



Docket ID ED-2021-OPE-0077

November 3, 2021

Brian Schelling
U.S. Department of Education
400 Maryland Ave, SW, Room 2C188
Washington, DC 20202
VIA www.regulations.gov

Dear Mr. Schelling:

On behalf of the Middle States Commission on Higher Education (MSCHE), I am pleased to submit these comments in response to the United States Department of Education (Department) notice of intent to establish a negotiated rulemaking committee to prepare proposed regulations for programs authorized under title IV of the Higher Education Act of 1965, as amended (HEA).

MSCHE is a voluntary, non-governmental, membership association that defines, maintains, and promotes educational excellence across institutions with diverse missions, student populations, and resources. Recognized by the United States Department of Education as an institutional accreditor, MSCHE examines institutions as a whole rather than specific programs within institutions. MSCHE conducts accreditation and pre-accreditation (candidacy status) activities for over 500 institutions of higher education in Delaware, the District of Columbia, Maryland, New Jersey, New York, Pennsylvania, Puerto Rico, the U.S. Virgin Islands, and other jurisdictions across the United States as well as globally. MSCHE members include 22 for-profit institutions that will be affected by the change in the 90/10 rule.

As a member of the regulatory triad, MSCHE supports the Department's efforts to further strengthen consumer protection, especially for veterans and military service members in their pursuit of quality higher education. MSCHE supports the Department's intent to include nominees for the committee that represent the interests significantly affected by the proposed regulations and urges that nominees reflect the diversity of the constituencies served by the federal programs included in the 90/10 calculation. The involvement of veterans and military families or their representatives, institutions that may be impacted by the proposed regulatory changes, and institutional accreditors is essential to achieving regulations that support the educational goals of constituencies participating in and benefiting from the higher education monetary benefits to be included within the 90/10 rule.

As always, MSCHE welcomes the opportunity to participate in the negotiated rulemaking process and provide further information that would support these efforts. If I may provide additional information in the meantime, please contact me by email at hperfetti@msche.org or by phone at (267) 284-5026.

Sincerely,

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