory number, that's one thing, but we don't here. The 500, you know, we believe represents a substantial enrollment in the state. With institutions that have a substantial presence. We believe that they were in greater oversight, and we think this balances the need for burden reduction for institutions with the need for oversight. And those with larger enrollment in the state will obviously have more resources to do this. I can't point to, you know, why is it 500, not 450 when 550 obviously you believe it should be higher. We've had some suggestions at the table that it be lower. Currently, the Department is staying with the language of 500 at this point.

MR. ANDERSON: Okay. And I would just

add on that in closing on this same topic, though, that in looking at July 1st, 2025, that would be awfully quick to make this type of change and all the processes programmatically that go into place in states and when the reviews take place, things of that nature. So if the Department does persist in moving in this direction, I would recommend their 2030 language that they used in other places and utilize that if you move forward in this manner.

MR. MARTIN: We are- take your point. We are considering the fact that yes, that is coming quickly and that this would require some changes. So we are- we will look into an off-ramp language that would provide for that. So. Yeah. And before I let you go, Rob, could you again clarify for me exactly what piece you said we had removed? Could you place that in the chat, please, if you get the opportunity to type that in? I'd appreciate that.

MR. ANDERSON: I would have to go back to last month's language, but you had accepted some language regarding what our board could and couldn't do. So what we were taking out of our hands was the ability to veto policy once it had been approved by the compact and had gone through the policy process showing that, you know, we wanted to meet you on that spot to where we

didn't want to be accused of anything that was nefarious or in our self-interest. But we were serving our nonprofit board. And that section, that language appeared last month in the language, but it's not there this month. And I was just wondering why it was removed. And you kind of went back to the regulation.

MR. MARTIN: So the difference over the language from the session two to session three. Okay. Thank you.

MS. K. SMITH: Okay. Thank you.
Carolyn?

MS. FAST: Yes. I have a couple of quick points. One is that for if this is at all useful, we had some serious concerns about the language that I think was just being referred to by Rob about a state-led process and this was let's see six- I'm having a little trouble figuring out exactly what is. But it's it used to appear as (d) (2) romanette (i) on page five of the issue paper. And Rob was just asking, why did that come out? And I'm not sure why the Department took it out, but we had some concerns about that language and we were suggesting that that language come out. However, we think that just the reason we wanted to take it out is because we didn't think it addressed the issue sufficiently of delegating decision-making and oversight authority to

non-state actors, in fact, including some who have potentially conflicts of interest because they're regulated institutions. That was our concern with that language that it did not address that. And we thought that that language should come out. But we further think that the language now in the proposal doesn't go quite far enough to address the problem that we were pointing to, which is the delegation of oversight duties to non-state and potentially conflicted actors. And that is why we suggested the addition of another sentence that would essentially say that in reciprocity agreements they cannot delegate oversight authority and decision-making standards, setting authority to entities composed of non-state regulators. And just wanted to point to that language that we have submitted and circulated.

MS. K. SMITH: Thank you, Carolyn.

Barmak?

MR. NASSIRIAN: Yes. Thank you. I wanted to first express my agreement with Rob. Rob, don't fall out of your chair. On his concern about implementation timelines. Whatever the number may be, I think it's really critical that institutions and the states be given adequate time to actually migrate to the new regulatory regime. States may have to enact laws. Institutions may have to wait with their applications in

hand before they can be reviewed. So it's important that the Department create a reasonable timeline for putting these regulations into effect. On the question of minimum number, I just want to for those of you who didn't get a chance to necessarily look at our paper, only 17% of all institutions enroll more than 500 students nationally. Nationally, more than 500. So 83% of institutions would fall below the 500 threshold in terms of national enrollments. So if you think about averages don't help, I understand California is vastly more populous than Wyoming. But that's, you know, on average, you're looking at 50 students at-, you know, institutions basically getting ten students per state. We think a lower number is appropriate. We think a lower per-state number gets you closer to that 500 nationally number. 500 at the state level will basically create a situation where arguably 99% of institutions would get a pass. And I want to remind institutions that, you know, everybody kind of salivate at the thought of all the out-of-state students they're going to get through distance Ed delivery, and they don't think about the unfair competition they would face from out-of-state providers coming into their state on differential terms. Now, we've attempted to make sure that some consumer protection requirements are the same. If that lasts the ensuing juggernaut of lobbying that

will inevitably happen after we leave the table. But the fact is that there will be a significant cost difference to native institutions that do not have the luxury of picking up and leaving, that do not have the luxury of infrastructure to go nationwide, and that those institutions, we want to make sure that the playing field is level for in-state versus out-of-state to the maximum extent practicable. And that's the reason the lower number at the state level makes sense. It need not be numerology. We defer to the Department doing some research and figuring out what the right number is, but it's probably going to be significantly below 500. Thank you.

MS. K. SMITH: Thank you. And in the interest of time, Jamie will be our last comment for this morning session. Jamie?

MS. STUDLEY: Let me start with Governing bodies. The people speaking to reciprocity have made many changes to the existing reciprocal arrangement to limit the scope of the decisions it can make to assure that the states have the decision-making authority over the contours and requirements and policy issues. Given what is left to the authority of the governing body of a reciprocity organization, it seems to me that they should be able to determine, like any other nonprofit, what

structure and response, how to carry out their responsibilities and who they need to do that. We have public members required in other situations. And in that same spirit, I can imagine that a reciprocity organization would want to have public representation so that it can surround its views and get a full picture of the considerations that it wants. I can anticipate that Barmak will say they can consult with whoever they want, proving that we are listening to each other and trying to all incorporate each other's considerations. I think it goes too far to tell them who they can and cannot have. The Federal Government can say what counts as a reciprocity arrangement that it will accept. But I think this is delving too deep into the operation when they've already made important protections that the states are in charge on the policy issues.

MS. K. SMITH: Thank you, Jamie. Greg, did you have anything brief to say before we break?

MR. MARTIN: No, not at this time.

MS. K. SMITH: Okay. Thank you.

Alright, so first, I did just want to congratulate you all. The table has reached its first item of consensus, so congratulations. And thanks, I know you all are working very hard, and we appreciate that. Just a reminder to those that are viewing on the public link.

The afternoon link is different from the morning link, so be sure that you're grabbing the afternoon link. We look forward to seeing all of you in about an hour at 1:00 p.m. Eastern. Thank you.

Zoom Chat Transcript

Program Integrity and Institutional Quality- Session 3, Day 2, Morning, March 5, 2024

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


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

Magin Sanchez will be joining for the TRIO discussion for Civil Rights/Consumer Advocates.

From P - Barmak Nassirian, Veterans & Military Students to Everyone:

+1 on Magin's comments

From A- Alyssa Dobson: 4 Yr. Public Institutions to Everyone:

Reacted to "+1 on Magin's commen..." with 

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

Reacted to "+1 on Magin's commen..." with 

From P - JoEllen Price, Financial Aid Administrators to Everyone:

I agree with Jo!

From P-Robyn Smith, Legal Aid Orgs. to Everyone:


+2 on Magin's comments.

From P. Jo Blondin, Community Colleges to Everyone:


Replying to "I agree with Jo!"

We accept every student--100% of any graduating class!

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

Reacted to "We accept every stud..." with 

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "We accept every stud..." with 

From A. Ashlynn Haycock-Lohmann (vets) to Everyone:

Reacted to "+1 on Magin's commen..." with 👍

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

+3 on Magin's comments!

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

+4 on Magin's comments!

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

+ on Magin's and other commetns

From A, Rob Anderson, State Officials to Everyone:

Just noting that the Republic of Palau is a freely associated state.

From A, Rob Anderson, State Officials to Everyone:

Is American Samoa meant to be included?

From A-David Cohen, Proprietary Institutions to Everyone:

+ on Magin's comment's. At our institution we not only welcome Dreamers, but we fill the financial gap left by their lack of eligibility for Title IV and Federal funding by using institutional funds. Supporting Dreamers and similarly situated students is not just the right thing to do, it is good for our nation.

From Michael Meotti | WSAC (he, him) to Everyone:

for unknown reasons, my camera has decided to take a break....

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "+ on Magin's comment..." with 🙌

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

Reacted to "+ on Magin's comment..." with 🙌


From A, Rob Anderson, State Officials to Everyone:

This is just for the record, but American Samoans are not citizens. They are nationals. This will need to be addressed in language, and I'm sure it will be. Thx.


From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

very much appreciated the department's willingness to continue our negotiations on distance ed. Think that was very good progress!

From P. Jo Blondin, Community Colleges to Everyone:

Reacted to "very much apprecia..." with 

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "very much appreciate..." with 


From P-Jamie Studley, INstitutional Accreditors to Everyone:

it is helpful when ED (and others) is able to explain why it didn't take recommendations so we know if we may be able to find common ground

From P, Jillian Klein, Proprietary Institutions to Everyone:

Reacted to "it is helpful when E..." with 

From P, Jason Lorgan, Public 4-year to Everyone:

Reacted to "it is helpful when E..." with 

From A, Rob Anderson, State Officials to Everyone:

Reacted to "it is helpful when E..." with 

From P- John Ware, State Regulator to Everyone:

Rob Anderson is coming back to the table for States

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

Scott Dolan will be at the table for Private Nonprofits

From A, Rob Anderson, State Officials to Everyone:

Our reciprocity agreement does this.

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "Our reciprocity agre..." with 

From P. Jo Blondin, Community Colleges to Everyone:

Reacted to "Our reciprocity ag..." with 

From P, Jillian Klein, Proprietary Institutions to Everyone:

Denise, all due respect I think you got a lot of feedback from many negotiators that "education specific laws" was not a direction that folks were comfortable with, especially since it was a concept ED had not explored in the first session.

From P, Jillian Klein, Proprietary Institutions to Everyone:

If negotiators come up with a definition of "education specific" this week will the Department consider it?

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "If negotiators come ..." with 👍

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

in what areas specifically?

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Erika will come back to the table

From P-Robyn Smith, Legal Aid Orgs. to Everyone:

+1 to Carolyn's comments, strongly support the Department's approach

From A, Emmett Blaney, Students/Borrowers to Everyone:

+2 to Carolyn

From P, Jillian Klein, Proprietary Institutions to Everyone:

I'm just looking for an answer to my question above about "education specific" definition. If ED can answer in the chat I can put my hand down.

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

plus 1 for Jamie's comment here

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

Reacted to "plus 1 for Jamie's c..." with 😊

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "plus 1 for Jamie's c..." with 😊

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

possible to keep the language up

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

HEA has been reauthorized numerous times since 1965. Why not a later date?

From P. Jo Blondin, Community Colleges to Everyone:

Yes--I brought this up yesterday, Jamie.

From P-Robyn Smith, Legal Aid Orgs. to Everyone:

If community colleges are established by charter, constitution, etc., they would be covered under the proposal. The 1965 date is an alternative, it does not limit this proposal. As I understand.

From P. Jo Blondin, Community Colleges to Everyone:

Not all of them.

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

For example, last reauthorization as 2008


From P. Jo Blondin, Community Colleges to Everyone:

It depends on state law and their districts.

From A, Michael Cioce, 2 Year Colleges to Everyone:

Nothing universal

From P. Jo Blondin, Community Colleges to Everyone:

Reacted to "Nothing universal" with 

From A, Michael Cioce, 2 Year Colleges to Everyone:

Varies state to state

From P-Robyn Smith, Legal Aid Orgs. to Everyone:

They can also be established by statute, constitutional provision or other action issued by an appropriate State agency or State entity. This is in the current law and the proposal would maintain this language.

From Joe Weglarz (((P) NACUBO to Everyone:

Not in New York State

From P. Jo Blondin, Community Colleges to Everyone:

Some community colleges are state agencies, technically,

From P. Jo Blondin, Community Colleges to Everyone:

considered

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

I'm sorry - I meant an "or"

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

If we don't know, then in it the spirit of "do no harm" we should not guess or assume. Why not just stick with what the Department proposed.

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "If we don't know, th..." with 👍

From P, Jillian Klein, Proprietary Institutions to Everyone:

Sorry, just want to understand the purpose of this conversation. Does ED support the Barmak/Carolyn language or not? I am a bit confused about this conversation vs the Department's proposed redlines.

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "Sorry, just want to ..." with 👍

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Reacted to "Sorry, just want to ..." with 👍

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

Reacted to "Sorry, just want to ..." with 👍

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "Sorry, just want to ..." with 👍

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

can i get back to the table? or maybe you just ask the question about 1965 versus 2008?

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

Concur with Barmak's comment re: (ii)

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

why 1965?

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

not when reauthorized in 2008?

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

Scott to return to table

From P-Jamie Studley, Institutional Accreditors to Everyone:

not in support with denying states the ability to determine that accreditation meets their needs in regard to authorization

From P. Jo Blondin, Community Colleges to Everyone:

Replying to "not when reauthori..."

And Erie Community College (PA) was founded in 2020.

From A-Michale McComis, Inst. Accrediting Agencies to Everyone:

Reacted to "not in support with ..." with 👍

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Erika will return back for private nonprofits


From P. Jo Blondin, Community Colleges to Everyone:

Reacted to "not in support wit..." with 👍

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

Reacted to "not in support with ..." with 👍

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Reacted to "not in support with ..." with 

From P. Jo Blondin, Community Colleges to Everyone:

FYI: 921 public community colleges, 36 tribal community colleges, and 69 independent community colleges. Will do more research on charters. Thank you.

From P. Jo Blondin, Community Colleges to Everyone:

As of 2024

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

agree with Barmak here. in the best interests of students who are being served too. Many of whom are active military and veterans

From P - JoEllen Price, Financial Aid Administrators to Everyone:

Zack Goodwin will come to the table for FA Administrators after lunch. I will return to the table around 2pm EST.

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

+ 1 on Jamie

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

+1 Jamie

From A, Scott Dolan, Private Nonprofit IHEs to Everyone:

Reacted to "+ 1 on Jamie" with 