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March 19, 2020

Dr. Herman Bounds
United States Department of Education
Office of Postsecondary Education
400 Maryland Avenue, SW
Washington, DC 20202

SENT VIA EMAIL: herman.bounds@ed.gov

RE: *Information for Accrediting Agencies Regarding Temporary Flexibilities Provided to Coronavirus Impacted Institutions or Accrediting Agencies*

Dear Herman:

Thank you for being responsive to our inquiries during these difficult and unprecedented times stemming from the coronavirus (COVID-19) pandemic. We were pleased to receive the March 17, 2020 *Information for Accrediting Agencies Regarding Temporary Flexibilities Provided to Coronavirus Impacted Institutions or Accrediting Agencies* and appreciate your responsiveness to our staff's request for guidance. Having reviewed the information, the Middle States Commission on Higher Education (MSCHE) is requesting clarification regarding the following:

If an accreditor employs a virtual site visit, the agency must perform a follow-up, in-person visit to the campus (though not necessarily a full peer-review site visit) within a reasonable period of time following the virtual site visit.

The in-person visit appears to be required following the virtual site visit; however, the established procedures for our Commission include several on-site visits and activities that provide opportunities to observe the institution's facilities and meet with and engage with constituencies prior to the scheduled on-site visits by the team. The question from the MSCHE is whether these activities can meet the spirit and purpose of the *follow-up, in-person visit* referenced in the *Information* issued on March 17, 2020.

We know that you had an opportunity to talk with our Senior Director for Regulatory Affairs, Mary Beth Kait, on March 10, 2020, and she shared highlights of our policies and procedures with you. We are summarizing that information below for your convenience to demonstrate how

these visits, although conducted prior to the on-site visit by a peer review team, provide substantial and inclusive contact with the institution and constituencies.

- In the case of **self-study on-site evaluation visits**, the team chair conducts an on-site visit, referred to as the *Chair's Preliminary Visit* within our policies and procedures, prior to the evaluation visit by the entire team. The purposes of this visit are to ensure that the institution is ready to host the on-site evaluation visit and to determine if the Self Study Report is adequate to support the work of the team (*Accreditation Review Cycle and Monitoring Policy and Procedures*). The team chair's preliminary visit is a full day that includes meetings with the president and other institutional leaders, the self-study steering committee, the governing board, and an open session for faculty, staff, and students. The visit also includes a campus tour. In addition to the visit by the team chair, the Commission Vice President staff liaison assigned to the institution conducts an on-site visit, referred to as the *Self-Study Preparation Visit*, as part of required activities during self-study. Both visits, required by Commission procedures, would have already occurred for any MSCHE institution now being considered for a virtual site visit.
- In the case of **follow-up visits** where institutions are being monitored, the Commission Vice President staff liaison conducts an on-site visit, referred to as a *Commission Liaison Guidance Visit* (*Accreditation Actions Policy and Procedures* and *Accreditation Activities Guidelines*). The visit focuses on the Commission's standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements. The purposes of this on-site visit are to discuss the Commission's expectations for reporting as well as to explain the non-compliance action so that the institution understands how to return to compliance. This on-site visit provides opportunities to meet and engage with the institutional leadership and its constituencies, with the meeting schedule often dependent on the issue of non-compliance.

For purposes of virtual site visits, our Commission has determined that institutions on probation or show cause will be ineligible for virtual site visits. Other institutions which are ineligible include those circumstances where the nature of the Commission's concern requires on-site review. Therefore, we have evaluated each institution on warning to determine if the non-compliance issue represents concerns that may require an on-site visit. For those on warning, and without a concern that may necessitate an on-site visit, the Commission will offer the option for virtual site visits.

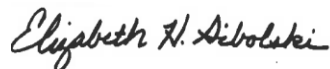
Because of the substantial and inclusive on-site contact with institutions and their constituencies built into our existing policies and procedures, the requirement that the Commission conduct a follow-up, in-person visit will not reveal new information to the Commission. It is our hope that the Department can offer additional flexibility beyond the details of the temporary flexibilities contained within the *Information* document released on March 17, 2020, and confirm that these visits described here, which occur prior to the virtual site visit, do in fact meet the spirit and intention of the guidance provided. We are prepared to provide any additional information that may assist in consideration of this request.

In the event that the on-site activities described here are not deemed an appropriate substitute for the *follow-up, in-person visit* referenced in the *Information* document of March 17, 2020, we present the following questions for clarification:

1. Is there a description of the purpose of the *follow-up, in-person visit* that can be provided?
2. Does the requirement for a *follow-up, in-person visit* apply to the main campus, branch campuses, as well as active additional locations as required by 34 CFR § 602.22?
3. What timing is most appropriate for Commission action if a *follow-up, in-person visit* is still pending but the virtual site visit has occurred?

We appreciate your consideration of the issues presented here, and we look forward to hearing from you as soon as possible so that we can best proceed. We do appreciate the temporary flexibilities offered by the United States Department of Education that will help our agency manage the remaining twenty-six (26) visits in light of the challenges that we all currently face. Please do not hesitate to outreach to us by email at esibolski@msche.org and hperfetti@msche.org.

Sincerely,



Elizabeth H. Sibolski, Ph.D.
President



Heather F. Perfetti, J.D., Ed.D.
President-Elect

cc: Stephanie McKissic, Ed.D., Policy, Planning, and Innovation / Accreditation Group,
USDE, (via email at stephanie.mckissic@ed.gov)