Welcome to our WCET|SAN Webcast in collaboration with UPCEA

September 29, 2021

The webcast will begin shortly.

There is no audio being broadcast at this time.

An archive of this webcast will be available on the SAN website next week.

Video Link:  https://youtu.be/9TcBLI0b5N8
The Federal Rulemaking Process:
How to Follow and Inform Colleagues about the Upcoming Negotiated Rulemaking Meetings and Outcomes

SEPTEMBER 29, 2021
Welcome!

Use the Chat box for questions.

Recording, Slide Deck, and Resources will be available next week on the WCET/SAN website.

Cheryl Dowd
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WCET|SAN
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Overview

01
Steps in the USED Rulemaking Process.

02
Moderated panel discussion about the process.

03
Questions
Questions from the Audience

If you have a question during the presentation, please add your questions to the Chat box.

We will take your questions from the chat box beginning with the moderated portion of the webinar.
Moderator

Ricky LaFosse
Compliance and Policy Lead
University of Michigan
Chair of the UPCEA Policy Committee
rlafosse@umich.edu
Steps in the USED Federal Rulemaking Process

Russ Poulin
Executive Director
WCET
Department of Education

Negotiated Rulemaking in 10 Easy Steps
1. Publish Notice

Negotiated Rulemaking Committee; Negotiator Nominations and Schedule of Committee Meetings

A Proposed Rule by the Education Department on 08/10/2021
We intend to select negotiators for the Affordability and Student Loans Committee who represent the interests of those significantly affected by the topics proposed for negotiation. In so doing, we will comply with the requirement in section 492(b)(1) of the HEA that the individuals selected must have demonstrated expertise or experience in the relevant topics proposed for negotiations. We will also select individual negotiators who reflect the diversity among program participants, in accordance with section 492(b)(1) of the HEA. Our goal is to establish a committee and subcommittee that will allow significantly affected parties to be represented while keeping the committee size manageable.
3. Prepare!

Department prepares background materials.

Negotiators consult constituencies.
4. Conduct First Main Committee Meeting
5. Aim for Consensus (what's that?)

To reach “consensus” -
ALL negotiators must...

Affirm ALL the language...

On EVERY issue.

WASHINGTON -- Trump administration officials opened champagne and shook hands with negotiators Wednesday after a lengthy rule-making process led to consensus on a broad array of changes to federal standards governing college accreditors and online education.

Those changes will allow colleges to get faster approval for changes to their programs, facilitate quicker federal recognition of new accreditors and allow for more targeted, less comprehensive federal reviews of accreditors. And they would give accreditors discretion over when to take action against a college that is out of compliance with standards.
6. Negotiate (Between and At Meetings)
7. Vote at the last meeting

Finalize language...

Vote
8. Publish the **Proposed** Rules

If no consensus, Dept of Ed proposes the language

If consensus, check for legality of language

Publish

Collect comments
9. Publish the **Final** Rules

**DEPARTMENT OF EDUCATION**

34 CFR Parts 600, 602, and 668

[Docket ID ED-2018-OPE-0076]

RIN 1840-AD38

Distance Education and Innovation

AGENCY: Office of Postsecondary Education, Department of Education.

ACTION: Final regulations.

SUMMARY: The Secretary amends the general, establishing eligibility, maintaining eligibility, and losing eligibility
10. Observe Calendar for Title IV Rules

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Rules published by **November 1** go into effect on **July 1** of the following year.
Presenters

Panel Discussion

Russ Poulin
Executive Director
WCET

David Schejbal
President
Excelsior College
Questions from the Audience
## Contact Information

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Visit the UPCEA website to learn more about our topic areas and resources!
https://upcea.edu/

Join UPCEA: learn more about benefits, services and events:
https://upcea.edu/membership
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<td>SANsational Award Asynchronous Seminar</td>
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<td>International Compliance Best Practices Webinar</td>
<td>February 16, 2022</td>
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<td>SAN Basics Workshop</td>
<td>March 2022</td>
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Access to the resources discussed during this webcast, including the archive, will be available next week on the SAN Website.

Past Webinars, Events, Podcasts