

Questions from Participants of Webinar 1 - Program Integrity Regulations

Clock Hours/Credit Hours

- Our school only offers a 1800-clock hour diploma program. Will the new credit-hour regulations affect us?

Response: No. The regulations address clock to credit hour conversion for credit hour assignment; if a program is approved and offered only in clock hours, the regulations defining a credit hour and addressing clock/credit hour conversion will have no impact for this school. The school will need to comply with the new regulations on adding new programs and incentive compensation, as well as the rest of the Program Integrity regulations.

- For schools that convert programs from credit hour to clock hour, how are current students enrolled under credit hours affected? What does the school do with students currently enrolled?

Response: See page 66857 of the preamble to the regulations; implementation of the new regulations is mandatory for new enrollments or re-enrollments on or after July 1, 2011. Implementation is optional for continuing students, on a payment period basis. For example, a school could choose to apply the new regulations to all crossover payment periods assigned to the 2011-2012 award year. Institutions that choose to apply the current regulations for all currently enrolled students can do so until they complete their programs.

- In California, a medical assistant is not required to be licensed. However, if graduates want to become registered medical assistants, there is a clock hour requirement for registration. Registration is voluntary, with graduates able to practice without it. Would the program have to be a clock hour program for purposes of Title IV?

Response: No. The provision in §668.8(k)(2)(i)(A) requires that a program must be considered a clock hour program for Title IV eligibility if “the program is required to measure student progress in clock hours for Federal or State approval or licensure.” In addition, “any requirement for a graduate to complete clock hours to apply for licensure or authorization to practice an occupation demonstrates that a program is fundamentally a clock-hour program, regardless of whether the program has received Federal, State or accrediting approval to offer the program in credit hours.” (page 66855 of the preamble) If a medical assistant in California is not required to be licensed or registered in order to practice the occupation, the program is not required to be a clock hour program for Title IV eligibility under the new regulations.

- If I have a Massage School with a current program of 750 hours, if 150 hours of outside work is identified to equal 900 clock hours of total work in and out of the classroom, then I can use the 25:1 conversion for 36 FA credits which is full time. Is this correct?

Response: The new regulations in §668.8 require that for certificate or diploma programs that are not fully acceptable toward a degree, institutions must implement a mandatory clock to credit hour conversion rate, 25:1 for quarter credit hours; see 668.8(l)(1)(i). On that basis, a 750-clock hour program approved for quarter credit hours would be 30-quarter credit hours.

In 668.8(l)(2), institutions are given the option to use a lesser clock to credit hour conversion rate if

- 1) the accrediting agency finds no deficiencies in the institution's policies and procedures for assignment of credit hours, or their implementation; AND
- 2) the institution's documented out-of-class work combined with the in-class work meet or exceed the requirements in 668.8(l)(1); AND
- 3) a quarter hour includes at least 20 hours of instruction.

If the institution wishes to use the 20:1 clock to credit hour conversion, and therefore assign 37.5-quarter credit hours to this program for Title IV purposes ($750/20$), the institution must document at minimum 5 hours of homework for each quarter credit hour, or a total of $5 \times 37.5 = 187.5$ clock hours of out-of-class work. Please note that this is a minimum based on the federal regulations, subject to further interpretation; ACCET may require a different amount of documented out-of-class work based on the requirements included in ACCET Document 15.

- Are massage schools required to be clock hour institutions for financial aid purposes? Would they be required to convert from credit hour to clock hour?

Response: No, unless the program is required to be in clock hours for federal or state approval, or for licensure or the authorization to practice the occupation. See page 66855 in the preamble, and page 66950 for the regulation. This will vary by state. Even if the state or licensing requirements require a massage student to complete clock hours in your state, the program must be measured in clock hours for Title IV eligibility only. The institution may still award academic credit hours in compliance with state and ACCET guidelines, if it is approved to do so.

- The state of PA only requires a massage program to be 600 hours, not that the student log those hours. For Title IV purposes, can we keep our massage program on credit-hour basis?

Response: No. It is our understanding that the state of Pennsylvania requires individual student attendance reported in clock hours, and therefore these programs are required under 668.8(k)(2)(i)(A) to be clock hour programs for Title IV eligibility. Please see the PAPSA update for February 2011, in which PAPSA indicates that in Pennsylvania, all massage and cosmetology programs are required to be clock hour programs for Title IV eligibility under the new regulations.

Homework and Outside Preparation

- Is it necessary to have the homework weighting in the overall grade approximate that % of total program hours?

Response: Draft ACCET Document 15 specifies that “the evaluation of homework or out of class student work must be identified as a grading criterion and weighted appropriately in the determination of a final grade for a course or module.” The policy does not state that the appropriate weight must be based on the proportion of hours of homework to the overall total program hours. In some cases, that proportionate weight may be excessively high. The US Department of Education will rely on the assessment of the accrediting agency as to the reliability and accuracy of the institution’s policies and procedures for documenting out-of-class work as part of the assignment of credit hours.

- What is an acceptable type of assessment of assigned homework for the purpose of grading?

Response: It depends on the program and type of homework assigned. It would be difficult to assess reading assignments; schools may find it helpful to use study guides, workbooks, or textbook chapter exercises or questions as a proxy for completion of reading assignments. In terms of grading, it is up to the institution whether homework assignments are actually graded consistent with the institution’s grading scale, or are marked on a pass/fail or completed/not completed basis. The US Department of Education will rely on the assessment of the accrediting agency as to the reliability and accuracy of the institution’s policies and procedures for documenting out-of-class work as part of the assignment of credit hours.

- If you are a 720 hour/24 credit hour program and you have additional documented homework that equals 180 hours, should you submit a program change to ACCET for approval as a 900 hour/24 credit program?

Response: This issue is currently under review by ACCET’s Commission. The Commission’s decision will be covered in the webinar scheduled for April 12 and in the Q&A document posted for that session shortly thereafter.

Attendance

- If we do not have excused absences, does 668.4(e) still apply? Meaning, if we say our current attendance policy requires a minimum of 80% attendance to graduate and it does not include excused absences, do we have to change our policy after July 1 to 90%?

Response: The department has not provided any clarification on this provision of the regulation. However, §668.8(k)(2)(iii) states that a program is considered to be a clock hour program if it does not provide the clock hours that are the basis for the credit hours awarded and “except as provided in §668.4(e), requires attendance in the clock hours that are the basis for the credit hours awarded.”

In the preamble, the discussion is on pages 66855-66856. The Department states that these programs (that are subject to the clock to credit hour conversion regs) must still include all of the clock hours that are the basis for the credit hours, and institutions are expected to make sure that students complete those clock hours “subject to the institution’s policies for excused absences and make-up classes.” In the following paragraph, the Department states outright that “An institution should ensure that students taking a program in credit hours are still completing the clock hours associated with the conversion, and excused absences from the classes should be within the tolerance permitted in the clock hour regulations.”

An attendance policy that only requires 80% attendance will not be compliant with the new regulations, unless students are required to make up the hours missed. The only allowable absences that do not have to be made up under the new regulations are capped at 10% of the program, if the institution has a policy that permits excused absences.

- For the clock hour massage programs, should attendance be taken by payment period?

Response: Yes. For federal student aid purposes, the payment period is defined in clock hours, so the institution must monitor scheduled and attended clock hours for student progress (SAP) and for completion of the payment period.

New Programs

- If you offer a program at one campus with one OPEID and then want to expand that program to another campus under common ownership with another OPEID number, is that considered a new program?

Response: Yes, assuming that the program is not listed on the second school’s ECAR, or has a different CIP code; or the same CIP code but leads to a different degree, diploma or certificate; or is considered a new program by the institution’s accrediting agency. Different OPEIDs indicate that the institutions are separate entities for Title IV eligibility.

Incentives

- For students who their GPA is above 3.00 - can we give them a gift because of their excellence in the academic progress?

Response: The prohibition on gifts or awards to students or alumni only applies to referrals. Awards for academic performance are not covered under these regulations.

- Can the "hierarchy of recruitment personnel" be based on recruitment success?

Response: No. The hierarchy and attendant levels of compensation would be based directly on success in securing enrollments, prohibited under the new regulations.

- If the company pays a year-end bonus to all employees, are the admissions representatives or financial aid representations not allowed to take part in this?

Response: It depends on the criteria upon which the bonus is based. If a bonus is based in any part, directly or indirectly, on enrollment or financial aid awards, the admissions/recruiting and financial aid staff would not be eligible. If the bonus is awarded routinely to all staff as a holiday or year-end gift, and the amounts are not tied in any way, directly or indirectly, to enrollment or financial aid awards, the bonus could be permissible. Based on the guidance in GEN-11-05, a profit-sharing plan for all employees is also acceptable, if the amounts are neutral as to the role played by admissions/recruitment and financial aid in securing enrollments or awarding financial aid.

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