

MARYLANDONLINE COMMENTS ON HIGHER EDUCATION REGULATIONS

THAT MAY BE APPROPRIATE FOR REPEAL, REPLACEMENT, OR MODIFICATION

DOCKET # ED-2017-OS-0074

MarylandOnline (MOL) is a consortium of community colleges and senior institutions in the state of Maryland. The organization was founded to promote and support the distance learning communities of our member colleges.

MOL understands the current administration’s desire to decrease burdensome legislation. However, we are hoping that this goal does not lead to the withdrawal or nonenforcement of certain regulations that ultimately protect college students.

In response to the Department of Education’s request for comments about higher education regulations that may be appropriate for repeal, replacement, or modification:

**Student Protection**

Gainful Employment (GE) – MOL supports the principle that students have a right to be gainfully employed at the end of their academic career. This principle includes the student’s ability to pay any debt incurred to obtain a college degree. This regulation holds institutions accountable such that they do not mislead students into enrolling simply for the financial benefit to the institution.

Complaint Process -- MOL strongly supports each student being assured access to a reliable and robust complaint process.

Borrower Defense to Repayment – As with the Gainful Employment protection, the Borrower Defense to Repayment regulation gives students who are defrauded by their institutions protections against the burden of unnecessary debt. MOL supports implementing and maintaining this protection.

**Licensure**

Specific to some of our institutional members is the concern that some of the requirements are overly taxing to 2-year schools that do not have and cannot afford full-time staff dedicated to complying with the laborious process of identifying out-of-state students, sending individualized emails, directing these students to the exact source of professional licensure information in the state where they are actually taking the course, and documenting evidence that the students have received said email.

This cumbersome requirement assumes that an institution knows a student’s intentions beyond taking the course and can identify where a student is taking the course (not just the state of residence). The requirement also places the burden on the institution of knowing for what professions every state requires licensing.

**Clarifications**

Will any or all regulations from the Department of Education be enforced on July 1, 2018 (as originally planned)?

Will a distinction be made between “fully online” courses and “hybrid” (partially online, partially face-to-face) courses?