

Policy on Institutional Compliance with Title IV

January 2022

Background

In order to comply with federal regulations regarding Institutional Compliance with Title IV of the Higher Education Act (HEA)¹, the Commission is required to provide information it has available germane to an accredited or candidate institution's program responsibilities or eligibility to participate under Title IV of the HEA.

Notification to the U.S. Secretary of Education of Fraud or Abuse

The Commission shall provide the U.S. Secretary of Education notice of the name of any institution it has reason to believe is engaged in fraud or abuse or is failing to meet its responsibilities under Title IV of the HEA, and the reasons for such concern. Except in cases when the matter warrants a confidential report to the U.S. Secretary of Education, the Commission shall notify the institution if its name is submitted to the U.S. Secretary of Education under this provision.²

Default Rates

Institutions participating in the Title IV programs under the HEA and designating the Commission as their gate-keeping agency must be able to demonstrate diligence in keeping loan default rates at an acceptably low level and must also comply with program responsibilities defined by the U.S. Department of Education. Institutions that have a default rate requiring a default reduction plan should provide a copy of their plan to the Commission. Commission staff shall review the plan to determine its appropriateness, and to determine if any follow-up action is needed. Excessive default rates in the student loan program may be cause for a special report or evaluation.

Compliance with Title IV³

During the course of the Commission's eligibility review, there will be a review of loan default rates and negative actions taken by the U.S. Department of Education regarding compliance of the institution with the requirements of Title IV of the HEA. In addition, the Commission will review information provided by the U.S. Secretary of Education when notified of negative action taken by the U.S. Department of Education regarding responsibilities under Title IV of the HEA.

¹ 34 C.F.R. § 602.16; § 602.27

² 34 C.F.R. § 602.27(b).Regulations require a case-by-case review of the circumstances surrounding an accrediting agency's contact with the U.S. Secretary of Education. If it is determined there is the need to hold the contact confidential, then the institution will not be notified of the report made. Also, if the U.S. Department of Education requests a report remain confidential, then there will be no notification to the institution.

³ § 602.16(a)(1)(v); § 602.16(a)(1)(x); § 602.19(b); § 668.5; § 668.15; § 668.16; § 668.71

The Commission will determine if the information calls into question compliance with its Accreditation Standards and wherever any follow-up action is needed. Excessive default rates in the student loan program may be cause for a special report or site visit.

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