

MOTION adopted by ACOE during March 27, 2020 Teleconference: That the ACOE adopts the following single addendum that will be used to temporarily amend all relevant ACOE standards and policies (rather than amend each set of standards and policies.) The Council will cancel the addendum once the COVID-19 interruption passes and ACOE has caught up on its site visit schedule by visiting programs that were subject to virtual visits or site visit postponements during the crisis. (Vote tallied: 9-0.)

ACOE Temporary Policy for Virtual Site Visits, Granting Extensions of Accreditation, Providing Good Cause Extensions, and Granting Retroactive Accreditations

The United States Department of Education (USDE) has determined that it is reasonable and prudent to permit on a temporary basis accrediting agencies to perform virtual site visits during this period of addressing the COVID-19 interruption of normal activities. Understanding that this is a temporary amendment to the procedures utilized by the Accreditation Council on Optometric Education (ACOE), the ACOE will cancel this addendum document once the interruption caused by the COVID-19 emergency has passed and the ACOE has caught up on its site visit schedule.

USDE has directed that the agency board (or other decision-making body) should approve any change to policies governing virtual visits (or increased use of virtual visits) using the abbreviated process described in a recent guidance letter ([“RE: Information for Accrediting Agencies Regarding Temporary Flexibilities Provided to Coronavirus Impacted Institutions or Accrediting Agencies”](#)), hereinafter referred to as the “USDE Guidance Letter” and attached hereto as Attachment 1.

As per USDE direction, if ACOE implements virtual visits, the ACOE would follow-up with in-person visits to meet the USDE’s statutory and regulatory requirements to perform regular on-site inspections. Virtual site visits should rely on an engaged, interactive format (e.g., telephonic meetings, video conference calls, and the like), rather than solely document reviews or exchanges of emails. A follow-up, in-person visit to the campus (though not necessarily a full peer-review site visit) would be conducted by the ACOE within a reasonable period of time following the virtual site visit.

In accordance with the advice included in the USDE Guidance Letter, ACOE adopts the following temporarily:

The ACOE has determined that it will allow the use of virtual site visits to currently accredited programs that are in good standing and that are engaged in renewal of accreditation, as well as to Stage III applicants for professional optometric degree programs holding the preaccreditation status of preliminary approval.

ACOE has determined that it is not feasible to employ virtual site visits for programs in other stages of application, including but not limited to:

1. Stage I and Stage II applicants for professional optometric degree programs, and
2. optometric residency programs that have applied for an initial award of accreditation.

During this period of COVID-19 interruption, ACOE will develop, adopt, modify, and implement temporary virtual site visit policies. In accordance with the USDE Guidance Letter, ACOE will do so without a public comment period. Procedures to implement this temporary virtual site visit policy will be adopted by the ACOE Executive Committee.

The USDE has also granted accrediting agencies the discretion to extend the term of accreditation, for a reasonable period of time during the COVID-19 interruption, for a program that is undergoing renewal of accreditation and was scheduled to have a site visit during a COVID-19 interruption. In addition, USDE has advised that during the COVID-19 interruption, accreditors may provide a good cause extension to programs or probation if the agency is unable to perform a required site visit or hold a hearing with representatives of the program because of the COVID-19 interruption. This includes providing an additional good cause extension to an institution or program that has otherwise already been provided with the agency's maximum allowable good cause extensions. ACOE's policy will be to make use of this temporary authority, with the goal of resuming normal practices as soon as reasonably possible after the COVID-19 interruption has ended. ACOE will be responsive to further guidance issued by USDE on this topic as the circumstances created by COVID-19 unfold. During the period of COVID-19 interruption, the Council will use its discretion in deciding when to grant extensions to accredited programs.

The USDE Guidance Letter acknowledges that, in some instances, ACOE may have scheduled a site visit of a program such that the results of that site visit would inform ACOE's decision in time to ensure that students who graduate during the current or prior term will be considered to have graduated from an accredited program. The USDE Guidance Letter reminds accrediting agencies that retroactive accreditation is permissible as long as the effective date of accreditation is no earlier than the date on which the program accepted the program as an applicant on the pathway to accreditation, or the date of a previous negative decision regarding an initial award of accreditation. ACOE has a retroactive accreditation policy that establishes the effective date as the date of a site visit to the program. If such site visit has now been cancelled or delayed as a result of the COVID-19 interruption, the effective date of the final decision could still be assigned based on the date of the scheduled site visit or an earlier date, but no earlier than the date on which the program was accepted as an applicant on the pathway toward accreditation.

In adopting this temporary policy, ACOE will take full advantage of the guidance from the USDE, which states that it may waive the normal process by which accrediting agencies are required to develop, seek public comment, and enact new policies for the limited purpose of allowing agencies to implement the changes described in the USDE Guidance Letter. This initial temporary policy shall be approved by the ACOE and shall be confirmed by the AOA Board of Trustees consistent with AOA House of Delegates Resolution 491. Revisions to this policy, consistent with current or future guidance from USDE, may be made by the ACOE alone. ACOE may meet via telephonic or videoconference meetings during this period of COVID-19 interruption. ACOE temporarily rescinds public comment periods for adoption of new temporary policies during the period of COVID-19 interruption. Should the ACOE desire to make a policy or policy modification permanent after the period of COVID-19 interruption, it must adhere to applicable statutory and regulatory requirements.

ACOE shall record in writing and publish on its website this new policy. In addition, ACOE shall record decisions to use the temporary flexibilities described in this temporary policy, and shall include in its records the name of the program, a description of the waiver or extension, an explanation of the basis for granting the waiver or extension, the date on which the agency granted the waiver or extension, and a description of the suspended activity resulting from the waiver or extension. ACOE shall also record in writing the vote of the Council when establishing a new or revised policy in response to circumstances created by the COVID-19 interruption.



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

The U.S. Department of Education (Department) has received inquiries from institutions of higher education and accrediting agencies regarding regulatory flexibilities that may be necessary in response to COVID-19 interruptions. Because of the highly unusual circumstances and challenges presented to the postsecondary education community by COVID-19, the Department provides the following guidance to accreditors, who should view this additional flexibility as a unique and temporary departure from the Department's accreditation agency requirements.

In earlier COVID-19 information provided by the Department, we extended temporary flexibility to institutions to implement distance learning solutions to continue educating students in the event of campus interruptions or the unexpected return of students from travel abroad experiences. We similarly provided flexibility to accrediting agencies to waive routine regular distance learning review requirements and approval processes to allow institutions quickly to switch to distance learning so as to enable currently enrolled students to complete the current term.

As more campuses limit travel, reduce campus operations, or restrict visitors on campus, it may become difficult for accrediting agencies to perform site visits, including because the home institutions of site visitors have limited institutional travel. As a result, the Department announces the following temporary flexibilities to accrediting agencies to help them serve institutions and students through the period of COVID-19 interruption. The Department has determined that it is reasonable and prudent to permit on a temporary basis – but not require – accrediting agencies to perform virtual site visits during this period (even if their existing procedures do not provide for virtual visits). The agency board (or other decision-making body) should approve any change to policies governing virtual visits (or increased use of virtual visits) using the abbreviated process described at the end of this letter. If agencies implement virtual visits, they should follow-up with in-person visits to meet the statutory and regulatory requirements to perform regular on-site inspections. Virtual site visits should rely on an engaged, interactive format (*e.g.*, telephonic meetings, video conference calls, and the like), rather than solely document reviews or exchanges of emails.

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. At its discretion, an accrediting agency may limit virtual site visits to institutions or programs that are otherwise in good standing or to institutions or programs that are engaged in renewal of accreditation, as opposed to those institutions or programs seeking an initial award of accreditation. It is the responsibility of the accreditation agency to determine if, and under what conditions, it would perform virtual site visits during this temporary flexibility period.

Moreover, during this period of COVID-19 interruption, the Department is permitting accreditors the flexibility to develop, adopt, modify, and implement temporary virtual site visit policies. With the approval of the agency's board (or other decision-making body) during a telephonic or video conference meeting, accreditors may adopt or modify temporary virtual site visit policies without a public comment period. Because these policies would be temporary and arise from the unique set of circumstances and challenges presented by the COVID-19 interruption, this approval would not require a vote of the full membership of the accrediting agency. Should an agency desire to make a temporary virtual site visit policy or policy modification permanent after the period of COVID-19 interruption, it must adhere to applicable statutory and regulatory requirements.

The Department is also offering accrediting agencies the discretion to extend the term of accreditation, for a reasonable period of time during the COVID-19 interruption, for an institution that is undergoing renewal of accreditation and was scheduled to have a site visit during a COVID-19 interruption. In addition, during the COVID-19 interruption, accreditors may provide a good cause extension to institutions on a show-cause order or probation if the agency is unable to perform a required site visit or hold a hearing with representatives of the institution because of the COVID-19 interruption. This includes providing an additional good cause extension to an institution or program that has otherwise already been provided with the agency's maximum allowable good cause extensions. The Department expects each agency to resume normal practices as soon as reasonably possible after the COVID-19 interruption has ended and will inform agencies of its expectations as the circumstances created by COVID-19 unfold.

Finally, the Department is aware that, in some instances, an accrediting agency may have scheduled a site visit of a program or institution such that the results of that site visit would inform an agency accreditation decision in time to ensure that students who graduate during the current or prior term will be considered to have graduated from an accredited program. The Department is reminding accrediting agencies that retroactive accreditation is permissible as long as the effective date of accreditation is no earlier than the date on which the institution or program accepted the program or agency as an applicant on the pathway to accreditation, or the date of a previous negative decision regarding an initial award of accreditation. If an agency typically has a retroactive accreditation policy that establishes the effective date as the date of a

site visit to the program or institution and that site visit has now been cancelled as a result of COVID-19, the effective date of the final decision could still be assigned based on the date of the scheduled site visit or an earlier date, but no earlier than the date on which the institution or program was accepted as an applicant on the pathway toward accreditation.

To allow the flexibility that the current COVID-19 situation requires, the Department is waiving the normal process by which accrediting agencies are required to develop, seek public comment, and enact new policies for the limited purpose of allowing agencies to implement the changes described above (and in the earlier distance education communication), so long as the policy changes are approved by the agency's board (or other decision-making body). The agency may obtain this approval at a telephonic or videoconference meeting of the board; this approval would not require a public comment period or a vote of the full membership during this period of temporary flexibility. Should an agency desire to make a policy or policy modification permanent after the period of COVID-19 interruption, it must adhere to applicable statutory and regulatory requirements.

Agencies should record in writing and publish on their websites a decision to use the temporary flexibilities explained in this electronic announcement and include in its records the name of the school, a description of the waiver or extension, an explanation of the basis for granting the waiver or extension, the date on which the agency granted the waiver or extension, and a description of the suspended activity resulting from the waiver or extension. Agencies should also record in writing the vote of its board (or other decision-making body) when establishing a new or revised policy in response to circumstances created by COVID-19.

If you have any questions or concerns about the information provided in this electronic announcement, please contact the Department at COVID-19@ed.gov. Also, please visit our COVID-19 website (www.ed.gov/coronavirus) to monitor updates posted by the Department and to find links to information provided by other relevant Federal agencies, such as the Centers for Disease Control.

Thank you for continuing your work to ensure that students receive a quality education, including during this time when innovative solutions may be deployed by institutions rapidly to continue providing educational opportunities to their students.