

————— Council of —————
Regional Accrediting Commissions

May 4, 2020

U.S. Department of Education
400 Maryland Ave. SW
Mail Stop 294-42
Washington, DC 20202
Attn: Scott Filter

**RE: Comments to Distance Education Notice of Proposed Rulemaking:
 Docket ID ED-2018-OPE-0076**

On behalf of the Council of Regional Accrediting Commissions (C-RAC), I write regarding the Office of Postsecondary Education's Notice of Proposed Rulemaking on the "proposed rule" which amends regulations related to distance education and innovation under the Higher Education Act of 1965.

C-RAC supports the language in the proposed rule as it reflects the consensus reached during the 2018-2019 negotiated rulemaking process in which I, along with Beth Sibolski, President of the Middle States Commission on Higher Education (MSCHE), represented the regional accreditors. We believe this consensus language helps clarify many aspects of the current regulations regarding distance education and reaffirms the appropriate role of accreditors in ensuring the integrity of these programs. We strongly encourage the Final Rule to mirror the language in this proposed rule and that it not include any provisions or concepts not otherwise negotiated.

C-RAC also wishes to respond to the question raised in the proposed rule by the Department related to 668.5(c)(1)(i). This issue involves the extent to which it would be difficult for an ineligible entity that enters into a written agreement with an eligible institution to demonstrate "experience" and program effectiveness before it can enroll students. We believe it would in fact be difficult and that the Department should remove this "experience" requirement, as it has also done under § 602.12.

Thank you again for the opportunity to actively participate in the discourse of the negotiated rulemaking process and for the opportunity to comment on this proposed rule. We remain committed to working with the Department, institutions and other stakeholders to ensure implementation of the regulations once finalized.

Sincerely,



Barbara Gellman-Danley, Ph.D.
Chair, Council of Regional Accrediting Commissions
President, Higher Learning Commission (HLC)