

163

Macias, Wendy

From: [REDACTED]
Sent: Tuesday, June 23, 2009 10:36 AM
To: negreg09
Cc: [REDACTED]
Subject: APC Neg Reg Response from David Rhodes, President of SVA
Attachments: APC Neg Regulations Response David Rhodes.doc.pdf; David Rhodes CV May 2009.doc

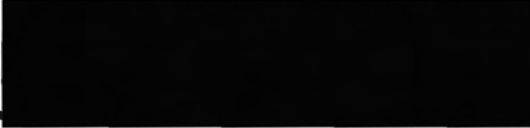
Dear Ms. Macias,

I am forwarding the enclosed letter and CV from [REDACTED] the School of Visual Arts, who is writing on behalf of the Association of Proprietary Colleges (APC).



Believe. Achieve. Succeed.

Association of Proprietary Colleges



To: Daniel T. Madzellan, Director, Forecasting and Policy Analysis.

From: [REDACTED] [REDACTED] the School for Visual Arts, on behalf of the New York Association of Proprietary Colleges (APC)

Re: FR Doc E9-12092[Federal Register: May 26, 2009 (Volume 74, Number 99)
[Proposed Rules][Page 24728-24729]

Date: June 22, 2009

I am [REDACTED] the School of Visual Arts, an independent college of art founded in 1947, whose mission is to educate the next generation of artists at the graduate and undergraduate level. I serve on the Board of APC and as Chairman of the Federal Affairs Committee for APC.

The New York Association of Proprietary Colleges (APC) is comprised of 25 degree granting colleges situated on 36 campuses throughout the state of New York and serving approximately 50,000 thousand students. On behalf of APC, I respectfully submit for your consideration brief comments on proposed negotiated rulemaking to maintain or improve program integrity in the Title IV, HEA programs and suggested issues to be considered for action by the negotiating committees.

We commend your efforts to improve higher education in the United States. In New York the proprietary sector is a peer with all colleges and universities in New York – public, non-profit and for-profit proprietary colleges. These sectors comprise the “University of the State of New York” (USNY), an entity established in the New York State Constitution. The University was established in 1794 and is governed by the Board of Regents, an unpaid lay board of 16 members elected by the legislature for five-year terms.

Students who attend institutions that comprise the USNY all enjoy the same advantages. One such advantage is a student’s eligibility to receive tuition assistance through the Tuition Assistance Program (TAP), the largest education state grant program in the

country. TAP grants are awarded each academic year to students based upon the student's or student's parent's state taxable income. TAP awards students the resources to access higher education at the college of their choosing with less concern for price. This is consistent with the Department of Education's desire to verify all information included in student aid applications.

We support your efforts to review standards in higher education and understand how the current standards affect students. Your efforts to address satisfactory academic progress, incentive pay for recruiting and admissions activities, gainful employment in recognized occupations, state authorization as a component of institutional eligibility, definition of a credit hour for purposes of determining program eligibility status, particularly in the context of awarding Pell Grants, verification of information included on student aid applications and the definition of a high school diploma as a condition of receiving federal student aid are commendable. I would respectfully submit that the State of New York's higher education system provides an outstanding state model for holding all higher educational institutions accountable to high standards that address each area identified by the Department of Education in your review of program integrity.

“With respect to higher education, the Board of Regents is responsible for planning and coordination, evaluating quality, and promoting equity and access. On behalf of the Regents, the Education Department must register (accredit) according to published standards of quality every curriculum creditable toward a degree at any degree-granting institution in the State (public, independent, or proprietary) before the institution may offer the program. The Department also conducts periodic reviews of existing curricula; these reviews are concerned solely with the quality of curricula, not with need or duplication. Nearly 30,000 programs of study are registered at New York's 271 colleges and universities. In addition, the U.S. Secretary of Education recognizes the Board of Regents as a Nationally Recognized Accrediting Agency for 22 New York degree-granting institutions that have chosen voluntarily to use it as their institutional accreditor.” [REDACTED]

New York's accreditation standards through the Board of Regents are also consistent with the Department of Education's possible regulation to seek State authorization as a component of institutional eligibility.

In further keeping with Federal Guidelines, the USNY State Education Department's Office of Higher Education also stipulates in its regulations that, “institutions maintain a formal, published statement of its requirements for the maintenance of good academic standing and that the institution has determined that the student meets its standards for good academic standing.” Additionally, New York stipulates that eligibility and tuition assistance can only be awarded to those persons who can show that they have received a high school diploma or a high school equivalency diploma. Finally, eligibility status is determined by the definition of a credit hour as a unit or point granted for completion of at least 15 hours of instruction.

By fully recognizing the proprietary sector for what it is, a sector of higher education, along side its peers in the SUNY, CUNY and Independent sectors, the State is able to exercise the necessary oversight being raised as a concern within the proprietary sector by the Department in its stated areas of review. Higher education accountability must be measured consistently and recognition must be given to outcomes. In New York, member colleges of the APC are providing opportunities for thousands of students every year to earn a college degree. We stand for high standards, recognized accreditation and we have earned the privilege to be considered Institutions of Higher Education under New York law.

I respectfully request to be considered to serve as a negotiator and my resume is attached for your review. My nomination for consideration is being supported by the New York Association of Proprietary Colleges.

Thank you for your consideration.