January 11, 2010

Dear Executive Directors:

I am writing in response to the information you provided about how you are coming into compliance with the Secretary's Criteria for Recognition in light of the new provisions in the Higher Education Opportunity Act (HEOA) (Public Law 110-315), which became effective on August 14, 2008. We determined that, in general, agencies have initiated the changes needed to come into compliance. At this time, we are not making determinations of each agency's compliance with the statutory provisions. Instead, we have reviewed agency responses and identified areas of confusion and misunderstanding to inform this general response.

This letter provides guidance concerning how the Department interprets each of the new provisions of the Higher Education Act of 1965, as amended (HEA), added by the HEOA and, as appropriate, identifies the portions of the regulations reflecting these changes that will be effective on July 1, 2010. We will be issuing further more detailed guidance early in 2010 on how agencies can demonstrate compliance with all of the regulatory provisions governing the Secretary's recognition of accrediting agencies under which agencies will be reviewed beginning July 2010.

In addition to the material agencies have already submitted regarding compliance with the HEOA, agencies that have submitted petitions and interim reports that are awaiting review by the National Advisory Committee on Institutional Quality and Integrity (NACIQI) will need to update those submissions to demonstrate compliance with the new law and regulations. Agencies will be notified by separate letter of the date of their scheduled review and provided information about the submission process and their updated submission due date.

The statutory provisions are discussed below in the order that they were listed in the e-recognition system for agency submission of information related to compliance with the HEOA.

Respect for mission

Statutory provision: Section 496(a)(4)(A) of the HEA requires as a condition for recognition that an agency consistently applies and enforces standards that respect the stated mission of the institution of higher education, including religious missions, and that ensure that the courses or programs of instruction, training, or study offered by the institution of higher education, including distance education or correspondence courses or programs, are of sufficient quality to achieve, for the duration of the accreditation period, the stated objective for which the courses or the programs are offered.

Regulations: Effective July 1, 2010, the regulations in 34 CFR §602.18 will reflect this requirement. The introductory paragraph of the new regulation mirrors the statutory language in Section 496(a)(4)(A).

Compliance guidance: The statutory language does not require a change in an agency's standards. Rather, it requires that an agency consistently apply and enforce standards in a manner that is respectful of the mission of the institution or program that is being evaluated. While the statute provides the example of religious mission, the requirement applies broadly to all types of missions. The agency must exercise its judgment on whether an institution or program meets its standards by doing so within the context of the mission of the institution. For example, if an institution has a mission to serve women, an agency that has a diversity standard must take that mission into account in considering whether the institution meets that standard. This provision does not provide a way for an institution to avoid meeting one or more of the standards of the agency.

An agency could partially meet this requirement by having a policy related to how its Commission applies and enforces its standards that articulates the principle described above. The policy need not reference religious mission as such; it could use a more general term such as "values." In addition, an agency would need to demonstrate procedures that promote consistency in the application of its standards in a manner that is respectful of an institution's or program's mission or values.

Distance Education or Correspondence Education

Standards must effectively address distance education and correspondence education.

Statutory provisions: Section 496(a)(4)(B) of the HEA specifies that if an agency has or seeks to include within its scope of recognition the evaluation of the quality of institutions or programs offering distance education or correspondence education, the agency must, in addition to meeting the other recognition requirements, demonstrate that its standards effectively address the quality of an institution's distance education or correspondence education with respect to the standards specified in section 496(a)(5). However, the statute provides that the agency is not required to have separate standards, procedures, or policies for the evaluation of distance education or correspondence education.

Section 103(19) of the HEA includes a definition of "distance education." Distance education is education that uses one or more technologies, which are specified in the definition, to deliver education to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously.

Regulations: Effective July 1, 2010, the regulations in 34 CFR §602.16(c) will mirror the statutory language of section 496(a)(4)(B) of the HEA. The new regulations in 34 CFR §602.3 will include the statutory definition of "distance education," which replaces the definition in current regulations, and add a new definition of "correspondence education." The new definition of "correspondence education" clearly distinguishes between correspondence education and distance education, particularly with respect to the nature of the interaction between the instructor and the students. Correspondence education is education provided through one or more courses by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. The

new definition specifies that interaction between the instructor and the student is limited, is not regular and substantive, and is primarily initiated by the student, and that correspondence courses are typically self-paced.

Compliance guidance: An agency would need to provide the Department with detailed information and specific examples to demonstrate how it reviews an institution's offering of distance education or correspondence education to determine whether the institution meets the agency's standards. The information would clearly identify each standard or criterion the meeting of which might require the institution or program to use resources, procedures, or structures different from those needed for residential program offerings. Examples include the provision of academic and other support services to students who are not on-campus; training and support of faculty; and planning for sustainability and growth. Although separate standards or specific procedures or guidelines for the evaluation of distance education or correspondence education are not required, they are permissible.

If an agency has or seeks to include within its scope of recognition the evaluation of both distance education and correspondence education, its submission would need to address each of the delivery modes and indicate the ways, if any, that the agency's review would differ for the two modalities. Agencies having a scope of recognition that included distance education as of the August 14, 2008, enactment of the HEOA are also recognized for correspondence education pending reevaluation of each agency as it comes before the Department for renewal of recognition. At that time, the Department will amend the scope if appropriate to expressly include correspondence education if the Department concludes it should be included in the scope going forward.

Including distance/correspondence education in scope of recognition by notice.
Statutory provision: Section 496(a)(4)(B) of the HEA further specifies that if an accrediting agency that accredits institutions is already recognized by the Secretary, it will not be required to obtain the approval of the Secretary to expand its scope of recognition to include distance education or correspondence education, provided that the agency notifies the Secretary in writing of the change in scope. Section 496(q) of the HEA specifies that the Secretary shall require a review, at the next available Advisory Committee meeting, of any recognized accrediting agency that has included distance education or correspondence education in its scope of recognition through written notice to the Secretary, if the enrollment of an institution the agency accredits that offers distance education or correspondence education has increased by 50 percent or more within any one institutional fiscal year.

Regulations: Effective July 1, 2010, 34 CFR §602.19(e) of the regulations will require any agency that has notified the Secretary of a change in its scope to include distance education or correspondence education to monitor the headcount enrollment of each institution it has accredited that offers distance education or correspondence education and to report to the Secretary any such institution that has experienced an increase in headcount enrollment of 50 percent or more within one institutional fiscal year. This

report must be done within 30 days of the agency acquiring the data that the increase has occurred.

Compliance guidance: An accrediting agency that notifies the Secretary in writing of a change in scope to include distance education or correspondence education has new growth monitoring responsibilities as a result of the expansion in scope.

Verification of identity of distance education and correspondence education students.
Statutory provision: Section 496(a)(4)(B) also provides that an agency must require an institution that offers distance education or correspondence education to have processes through which the institution establishes that the student who registers in a distance education or correspondence education course or program is the same student who participates in and completes the program and receives the academic credit.

Regulations: Effective July 1, 2010, the regulations in 34 CFR §602.17(g) will mirror the statutory language and elaborate on it by describing how the agency would meet the student verification requirement. An agency would be in compliance if it requires institutions to verify the identity of a student who participates in class or coursework by using methods such as a secure login and pass code or proctored examinations, and new or other technologies and practices that are effective in verifying student identity. The agency is required to make clear, in writing, that institutions must use processes that protect student privacy and must notify students at the time of registration or enrollment of any projected additional student charges associated with the verification of student identity.

Compliance guidance: An agency must demonstrate that it has a written policy addressing this student verification requirement. In addition, the agency must provide evidence of how it assesses an institution's or program's processes for ensuring the verification of the identity of students taking distance education or correspondence education courses; that it protects student privacy; and that students are notified within the specified timeframe of any projected additional student charges.

Student achievement standard
Statutory provision: Section 496(a)(5)(A) of the HEA provides that an accrediting agency's standard by which it assesses an institution's success with respect to student achievement in relation to the institution's mission may include different standards for different institutions or programs, as established by the institution, including, as appropriate, consideration of State licensing examinations, course completion, and job placement rates. The phrase "which may include different standards for different institution or programs, as established by the institution" was added by the HEOA. The Rule of Construction in section 496(p) of the HEA, also added by the HEOA, expresses the intent of the Congress. It stipulates that an accrediting agency is not restricted from setting, with the involvement of its members, and applying accreditation standards for or to institutions or programs that seek review by the agency. In addition, the Rule of Construction stipulates that an institution is not restricted from developing and using

institutional standards to show its success with respect to student achievement, which achievement may be considered a part of any accreditation review.

Regulations: Effective July 1, 2010, regulations in 34 CFR §602.16(a)(1)(i) replicate the statutory language in section 496(a)(5)(A) of the HEA. The regulations in §602.16(f) will replicate the Rule of Construction in section 496(p) of the HEA.

Compliance guidance: The statute permits, but does not require, an accrediting agency to allow an institution or program it accredits to establish its own standards or goals for success with respect to student achievement in accordance with institutional mission. For example, a liberal arts institution may choose as one measure of its success with respect to student achievement the percentage of students who successfully apply to graduate school and set what it deems to be an appropriate percentage against which its performance will be gauged. If an accrediting agency does use standards established by an institution, it must make a judgment about whether an institution developed and used reasonable standards to show its success with respect to student achievement, and whether the evidence the institution or program provides demonstrates that it has met its self-identified standards.

The statute also allows an agency to establish standards for success with respect to student achievement that apply to institutions or programs it accredits. Any agency that applies common standards may, but is not required to, consider information provided by the institution or program during an accreditation review that shows its success in relation to student achievement standards selected by the institution.

Due process and appeals

Statutory provisions: The HEOA amended section 496(a)(6) of the HEA to include expanded due process requirements with which agencies must comply. The new provisions require that an agency establish and apply review procedures throughout the accrediting process, including evaluation and withdrawal proceedings, which comply with due process procedures that are specified in the statute. The agency must provide adequate written specification of requirements, including clear standards for evaluating institutions or programs for accreditation, and clearly identify any deficiencies at the institution or program examined. In evaluation and withdrawal proceedings, the procedures must provide sufficient opportunity for a written response by an institution or program regarding any deficiencies identified by the agency, to be considered by the agency within a timeframe determined by the agency and prior to a final action.

Upon written request of an institution or program, the agency must provide an opportunity for the appeal of any adverse action, including denial, withdrawal, suspension, or termination of accreditation, taken against the institution or program, prior to such action becoming final at a hearing before an appeals panel. The appeals panel will not include current members of the agency's underlying decision-making body that made the adverse decision, and its members must be subject to a conflict of interest policy. The agency's due process procedures must provide for the right of an institution

or program to representation and participation by counsel during an appeal of an adverse action.

The due process procedures must also provide for a process, in accordance with written procedures developed by the agency, through which an institution or program, before a final adverse action based solely upon a failure to meet a standard or criterion pertaining to finances, may on one occasion seek review of significant financial information that was unavailable to the institution or program prior to the determination of the adverse action, and that bears materially on the financial deficiencies identified by the agency. If the agency determines that the new financial information submitted by the institution or program meets the criteria of significance and materiality, the agency must consider the new financial information prior to the adverse action becoming final. Any determination by the agency with respect to the new financial information is not separately appealable by the institution or program.

Regulations: Effective July 1, 2010, 34 CFR §602.23(c)(1), which concerns the review of complaints, will stipulate that an agency may not complete its review and make a decision regarding a complaint against an institution or program unless, in accordance with published procedures, it ensures that the institution or program has sufficient opportunity to provide a response to the complaint.

New regulations in 34 CFR §602.25 will contain the specific new due process procedures required by the HEOA amendments to the HEA. New sections 602.25(a) and (c) require an agency to provide adequate written specification of its requirements, including clear standards, for an institution or program to be accredited or preaccredited, and to provide written specification of any deficiencies identified at the institution or program examined. New section 602.25(b), which is renumbered but otherwise unchanged, requires that the agency notify an institution or program in writing of any adverse accrediting action or an action to place the institution or program on probation or show cause, and that the notice describe the basis for the action. New paragraph (d) requires an agency to provide sufficient opportunity for a written response by an institution or program regarding any deficiencies identified by the agency, to be considered by the agency within a timeframe determined by the agency and before any adverse action is taken. New paragraph (e), which is renumbered but otherwise unchanged, requires an agency to notify an institution or program in writing of any adverse accrediting action or an action to place the institution or program on probation or show cause, and the basis for the action.

New section 602.25(f) specifies that an agency must provide an opportunity, upon written request of an institution or program, for the institution or program to appeal any adverse action prior to the action becoming final. The appeal would take place at a hearing before an appeals panel. Appeals panels are subject to a conflict of interest policy and may not include any current members of the underlying decision-making body that made the adverse decision. In addition, it provides that an appeals panel has and uses the authority to affirm, amend, or reverse an adverse action of the original decision-making body, and does not serve only an advisory or procedural role. Pursuant to 34 CFR §602.15(a)(2), agencies must provide sufficient training to appeals panel members to

ensure that these members have the requisite background to make sound decisions. Under new §602.25(f)(1)(iv), at the option of the agency, either the appeals panel or the original decision-making body would be responsible for implementing a decision to affirm, amend, or reverse the adverse action. An appeals panel's decision to remand must identify the specific issues to be addressed, and the original decision-making body must act in a manner consistent with the appeals panel's decision or instructions. Under new §602.25(f)(2), the agency is required to recognize the right of the institution or program to employ counsel to represent the institution or program during its appeal, and this would include making any presentation that the agency permits the institution or program to make on its own during the appeal.

New section 602.25(h) stipulates that an agency provide for a process, in accordance with written procedures, through which an institution or program may seek review of new financial information if all of the following conditions are met: (1) the financial information was not available to the institution or program until after the decision that is subject to appeal was made; (2) the financial information provided is significant and bears materially on the financial deficiencies identified by the agency (the criteria of significance and materiality would be determined by the agency); and (3) the only remaining deficiency cited by the agency in support of a final adverse action decision is the institution's or program's failure to meet an agency standard pertaining to finances. A review of new financial information would be permitted only one time, and a determination by the agency with respect to the new information provided would not provide a basis for an appeal.

Compliance guidance: The new statutory and regulatory requirements related to an agency's due process procedures are specific and detailed. We expect that most agencies are making changes to come into compliance. An underlying principle is the expectation that an agency apply its standards consistently across the programs or the institutions it accredits. Clear and consistently-applied standards let institutions and programs know what they are being measured against; agencies should review broadly-stated standards and policies to ensure their meaning can be ascertained by accredited institutions or programs. Detailed written descriptions of any deficiencies identified by the accrediting agency are critical to providing an effective due process procedure.

One significant change from previous due process requirements reflects Congressional intent that the appeal be more than an additional procedural step involving a body that has no ultimate authority to effect a change in the accrediting decision. Under the statute as amended by the HEOA, an appeals panel is a decision-making body, and, as such, will need to meet the requirements for recognition, such as having a public member and having academic and administrative personnel if it accredits institutions, and educators and practitioners if it accredits programs or single-purpose institutions, and be expressly recognized by the Department.

In order for an appeals panel to make decisions on substantive matters, not just matters related to process, the entire accreditation process, including accreditation decisions, must be well-documented. Appeals panel members will need to have knowledge of prior

agency decisions so the panel's actions and decisions are consistent with agency policies and requirements.

Accreditation team members

Statutory provision: Section 496(c)(1) of the HEA stipulates that in order to be recognized by the Secretary, an agency must perform, at regularly established intervals, on-site inspections and reviews of institutions of higher education (which may include unannounced site visits) with particular focus on educational quality and program effectiveness, and ensure that accreditation team members are well-trained and knowledgeable with respect to their responsibilities. The HEOA added a reference to distance education to the HEA's requirement that team members be well-trained and knowledgeable with respect to their responsibilities.

Regulations: Effective July 1, 2010, regulations in 34 CFR §602.15(a)(2) stipulate that an individual's qualifications and the agency's training of that individual regarding the agency's standards, policies, and procedures should be appropriate for that individual's specific role and responsibilities to conduct the agency's on-site evaluations, apply or establish its policies, and make its accrediting and preaccrediting decisions. In addition, the regulations specify that if an agency's scope of recognition includes the evaluation of distance education and correspondence education, then the individual must be trained in his or her responsibilities regarding distance education and correspondence education.

Compliance guidance: Agencies are expected to train all individuals who serve on their review teams or decision-making bodies on the agency's standards, criteria, and policies, and expectations regarding their responsibilities in conducting a review of an institution or program and in making decisions. This is essential to ensure consistent application and enforcement of the agency's standards. When review teams are evaluating institutions and programs that offer distance education or correspondence education, agencies need to train team members in how the agency's standards, criteria, and policies should be applied in the evaluation of these modes of delivery.

Operating procedures -- Monitoring growth

Statutory provision: As amended by the HEOA, section 496(c)(2) of the HEA requires accrediting agencies to monitor the growth of programs at institutions experiencing significant enrollment growth.

Regulations: Effective July 1, 2010, 34 CFR §602.19(c) requires an agency to monitor the overall growth of the institutions or programs it accredits and to collect information on headcount enrollment at least annually. This applies to all agencies. New section 602.19(d) requires institutional accrediting agencies to monitor the growth of programs at institutions experiencing significant enrollment growth and provides that the determination of what constitutes significant growth is to be reasonable and made by the agency. Programmatic accrediting agencies that accredit freestanding institutions are subject to the new requirement in §602.19(d), as well as agencies that only accredit institutions.

Compliance guidance: An agency may make different determinations of what constitutes "significant growth" for different categories of institutions and programs, or it may establish a single criterion. In any case, the agency must explain the basis on which the determination has been made. In addition, agencies must establish a process for ongoing monitoring of institutions or programs that the agency has determined are undergoing significant growth.

Operating procedures -- Teach-out plans

Statutory provisions: As amended by the HEOA, section 496(c)(3) of the HEA specifies, among other requirements, that to be recognized by the Secretary as a reliable authority as to the quality of education or training offered by an institution seeking to participate in Title IV, HEA programs, an accrediting agency must require an institution it accredits to submit a teach-out plan for approval by the accrediting agency if the Department notifies the accrediting agency of an action against the institution pursuant to section 487(f) of the HEA; or if the accrediting agency acts to withdraw, terminate, or suspend the accreditation of an institution; or if the institution notifies the accrediting agency that the institution intends to cease operations. Section 487(f) of the HEA, as amended by the HEOA, defines a "teach-out plan" as a written plan that provides for the equitable treatment of students if an institution of higher education ceases to operate before all students have completed their program of study, and may include, if required by the institution's accrediting agency or association, an agreement between institutions for such a teach-out plan.

Regulations: Effective July 1, 2010, the regulations in 34 CFR §602.24(c)(1) stipulate that a teach-out plan would be required in the circumstances specified in the statute, and include whenever a State licensing or authorizing agency notifies the accrediting agency that an institution's license or legal authorization to provide an educational program has been or will be revoked. The new regulations consider a planned closure of a location that provides one hundred percent of at least one program (e.g., a baccalaureate degree program in computer science) as a closure that likewise triggers the requirement of a teach-out plan.

The regulations in new §602.24(c)(2) require the agency to evaluate the teach-out plan to ensure it provides for the equitable treatment of students under criteria established by the agency, specifies additional charges, if any, and provides for notification to the students of any additional charges. New regulations in §602.24(c)(3) provide that if the agency approves a teach-out plan that includes a program that is accredited by another recognized accrediting agency, it must notify that accrediting agency of its approval.

New sections 602.24(c)(4) and (5) provide that an agency may require an institution it accredits or preaccredits to enter into a teach-out agreement as part of its plan and describes what would be required of the teach-out institution. New section 602.22(a)(2)(x) provides that an agency's definition of a substantive change must include the addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their program of study.

Compliance guidance: The teach-out provisions apply only to accrediting agencies whose accreditation or preaccreditation enables an institution to obtain eligibility to participate in Title IV, HEA programs. They do not apply to agencies that only accredit programs. To demonstrate compliance, an agency must provide evidence that it has a policy that requires all the institutions it accredits, including those that do not participate in Title IV federal student financial aid programs, to submit a teach-out plan in the four circumstances stipulated in the regulations. It also must demonstrate it has established procedures to review the teach-out plan. The policy should specify the information the institution must include in a teach-out plan. Any agency that has had occasion to use these procedures should provide evidence to the Department as part of a recognition review, in the form of a copy of a teach-out plan that the agency reviewed, demonstrating how it applied the procedures in a particular situation, and the agency's notice to the institution of its approval or disapproval of the plan. We recognize that an agency subject to this requirement may not have had any institution it accredits or preaccredits experience any of the events specified in the statute. In such cases, compliance can be demonstrated on the basis of policy and a written statement from the agency that it has not reviewed any teach-out plans.

Operating procedures -- Summary of agency actions

Statutory provision: Section 496(c)(7) of the HEA, as amended by the HEOA, requires agencies to make available to the public and State licensing or authorizing agency, and to submit to the Secretary, a summary of agency actions. This summary must include the award of accreditation or reaccreditation of an institution; final denial, withdrawal, suspension, or termination of accreditation of an institution, and any findings made in connection with the action taken, together with the official comments of the affected institution; and any other adverse action taken or placement on probation of an institution.

Regulations: Effective July 1, 2010, regulations in 34 CFR §602.26, currently requiring agencies to provide written notice to the Secretary, the State licensing agency, and other appropriate accrediting agencies, of a final decision to deny, withdraw, suspend, revoke, or terminate the accreditation or preaccreditation of an institution or program, or to place an institution or program on probation, will require agencies also to provide such notice as well of any other adverse action, as defined by the agency. The regulations also add a cross-reference to provide written notice to the public within 24 hours of the agency's notice to the institution or program of any other adverse action. Finally, the new regulations specify that the accrediting agency, in addition to providing to the public a brief statement summarizing the reasons for the agency's decision, must provide the official comments of the affected institution or program, or evidence that the institution or program was offered the opportunity to provide official comments. The information must be provided to the public whether or not the agency receives a request for the information.

Compliance guidance: Agencies have long been required to inform the Secretary, appropriate State licensing or authorizing agencies, and appropriate accrediting agencies

of final decisions to place an institution or program on probation, or to deny, withdraw, suspend, revoke, or terminate accreditation or preaccreditation of an institution or program. Previously, agencies were required to make the information available to the public "upon request." The change in the law requires that information be provided to the public without a specific request for the information. In addition to providing information about placing an institution or program on probation, or denying, withdrawing, suspending, revoking, or terminating accreditation, an agency must provide notice of a final decision to take any other adverse action. Also, agencies are now required to disclose any findings made in connection with the action taken, together with the official comments of the affected institution, or evidence that the institution was offered an opportunity to provide official comments.

Operating procedures -- Transfer of credit

Statutory provision: As amended by the HEOA, Section 496(c)(9) of the HEA specifies, among other requirements, that to be recognized by the Secretary, an accrediting agency must confirm, as part of the agency's review for initial accreditation or renewal of accreditation, that an institution has transfer of credit policies that are publicly disclosed and that include a statement of the criteria established by the institution regarding the transfer of credit earned at another institution of higher education. Section 485(h) of the HEA contains a new requirement that institutions publicly disclose their transfer of credit policies in a readable and comprehensible manner, and publicly disclose as well a list of the institutions with which they have articulation agreements.

Regulations: Effective July 1, 2010, 34 CFR §602.24(e) of the regulations reflects the statutory language in section 496(c)(9) and adds a cross-reference to 34 CFR §668.43(a)(11) regarding institutional transfer of credit provisions.

Compliance guidance: The requirement for accrediting agency confirmation of an institution's transfer of credit policies applies only to institutional accrediting agencies. Institutions that are subject to this provision include those that participate in any Title IV program. To demonstrate compliance with the statute, an agency would need to provide evidence that its written review procedures require confirmation of an institution's public disclosure of transfer of credit policies and provision of information about the criteria the institution uses to evaluate credits earned at other institutions of higher education.

Other new regulations

Additional regulations, not related to the changes in the HEA, were promulgated through the negotiated rulemaking process. These likewise are effective on July 1, 2010. These changes are in addition to those already identified and discussed. They will be discussed in the additional guidance to be provided subsequently. They have not been addressed in this letter because they do not pertain to the submissions agencies were required to make to demonstrate interim compliance with the changes made by the HEOA. The additional regulatory changes pertain to the following provisions:

- §602.23 -- New or revised definitions of "compliance report," "Designated Federal Official," "direct assessment program," "recognition," and "teach-out agreement";

- §602.15(b)(1) and (2) -- Maintenance of records;
- §602.19(b) through (d) -- Monitoring;
- §602.22(a)(1)(iii), (iv), (vii), (viii), (ix) and (x); §602.22(a)(3); and §602.22(b) and (c) -- Substantive change;
- §602.24(d) -- Required procedures related to a closed institution;
- §602.27(b) -- Confidentiality; and
- Subpart C -- The recognition process.

Enclosed is a complete set of the revised regulations. The new text is bolded. If you have questions, please contact Kay Gilcher, Senior Advisor to the Deputy Assistant Secretary, at (202) 502-7693; kay.gilcher@ed.gov.

Sincerely,

Daniel T. Madzelan
Delegated the Authority to Perform
the Functions and Duties of the
Assistant Secretary for
Postsecondary Education

Enclosure