



FEDERAL LEGISLATIVE & REGULATORY UPDATE

Wednesday, September 16, 2026

AGENDA



Accreditation, Innovation, and Modernization NPRM Deadline & Congressional Activity Heading Into the 2026 Midterm Elections

- Federal Regulatory Update
- Federal Legislative Update
- Q&A



REGULATORY UPDATE

A C C R E D I T A T I O N



FEDERAL REGISTER

The Daily Journal of the United States Government



PR Proposed Rule



You may be interested in this older document that published on 01/27/2026 with action 'Intent To establish Negotiated Rulemaking Committee.'

[View Document](#)

Accreditation, Innovation, and Modernization: The Secretary's Recognition of Accrediting Agencies: Institutional Eligibility Under the Higher Education Act of 1965, as Amended, Student Assistance General Provisions

A Proposed Rule by the [Education Department](#) on 08/20/2026



This document has a comment period that ends in 5 days. (09/21/2026)

SUBMIT A PUBLIC COMMENT

1603 comments received. [View posted comments](#)



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 PROPOSED RULE

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Accreditation, Innovation, and Modernization: Secretary's Recognition of Accrediting Agencies: Institutional Eligibility under the Higher Education Act, as Amended, Student Assistance General Provisions

Posted by the **Department of Education** on Aug 20, 2026

 **Comment**

 Comment Period Ends: **Sep 21, 2026 at 11:59 PM EDT**

 **Document Details**

 **Document Comments** 509

Docket (ED-2025-OPE-1042) / Document

<https://www.regulations.gov/document/ED-2025-OPE-1042-0002>

The AIM Proposed Rule

What Private Career Education Needs to Know

U.S. Department of Education | Notice of Proposed Rulemaking

34 CFR Parts 600, 602 & 668 • Docket ID ED-2025-OPE-1042 • RIN 1840-AD82

Published August 20, 2026 • Comments due September 21, 2026

Sources: the Federal Register NPRM (91 FR 53940) and a detailed sector compliance analysis of the AIM rule. Institutions are encouraged to comment on provisions they support or have concerns with before September 21, 2026.

Overview: A Comprehensive Rewrite of Accreditor Recognition

This rule marks a shift toward more accreditor competition and a data-driven, outcomes-based model of program review. For career schools, the practical effects land in three buckets: how you choose an accreditor, what compliance and reporting you and your accreditor must handle, and how program quality gets measured.

- 1 Student Outcomes, ROI & Program Design**
New outcome metrics, ROI review tied to cost of attendance, cost-benefit analysis, and protection for accelerated programs.
- 2 Changing Accreditors & Competition**
Faster switching, a compressed 240-day recognition review, and no more geographic/“regional” restrictions.
- 3 Legal Compliance & Accreditor Responsibility**
Continuous federal-link requirements, accuracy duties, and much faster accreditor reporting cycles that flow down to schools.
- 4 Conflict of Interest & Independence**
Accreditors must fully separate from affiliated trade associations by mid-2027, with no more shared-resource waivers.
- 5 Transfer Credit & Student Mobility**
A presumption favoring transfer credit, written denial rationales, a 15-day appeal window, and pre-enrollment disclosure deadlines.

Key Dates and How to Engage

1

Apr 23, 2025

Executive Order 14279 signed, directing accreditation reform.

2

Jan–May 2026

AIM negotiated rulemaking committee convenes; reaches consensus May 21, 2026.

3

Aug 20, 2026

NPRM published in the Federal Register (91 FR 53940).

4

Sep 21, 2026

Public comment period closes — submit institutional comments before this date.

5

Jul 1, 2027

Proposed deadline for accreditors to fully separate from affiliated trade associations (2028 for existing facility leases).

Act before September 21, 2026. Cite specific section numbers (e.g., § 602.17, § 602.24), state agreement or disagreement, and support your position with data or documented institutional experience. The outcome-metrics language in § 602.17 is genuinely ambiguous — worth addressing directly if it affects you.

Provisions of Particular Interest to Our Institution

Five provisions stand out as especially relevant to how career education institutions operate day to day.



Credit Transfer Parity

Other institutions can no longer deny your students' transfer credit solely because your school holds “national” rather than “regional” accreditation — evaluation must be based on academic comparability, reducing a historical barrier for trade-school alumni pursuing further degrees.



Elimination of “Regional” Stigma

The Department explicitly eradicates “regional” accreditor terminology, so the market stops treating national accreditation as a lesser status.



Strict ROI Metrics

Accreditors must judge programs on graduates' earnings relative to total cost of attendance, alongside licensure pass rates and completion rates — meaning programs need genuine, demonstrable employer demand.



Protection for Accelerated Programs

Accreditors cannot categorically prohibit or unreasonably restrict short-term or accelerated programs. A short-term trade program with employment outcomes comparable to a traditional-length credential is protected.



Increased Accreditor “Mobility”

Institutions can more easily switch to or add a different recognized accreditor, without geographic constraints or Department retaliation — as long as the change isn't made to dodge findings, sanctions, or revocation from a current accreditor.

What Proprietary Schools Should Do Now

1

Submit a comment before Sept. 21, 2026

Cite specific sections (e.g., § 602.17, § 602.24), support your position with institutional data, and flag any concern about the ambiguous outcome-metric language.

2

Pressure-test your transfer-credit workflow

Confirm transcript review can finish — and be disclosed to the student — before an enrollment agreement is signed or a non-refundable payment is made. Build in the 15-day appeal window.

3

Review teach-out and closure contingency plans

Make sure you can produce a teach-out plan within 30 days of a qualifying event, including a shift to provisional Title IV status, and understand the letter-of-credit alternative.

4

Ask your accreditor about compressed timelines

Find out how the Department's 90-day compliance-report review and 45-day agency response window will change your own reporting deadlines.

5

Confirm your accreditor's independence plan

If your accreditor has any trade-association ties, ask about its plan to meet the July 2027/2028 separation deadline under § 602.14.

6

Get outcome and earnings data audit-ready

Build clean, program-level completion, licensure, and earnings data, and coordinate registrar, financial aid, and accreditation-liaison staff across the AIM and STATS frameworks.



Council for
Higher Education
Accreditation

**AIM Accreditation Notice
of Proposed Rulemaking:**
Summary and Operational
Impact on Institutions and
Accrediting Agencies

CHEA'S FIVE KEY POLICY IMPLICATIONS

- 1. Federal regulation would more directly prescribe elements of accreditation standards and institutional policies.**
The NPRM would prescribe in significant detail the institutional policies, practices, outcomes, and evidence that accrediting agencies must evaluate.
- 2. Institutions could face significant new accreditation-related compliance costs.**
New requirements could require institutions to develop or revise policies, conduct new analyses, collect additional evidence, and modify systems and processes.
- 3. The proposal could substantially change the role and responsibilities of accrediting agencies.**
Agencies could face new responsibilities involving federal and state legal compliance, antitrust, institutional policies, and other matters beyond traditional academic quality review.
- 4. Some provisions raise significant questions about accreditation's peer-based structure and agency independence.**
The proposed requirements concerning separate and independent status, agency governance, application of standards, and accreditation decision-making could affect how agencies conduct peer review and make accreditation decisions.
- 5. The proposal could have particularly significant consequences for smaller and programmatic accrediting agencies.**
New legal, administrative, reporting, and compliance requirements could increase the cost of accreditation and raise questions about whether some specialized agencies can continue operating with federal recognition under existing organizational structures.

CHEA'S "OPERATIONAL IMPACT" SUMMARY

Topic	Institutions	Accrediting Agencies	Why it Matters
§ 602.17- Federal requirements for institutional policies and practices	High	High	Could substantially expand the institutional policies, practices, outcomes and evidence subject to accreditation review creating new compliance and documentation requirements. The proposal provides prescriptive requirements on areas such as faculty, academic freedom, intellectual diversity,

CHEA'S "OPERATIONAL IMPACT" SUMMARY

§ 602.14- Separate and Independent Requirements for Accrediting Agencies	Low-Moderate	High	Could require agencies to change organizational, governance, and operational arrangements with a particular impact on programmatic agencies affiliated with trade or professional associations.
§ 602.15- Administrative and Fiscal Responsibilities	Low-Moderate	High	Could affect how agencies structure decision-making, standards development, conflicts of interest, and protections for First Amendment rights.

CHEA'S "OPERATIONAL IMPACT" SUMMARY

Student Achievement (§ 602.17)	High	High	Could increase the importance of student outcomes and economic returns relative to cost in accreditation reviews and require institutions to produce and analyze additional evidence.
Transfer of Credit (§ 602.24, § 668.43)	High	Moderate	Could require institutions to revise transfer policies, processes, and student communications.
Other Standards and Accreditation Requirements	Low	Moderate-High	Could create additional institutional policies, documentation, and compliance expectations depending on the standards and requirements affected.

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(ANN-26-23) FSA Partner Connect Training – Borrower Defense to Repayment for Administrators

🖨️ Print

PUBLICATION DATE: September 10, 2026

DCL ID: ANN-26-23

SUBJECT: FSA Partner Connect Training – Borrower Defense to Repayment for Administrators

SUMMARY: This letter announces a webinar and additional training resources from Federal Student Aid (FSA) to assist FSA Partner Connect administrators in understanding new borrower defense to repayment functionality. The functionality will be available in October 2026.

Tags

Dear Colleague Letters

Training

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(ANN-26-22) Online Training Course – New Learning Tracks for OBBBA Implementation

Print

PUBLICATION DATE: September 09, 2026

DCL ID: ANN-26-22

SUBJECT: Online Training Course – New Learning Tracks for OBBBA Implementation

SUMMARY: This letter announces the availability of a new online, self-paced course about Workforce Pell, the first of several new trainings about topics impacted by the One Big Beautiful Bill Act (OBBBA) also known as the Working Families Tax Cuts Act

Tags

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(ANN-26-21) Live Webinars – Default Prevention

 Print

PUBLICATION DATE: September 02, 2026

DCL ID: ANN-26-21

SUBJECT: Live Webinars – Default Prevention

SUMMARY: This letter announces that Federal Student Aid (FSA) will host two upcoming webinars as part of an initiative to support institutions with their default prevention strategies.

Tags

Dear Colleague Letters

Direct Loan

Default Prevention and Managemen...

Training

STUDENT LOAN DEFAULT CRISIS

Around 9.5 million federal student loan borrowers (about 1 in 5) are currently in default, meaning they are more than nine months (270 days) behind on their payments.

Key Details on the Default Crisis

Total Defaulted Debt: Approximately \$233.3 billion of federally backed student loans are in default.

Recent Surge: Defaults spiked after pandemic-era relief protections and grace periods expired, sending millions of additional accounts into default status.

At-Risk Borrowers: Millions more remain delinquent or in late-stage nonpayment, risking future default or collection actions.

Contributing Factors: Economic strain following the restart of payments and shifts in repayment options have accelerated financial distress for many households.



LEGISLATIVE UPDATE

**HOUSE
SUBCOMMITTEE ON
HIGHER EDUCATION
&
WORKFORCE
DEVELOPMENT**



Subcommittee Hearing

**““Who Gets the Scholarship?
How the Global Shift in College Sports
Affects Americans”**

September 16, 2026

HOUSE SUBCOMMITTEE HEARING

Chairman Owen's Opening Statement

"College athletics provide important opportunities for young people to get an education and start on a path to success in life.

But those opportunities are limited.

Each year, NCAA Division I and II schools award more than \$4 billion in athletic scholarships to more than 180,000 student-athletes. Only about 2 percent of high school athletes receive an athletic scholarship. At the same time, international participation in college athletics has grown substantially—from fewer than 9,000 in 2001 to roughly 25,000 today. That matters because scholarships and roster spots are finite.

American families devote years of time and money in youth and high school sports so their kids can compete at the college level. Too often, the spot goes to an older international athlete instead."

HOUSE SUBCOMMITTEE HEARING

Chairman Owen's Opening Statement

“The pressure to win in today’s college sports environment has led more coaches to recruit older international athletes instead of American high school graduates. Although recent NCAA eligibility changes may put downward pressure on the participation of older international students, they are unlikely to meaningfully reduce the growth in international recruiting.

The trend is particularly high in certain Division I sports. In tennis, more than 60 percent of the players are international. International participation in hockey is about 40 percent, and in men’s soccer it is over a third. In basketball, international participation has more than doubled in the last decade. In the 2025 NCAA Men’s and Women’s Tournaments, international student-athletes made up 15 percent of all participants.

This is not limited to the highest levels of college sports. In 2022, the Alabama State men’s tennis team won the HBCU tournament championship with a roster composed entirely of international student-athletes. Last year, Division II Flagler College won a national tennis title with an all-international roster. In Division II men’s soccer, more than half of the players in last year’s national championship field were international.”

HOUSE SUBCOMMITTEE HEARING

Chairman Owen's Opening Statement

“This trend also weakens the development of U.S. Olympic talent. U.S. colleges provide athletes access to elite coaching, competition, and training facilities. At the 2024 Paris Olympics, 65 percent of the U.S. Olympic team were current, former, or incoming NCAA student-athletes. However, of the 1,000 NCAA Olympians in Paris, only 385 competed for Team USA—the other 63 percent competed for foreign nations.

Women's sports show a similar pattern. At the 2021 Tokyo Olympics, women who had competed at U.S. colleges represented at least 75 countries. Title IX of Education Amendments of 1972 has greatly expanded athletic opportunities for women in the United States. Congress did not intend for those opportunities to be filled by international athletes or for athletic departments to comply by recruiting international players. U.S. colleges are significantly contributing to the Olympic success of other countries while taking scholarship opportunities away from American athletes.

That is the reality in front of us. International recruiting has surged. American kids are losing roster spots. And the college system that helps develop Team USA is also developing everyone else's team.”

HOUSE SUBCOMMITTEE HEARING

Chairman Owen's Opening Statement

"Our college sports culture has become a mess. We are turning away from the priorities of the past, such as patriotism, providing opportunities for our kids to build character, and preparing the next generations to stand on our shoulders.

We have a system that works to the detriment of our children and to the benefit of institutions and those who run them. This is another example of how we've turned college sports into an industry based on greed, self-centeredness, and a toxic mindset of "whatever it takes."



PRESS RELEASE

FOR IMMEDIATE RELEASE
September 14, 2026

CONTACT: Press Office
(202) 226-9440

Chairman Walberg, Senator Husted Introduce Bill to Protect Opportunities for American Student-Athletes

WASHINGTON – Education and Workforce Committee Chairman Tim Walberg (R-MI) and Senator Jon Husted (R-OH) today introduced [H.R. 10351, *Training and Education for American Members in University Sports and Athletics \(TEAM USA\) Act*](#), legislation to protect opportunities for American student-athletes by limiting international student-athlete (ISA) participation to no more than 20 percent of each varsity sports team.

**BREAKING
NEWS**



MIDTERM

2026



VOTE

ELECTIONS



State-by-State Election Day Scorecard

(Updated September 14, 2026)

*A Resource Tool Designed to Assist You
In Tracking the Outcome of
All Thirty-Five 2026 Senate Races
&
Key U.S. House of Representative Races
Impacting the Makeup of
The House Education, Veterans Affairs,
and Appropriations Committees
Throughout the Midterm Elections!*

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