Dear Colleagues,

In fall 2010, the Department of Education adopted final regulations on credit hour and program length. Last week we received a letter from the Department of Education Office of Postsecondary Education offering "Guidance to Institutions and Accrediting Agencies Regarding a Credit Hour as Defined in the Final Regulations Published on October 29, 2010." I am writing to tell you where we are at this point with regard to the regulations and this guidance.

You may be aware that the Higher Learning Commission signed two letters to the Secretary of Education, coordinated and sent by the American Council on Education (ACE), citing serious concerns with the credit hour and state authorization regulations, and a subsequent letter to U. S. Representative Virginia Foxx, Representative John Kline, and the Secretary, requesting a year’s delay of both these regulations.

Although there has not yet been any response to those letters, there is a modicum of good news in the Guidance letter, namely the following consideration contained in the paragraph on implementation:

"Institutions and accrediting agencies are responsible for properly implementing the credit hour regulatory requirements that are effective July 1, 2011. The Secretary understands that institutions and accrediting agencies face challenges in implementing these new requirements. For the 2011-2012 award year, as long as an institution or accrediting agency is in the process of complying with these provisions, we will consider the institution or accrediting agency to be making a good-faith effort to comply, and Department staff will take this effort into consideration when reviewing an institution's or accrediting agency's implementation of the regulations. Accrediting agencies and State approval agencies whose written policies, procedures, criteria, and materials are not finalized prior to July 1, 2011, may make reasonable allowances in their review of institutions during the 2011-2012 award year."

We must proceed now to establish policy and procedures with regard to these regulations. I understand that many of you, especially those with reaffirmation visits in the coming academic year, will want answers on this matter. We awaited the Guidance letter before beginning this work, not wishing to anticipate the Department of Education. Now we seek to find our way thoughtfully.

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1 You can find these regulations at 34 CFR §600.2 (definition of a credit hour) and §602.24(f) (procedures for accreditors). The attachments to the Guidance letter also quote the specific regulations at issue.
between the need for compliance on the Commission's part and yours, and our purpose to minimize the burden and hold fast to the academic self-determination intended for higher education and the focus on mission, student learning, academic values and integrity that characterizes regional accreditation.

The Commission's next Board of Trustees meeting takes place in late June, and at that meeting the Board will review on first reading a proposed policy on implementation of the credit-hour regulation. Second reading and adoption will follow in early November. As is our usual practice, the Commission will seek member commentary between the two readings.

Even as we start to draft, however, we are interested in your responses to the provisions of the Guidance letter. During the coming weeks I urge you to send me your comments, suggestions, or proposals to help us construct realistic ways to carry out this directive. At the Commission’s Annual Conference, I will host a session on “Implementing the Federal Definition of a Credit Hour” on Monday, April 11, 10:45-11:30 a.m. Although I will lay out the situation, my hope is that those in attendance will offer thoughts and advice in person or in subsequent email (president@hlcommission.org).

You are welcome to share this information with colleagues on your campus. Thank you for your continued support of the Commission and self-regulation through regional accreditation.

Sincerely,

Sylvia Manning
President