April 14, 2011

VIA MESSENGER AND ELECTRONIC MAIL

The Honorable Arne Duncan
Secretary
U.S. Department of Education
400 Maryland Avenue, SW
Washington, DC 20202

RE: Joint Statement of Concern

Dear Secretary Duncan:

On behalf of the associations listed herein, we respectfully submit the enclosed Joint Statement of Concern regarding the U.S. Department of Education's retroactive enforcement of regulations. We appreciate your attention to this important matter.

Sincerely,

Russell Poulin
Deputy Director, Research and Analysis
WICHE Cooperative for Educational Technologies

cc: Eduardo Ochoa, Assistant Secretary for Postsecondary Education

ENCLOSURE

JOINT STATEMENT OF CONCERN

Regarding the U.S. Department of Education's Recent Enforcement of Last Date of Attendance Regulations

April 14, 2011

INTERESTS OF CONCERNED PARTIES

The American Association of Community Colleges, ACUTA, the American Distance Education Consortium, the Connecticut Distance Learning Consortium, the California Community Colleges, the University Professional and Continuing Education Association, and the WICHE Cooperative for Educational Technologies ("Concerned Parties") are voluntary not-for-profit associations[1] each of which represents colleges and universities that offer academic programs via distance education[2] and make available to students enrolled in those programs financial assistance provided pursuant to Title IV of the Higher Education Act of 1965, as amended (the "Title IV Programs"). Each of the Concerned Parties therefore represents institutions that use the "last date of attendance" ("LDA") to calculate the amount of Title IV

[1] Please see the **Description of Concerned Parties** following the conclusion of this Statement.

Program financial aid disbursed to those students that must be returned to the Department of Education when students unofficially withdraw from their courses. Each of the Concerned Parties thus shares a common interest in ensuring that when making such calculations its members can rely upon clear and unambiguous regulations defining the types of documentation appropriate to support a determination of LDA. Further, each of the Concerned Parties shares a common interest in ensuring that its member institutions are not subject to enforcement actions based on the retroactive application of new regulations.

SUMMARY OF POSITION

In several recent enforcement actions involving Return to Title IV ("R2T4") determinations, the United States Department of Education (the "Department" or "ED") has begun to apply a new, previously unannounced standard for the determination of the LDA of students who unofficially withdraw[3] from distance education courses. Unlike current law, the new standard, part of a rulemaking[4] published in the Federal Register on October 29, 2010 and scheduled to become effective July 1, 2011, would prohibit schools from using evidence of the last date that a student accessed an online class or course system as the student's LDA. Even before it can become effective, the Department has sought to apply, with retroactive effect, this entirely different standard for determining LDA based on an altogether different kind of student engagement. Given the broad-reaching effects of this new approach across the spectrum of institutions offering instruction by distance education and its significant potential to require the repayment of validly received Title IV Program funds, the Department must

[2] In accordance with contemporary practice, the terms "distance education" and "online learning" or "online education" are used interchangeably.

[3] That is, withdraw from enrollment in a course without having given formal notice specifying a date of withdrawal.

refrain from basing any enforcement actions regarding conduct prior to the scheduled effective date of the new standard, July 1, 2011, on the application of this new standard for the following principal reasons.

First, the Department cannot apply its new regulatory standard to R2T4 determinations made under existing regulations.

Second, fundamental principles of due process bar the Department from applying its new LDA regulations to R2T4 determinations that were made under current law. It is a longstanding and core principle of due process that persons and entities have a right to know what rules will be applied to them *before* they take action. Particularly in the case of institutions of higher education, this is a matter of both fundamental fairness and sound policy: institutions must be able to rely on the rules of the game while they are playing it. Thus, the Department should not, and indeed cannot, change the rules applicable to determining LDA *after* an institution has already made that determination based on the current regulatory standard and commonly-accepted practice.

Third, it is arbitrary and capricious under the Administrative Procedure Act ("APA") to apply the new standards for determining LDA to past R2T4 determinations. Through its recent enforcement actions, the Department has sought to apply a new standard that was never publicly announced and that makes a distinction between distance education and ground-based instruction that is directly at odds with existing law to determinations made under a completely different governing standard. This attempt at on-the-fly rulemaking through administrative enforcement is exactly the sort of ad hoc determination that Congress had in

[4] *Program Integrity Issues: Final Rule*, 75 Fed. Reg. 66832 (Oct. 29, 2010).

mind to bar when it enacted the APA as well as the statutory provisions respecting the Master Calendar applicable to the Title IV Programs[5] that require ED to promulgate new rules not less than *eight months* before they can become effective.

For all these reasons, the Concerned Parties respectfully submit that the Department must refrain from applying the new regulations pertaining to the determination of LDA to prior R2T4 calculations and that it withdraw any and all enforcement actions predicated on the retroactive application of those standards.

BACKGROUND

When a student withdraws from a program prior to the end of a term, ED regulations require the institution at which he or she is enrolled to return to the Department any difference between the amount of federal financial aid disbursed and the amount actually earned by the student. *See* 34 C.F.R. § 668.22(a)(3) (2010). Existing regulations authorize schools that do not take attendance to determine the amount of financial aid earned based on the midpoint of the term in which the student unofficially withdrew *or* based on the student's last date of attendance. 34 C.F.R. §§ 668.22(c)(1)(iii), (c)(3)(i) (2010).

As currently in effect since 2000, the Department's R2T4 regulations provide great latitude to schools to determine a student's LDA. The Department has defined the LDA as the "last date of attendance at an *academically-related activity* provided that the institution documents that the activity is academically related and documents the student's *attendance* at the activity." 34 C.F.R. § 668.22(c)(3)(i) (2010) (emphasis added). In turn, an "academically-related activity" "*includes, but is not limited to*, an exam, a tutorial, *computer-assisted*

[5] 20 U.S.C. § 1089(c)(1).

instruction, academic counseling, academic advisement, turning in a class assignment or attending a study group that is assigned by the institution." 34 C.F.R. § 668.22(c)(3)(ii) (2010) (emphasis added).

By creating a broad, expressly non-exclusive list of acceptable activities, the Department crafted a regulation that provides institutions "flexibility . . . *to control* the process used to verify the student's attendance" at an academically-related activity. *Student Assistance General Provisions, Federal Family Education Loan Program, the William D. Ford Federal Direct Loan (Direct Loan) Program; Final Rule,* 64 Fed. Reg. 59016, 59026 (Nov. 1, 1999) (emphasis added). Thus, ED envisioned that the "institution would be responsible for *determining* that the activity that the student attended is, in fact, academically-related." *Student Assistance General Provisions, Federal Family Education Loan Program; Proposed Rule*, 64 Fed. Reg. 43024, 43029 (Aug. 6, 1999) (emphasis added). At the time of the adoption of the current regulation, the Department explained that this discretion was necessary because there is "a lot of variation in ways that institutions have been able to identify last date of attendance at an academically-related activity." 64 Fed. Reg. at 59026.

In keeping with this broad discretion, the current regulations do not differentiate between attendance in traditional, on-ground programs and attendance in programs offered by means of distance education technologies. In fact, as recognized by Assistant Secretary Eduardo Ochoa and two separate Department of Education Inspectors General, the Department has *never*, prior to the regulations scheduled to go into effect on July 1, 2011, issued *any* formal guidance regarding the application of the existing LDA standard to distance education programs. In the absence of formal guidance to the contrary, certain of the

Concerned Parties have found through recent surveys of their member institutions that a clear majority of responding colleges and universities currently determine LDA in one of two ways: either the last day a student logged into the institution's learning management system or the last day a student logged into the course in which he or she is registered. *See* Russ Poulin, *Last Day of Attendance WCET Survey Results*, May 9, 2010; Christine Mullins, *ITC Last Day of Attendance – R2T4 Calculation for Online Programs*, May 7, 2010. These surveys reflect the fact that most institutions offering online instruction justifiably understand a student's access to an online learning site or login to a course to be the equivalent of a student's physical attendance in a "bricks-and-mortar" classroom. Indeed, this is in fact consistent with the Department's own guidance. *See* 64 Fed. Reg. at 59026. Until very recently, the Department appeared to accept this widely-held, commonsense understanding.

On October 29, 2010, the Department promulgated new LDA regulations as part of a larger rules package respecting the administration of the Title IV Programs. *See Program Integrity Issues: Final Rule*, 75 Fed. Reg. 66832, 66952 (Oct. 29, 2010). These regulations, which pursuant to law cannot go into effect until July 1, 2011, will significantly change the manner by which institutions determine the LDA of students who have unofficially withdrawn from classes offered by distance education.

Unlike the currently applicable LDA regulations, which contain a single standard applicable to students enrolled in traditional and distance education courses, the new regulations introduce a new, bifurcated standard for the determination of the LDA. Under the new standard, attendance at an academically-related activity will be established for a student enrolled in a course offered at a traditional bricks-and-mortar setting when a student

"*physically attend[s]* a class where there is an *opportunity* for direct interaction between the instructor and students." 34 C.F.R. § 668.22(7)(i)(A)(1) (2011) (emphasis added). Notably, this standard requires no evidence that such students *actually* participate in the classes into which they physically enter. In contrast, the new regulation specifically *excludes* "logging into an online class *without active participation*" from the definition of academically-related activity, 34 C.F.R. § 668.22(7)(i)(B)(3) (2011) (emphasis added), and instead would require evidence of actual "[p]articipation in an online discussion about academic matters," 34 C.F.R. § 668.22(7)(i)(A)(5) (2011). Thus, while current law provides that simple attendance at a class, regardless of whether it is traditional or online, is sufficient to establish a student's attendance for determining LDA, the new regulation requires institutions to document that a student not only actively participates in a distance education class to establish attendance but that his or her participation consisted of "an online discussion about academic matters" or contacting a faculty member to discuss required course topics. This bifurcated and multi-level standard represents a significant departure from current regulation, which makes no distinction between traditional and distance education.

Until the Department released its final regulations in October 2010, it had never publicly announced this standard for distance education nor suggested that existing law should be read to require institutions to use a particular, heightened approach to determine LDA specifically for their distance education students. In fact, the Department has acknowledged that the current R2T4 regulations do not "specifically address the determination of a last date of attendance for withdrawals from online programs" and that the Department has not provided public guidance regarding its new position. *See* Letter from E. Ochoa, Asst. Sec. of

Postsecondary Ed. to Jeri Semer, Association for Information Communications Technology Professionals in Higher Education, August 23, 2010, at 2.

Nonetheless, the Department has sought to apply *retroactively* these new standards for determining LDA, including a completely new requirement respecting the definition of academically-related activity, in a number of pending administrative enforcement actions and to impose substantial financial penalties for institutions' purported failures to abide by rules that were not in effect nor announced at the time the institutions established and implemented their LDA and R2T4 policies.

ARGUMENT

THE DEPARTMENT CANNOT RETROACTIVELY APPLY ITS YET TO BECOME EFFECTIVE REGULATIONS REGARDING LAST DATE OF ATTENDANCE TO INSTITUTIONS OFFERING DISTANCE EDUCATION PROGRAMS.

The Department must not seek to apply retroactively its new rules for determining LDA, rules which are not even scheduled to go into effect until July 1, 2011, to past R2T4 determinations. As explained below, the Department must withdraw these enforcement actions and recognize that the practice followed by a clear majority of institutions to determine LDA, that is, the use of a student's last documented log-in to an institution's online learning site, is permitted by the current law governing determination of LDA. This result is consistent with ED's past acknowledgement that where differing standards within the higher education community as to the interpretation of a regulation have prevailed, it is appropriate for the Department to refrain from enforcement based on contradictory standards until new regulations and supporting guidance come into effect.

First, the Department cannot apply the new regulations regarding determination of LDA to past R2T4 determinations because those regulations were not in effect at the time that those determinations were made. In this regard, the United States Supreme Court has recognized that "retroactivity is not favored in the law" and accordingly has held that "courts should be reluctant to find such authority absent an *express statutory grant*." *Bowen v. Georgetown Univ. Hosp.*, 488 U.S. 204, 208-09 (1988) (emphasis added). Here, the statutory basis for the LDA regulations expressly prohibits their retroactive application. Under the Master Calendar applicable to the Department's rulemaking, the new LDA regulations may not as a matter of law become applicable until July 1, 2011. *See* 20 U.S.C. § 1089(c)(1). We note that this is not a matter for debate: ED has expressly acknowledged this fact in the adopting release of the Program Integrity regulations. *Program Integrity Issues; Final Rule*, 75 F.R. at 66832 (recognizing that "[t]hese regulations are effective July 1, 2011"). It is self-evident that ED cannot apply rules that are not by action of law in effect now to determinations that were made in the past. This is particularly the case where the result of doing so is to deprive institutions of federal funds validly received under existing law based on past R2T4 determinations made in full compliance with current regulations. *See Rock of Ages Corp. v. Sec'y. of Labor*, 170 F.3d 148, 158 (2d Cir. 1999) (agency is "prohibited from applying a regulation to conduct that took place before its enactment in the absence of clear congressional intent where the regulation would 'impose new duties with respect to transactions already completed'") (*quoting Landgraf v. USI Film Prods.*, 511 U.S. 244, 280 (1994)).

The Department cannot escape this conclusion by recasting the decision to retroactively enforce the new regulations respecting determination of LDA as an attempt to clarify and apply existing law. The new regulations simply do not appear in current law or regulations, nor can they be extrapolated by even the most tortuous means. Truth be told, there was no specific guidance to which institutions could turn to when the determinations in the referenced enforcement proceedings were made.

As explained in the administrative case law of the Department's Office of Hearings and Appeals, ED cannot enforce with retroactive effect what amounts to a secret policy:

> *[I]n the absence of statutory or regulatory guidance on this issue at the time of this program review, it [the institution] cannot be financially penalized for its failure to comply with ED policy on this issue.* To do so would be in contravention of the requirements of the General Education Provisions Act, 20 U.S.C. § 1232, which formalizes the Federal government's rulemaking procedures by requiring the publication for comment of any proposed regulations, rules, guidelines, and so forth. The 1990-91 Handbook [embodying the policy ED sought to enforce] has not been subjected to these formalized procedures and, therefore, cannot be used as the basis for imposing a liability on [the school] in this instance.

In re Mount Wachusett Community College, 1995 WL 934181, at *5 (U.S. Dep't Ed. Sept. 1, 1995) (footnote omitted), *aff'd by the Secretary*, 1995 WL 17213949 (Nov. 22, 1995).

With regard to standards for the determination of LDA in online programs, the Department has itself repeatedly recognized the significant absence of such "statutory or regulatory guidance." Among other things, the Department has conceded that it provided guidance only to certain unnamed *individual* institutions and that it did not provide any such guidance to the general public. Letter from E. Ochoa, Asst. Sec. of Postsecondary Ed. to Jeri Semer, Association for Information Communications Technology Professionals in Higher

Education, August 23, 2010, at p.2 (asserting the Department's new position is "consistent with the guidance the Department has provided *to individual institutions* regarding the applicability of the regulations to online programs" and recognizing that current R2T4 regulations do not "specifically address the determination of a last date of attendance for withdrawals from online programs") (emphasis added). Moreover, two of the Department's Inspectors General have also recognized this same lack of guidance regarding the application of existing LDA standards to distance education students.[6] Tellingly, as revealed in internal emails obtained via the Freedom of Information Act, personnel within the Department with responsibility for applying the Title IV Program rules were fully aware of this lack of general guidance.[7] For these reasons, the Department cannot now maintain that the unannounced policy behind the new regulations pertaining to determinations of LDA applied all along to institutions under the existing LDA regulations, which make no distinction between instruction provided by traditional means of delivery and that provided by distance education.

---

[6] *See Baker College's Compliance with Selected Provisions of the Higher Education Act of 1965 and Corresponding Regulations,* U.S. Dep't. of Ed. Office of Inspector General ED-OIG/A0510012, August 24, 2010, at 11 (noting that ED "has not published specific guidance for documentation of online delivery," and, significantly, "[t]the College's assertion that the Department has not established separate guidance for distance education courses is true"); *Emerging Risk? An Overview of the Federal Investment in For-Profit Education: Hearing Before the Sen. Com. On the Health, Education, Labor and Pensions*, 111th Cong. 9 (2010) (Inspector General Tighe stating "[t]he point at which a student progresses from online registration to actual online academic engagement or class attendance is often not defined by institutions and *is not defined by Federal statute or regulations*") (emphasis added); *Ensuring Student Eligibility Requirements for Federal Aid: Hearing Before the Subcomm. on Higher Ed., Lifelong Learning, and Competitiveness,* 110th Cong. 10 (footnote in original) (Acting Inspector General Mitchelson stating that "[n]either the HEA nor the Department's regulations define what constitutes instruction or attendance – for the online environment, or the traditional classroom setting").

[7] Email from K. Gilcher, Program Analyst, Office of Postsecondary Education, U.S. Department of Education to G. West, Monday, August 20, 2007 at 9:26 a.m. ("[W]e in DC never issued any official guidance."); Email from K. Gilcher to S. Finley, Counsel, U.S. Department of Education ("I don't know if the case team(s) have issued any written guidance to individual institution. We never did through [Distance Education] Demo, nor as a formal guidance letter outside of that."); *see also* Email from S. Finley to K. Gilcher, October 1, 2007 at 5:06 p.m. ("The problem is that I don't see any basis to distinguish between types of education for saying a student attended a class. . . ."); Email from K. Gilcher to S. Finley and C. McCullough, Office of Postsecondary Education, U.S. Department of Education on October 2, 2007 at 8:41 a.m. ("[W]e are effectively establishing a higher bar for distance education than for traditional education").

Second, it would deny institutions due process for the new LDA rules to be applied to prior conduct. It is well-settled that "traditional concepts of due process incorporated into administrative law preclude an agency from penalizing a private party for violating a rule without first providing adequate notice of the substance of the rule." *NetworkIP, LLC v. FCC*, 548 F.3d 116, 122-23 (D.C. Cir. 2008). This is because "[e]lementary considerations of fairness dictate that individuals should have an opportunity to *know what the law is and to conform their conduct accordingly*; settled expectations should not be lightly disrupted." *Univ. of Iowa Hosps. & Clinics v. Shalala,* 180 F.3d 943, 953 (8th Cir. 1999) (citing *Landgraf v. USI Film Prods.*, 511 U.S. 244, 270 (1994)) (emphasis added). These requirements apply foursquare to determinations made by ED regarding institutions' administration of federal student aid funds. *See, e.g., Cont'l Training Servs., Inc. v. Cavazos*, 893 F.2d 877, 893 (7th Cir. 1990) (school "had both a liberty and a property interest" sufficient to invoke due process protections with respect to federal student aid funds).

In this instance, the Department is now trying to enforce new regulations respecting the determination of LDA that it had not announced at the time that institutions made the R2T4 determinations under attack. Institutions thus had no opportunity to conform their LDA and R2T4 policies and practices to the Department's well-hidden expectations. This is critical because, not only does the position that the Department espouses in the recent enforcement actions run contrary to what is clearly normative conduct in the higher education community based on a common understanding of the rules in effect for the past decade, but it does so after the fact. Were it to be applied, this change would rewrite the documentation requirements for all institutions throughout the country that already have made LDA and R2T4

determinations regarding distance education students enrolled in their programs. Based on a common understanding of the applicable standard, and in the absence of general guidance to the contrary, institutions have structured their systems of determination and documentation of a student's LDA based on the commonsense notion that a student's last log-in to the institution's academic site equates to a student's physical attendance at a traditional class session. And even if they were to be required to do so, they cannot now untoll the bell: in most cases, colleges and universities no longer have the unique information regarding past R2T4 determinations that the Department only now – in the course of a *prospective* rulemaking – has declared to be required for determining LDA for online students.

In sum, the important reliance interests of these institutions must be respected and must not be overturned based on the retroactive application of a policy that never was publicly announced in the first place and only recently embodied in a rule not scheduled to become effective until July 1, 2011. *See, e.g., Univ. of Iowa Hosps. & Clinics v. Shalala*, 180 F.3d at 951-52 (hospitals did not have to undertake studies required by new rule because the rule was being applied retroactively); *Rock of Ages Corp. v. Sec'y of Labor*, 170 F.3d 148, 158 (2d Cir. 1999) (petitioner did not violate a regulation requiring mine owners not to resume work prior to post-blast examination because it was retroactive in effect); *Rosenau v. Farm Servs. Agency*, 395 F. Supp. 2d 868, 873 (D.N.D. 2005) (retroactive application of guidance adopted after the review at issue was improper).

Third, even if the existing regulations were to be considered unclear, the Department would still be barred from applying its current view of how LDA is to be determined to past decisions because that view was not articulated at the time that the R2T4 decisions under

review were made. The controlling principle is well illustrated in the decision of Chief Judge Ernest C. Canellos of ED's Office of Hearings and Appeals in *In re Beth Medrash Eeyun Hatalmud*, Dkt. No. 97-94-SP, 1998 WL 736234 (U.S. Dep't Ed. June 16, 1998), *aff'd by the Secretary*, 1999 WL 33954497 (Apr. 1, 1999).

In that case, ED previously had determined that the school at issue was eligible to receive Title IV funds but in a separate proceeding it was determined that, despite this conclusion, the school was in fact not eligible to participate. Subsequent to that determination, ED sought repayment of all funds received by the institution over the period of time that it had been determined to be ineligible. Chief Judge Canellos first determined that "the authorities [relevant to the determination] [we]re, indeed, unclear and, therefore, subject to varying interpretation," which dictated that he "must determine whether the provisions have been previously interpreted by ED in a manner which would constitute effective and binding interpretive rulemaking." *Id.*, at *3. Finding such guidance was absent, the Tribunal held that:

> I conclude that absent any evidence of fraud or misleading information, and based on the fact that the statutory provision and the regulations in question are subject to varying interpretation, it would be *unfair and impermissible*, and possibly a violation of substantive due process, to direct repayment of the amount in issue.

Id., at *4 (emphasis added).

Here, it is abundantly clear that there was no controlling guidance from the Department whatsoever that would have enabled institutions to divine the Department's current position that the determination of the LDA of distance education students is subject to a different standard than what applies to students in traditional, on-ground instruction. Indeed, as explained above, the Department has conceded that to the extent it provided guidance at all it

only did so to individual institutions. Thus, it would be "unfair and impermissible" to allow the Department to enforce the new standard for determining LDA retroactively to past R2T4 determinations.

The lack of clear guidance supporting ED's current position, and the discretion permitted institutions by the regulation, leads to the inescapable conclusion that ED should respect the valid past judgments made by institutions regarding the interpretation of the LDA rule. ED previously has recognized that where, as here, there are "differing interpretations within the higher education community" of regulatory standards that are consistent with the regulation and past Department guidance, it is prudent to respect those standards and refrain from enforcement based on contradictory interpretations of governing regulation. *See* Dear Colleague Letter GEN-99-33 (Oct. 1999) (stating that ED would not bring enforcement actions based on reasonable interpretation of existing regulation during the period that it remained in effect). This is plainly appropriate here, where the discretion created by the regulation and recognized by the Department's own guidance establish that there is no one "right answer" to the treatment of LDA for distance education under existing regulation.

Finally, the Department must also withdraw its attempts to retroactively enforce the new LDA regulations because those efforts are arbitrary and capricious under the standard set forth in the APA. *See* 5 U.S.C. § 706(2)(A). As the U.S. Supreme Court has recognized, the APA "was adopted to provide, inter alia, that administrative policies affecting individual rights and obligations be promulgated pursuant to certain stated procedures so as to avoid the inherently arbitrary nature of unpublished ad hoc determinations." *Morton v. Ruiz*, 415 U.S. 199, 232 (1974) (citations omitted). Thus, "[n]o matter how rational or consistent with congressional

intent a particular decision might be, the determination of eligibility cannot be made on an ad hoc basis by the dispenser of the funds." *Id*. This is precisely what the Department has attempted to do by applying unpublished rules to determinations made under current regulations without rendering any prior guidance supporting its new position. Because applying secret rules to past conduct is the very essence of arbitrary and capricious conduct that is prohibited by the APA, the Department should withdraw its enforcement actions predicated on the retroactive application of new regulations and instead defer to the judgment of a clear majority of institutions that have considered a student's last log-in date as his or her LDA.

CONCLUSION

For all the reasons explained above, the Concerned Parties respectfully request that the Department refrain from retroactively enforcing its newly promulgated regulations regarding the last date of attendance of distance education students and the judgments set forth in them; that it recognize that the prevailing practices of institutions of higher education regarding the last date of attendance of distance learning students are consistent with and authorized by the Department's existing regulations; and that it acknowledge that any changes in the applicable regulations as promulgated in the October 29, 2010 rulemaking can only become effective after July 1, 2011 in accordance with the Master Calendar.

DESCRIPTION OF CONCERNED PARTIES

American Association of Community Colleges

The American Association of Community Colleges is the primary advocacy organization for the nation's community colleges. The association represents almost 1,200 two-year, associate degree-granting institutions and more than 11 million students.

ACUTA

The Association for Information Communications Technology Professionals in Higher Education is an international, non-profit educational association serving colleges and universities. Its goal is to support its members in contributing to the achievement of the strategic mission of their institution. ACUTA represents over 1700 individuals at nearly 750 institutions of higher education.

American Distance Education Consortium

The American Distance Education Consortium is a non-profit distance education consortium composed of approximately 65 state universities and land-grant colleges. The consortium was conceived and developed to promote the creation and provision of high quality, economical distance education programs and services to diverse audiences by the land grant community of colleges and universities.

Connecticut Distance Learning Consortium

The Connecticut Distance Learning Consortium provides services and support to help educators meet the ever-increasing demands of developing and delivering effective technology-enhanced learning opportunities for students. While the CTDLC began as an organization primarily serving higher education in Connecticut, from its earliest days it

has provided services to institutions outside of Connecticut and to a wide variety of schools, colleges, universities, state agencies, and non-profit organizations.

California Community Colleges

The California Community Colleges is the largest higher education system in the nation, comprised of 72 districts and 112 colleges and enrolls more than 2.9 million students.

University Professional and Continuing Education Association

The members of the University Professional and Continuing Education Association include public and private accredited, degree-granting colleges and universities, international universities, and nonprofit organizations with a significant commitment to professional and continuing higher education.

WICHE Cooperative for Educational Technologies

The WICHE Cooperative for Educational Technologies is an action-based community of practice whose collaborative membership is comprised of colleges and universities from all sectors of higher education; corporations, e-learning consortia, non-profit organizations, and higher education associations; and state and system higher education executive agencies.