



## Prison Education Program Fact Sheet on Accreditation Requirements

The purpose of this fact sheet is to outline the Department of Education's requirements that will be effective on July 1, 2023 at [34 CFR 668 Subpart P](#) for nationally recognized institutional accrediting agencies (agencies) for its accredited institutions to establish eligibility of a prison education program (PEP). A link to additional Q and As can be found [here](#).

### When an institution seeks to add a PEP, agencies must:

- Evaluate at least the *first PEP at the first two additional locations* to ensure the institution's ability to offer and implement the PEP and that the PEP meets the agency's accreditation standards, and included it in the institution's grant of accreditation or preaccreditation, as required by 34 CFR § 668.237(b)(1).
- Evaluate the *first additional PEP offered by a new method of delivery* to ensure the institution's ability to offer and implement the PEP and that the PEP meets the agency's standards, and included it in the institution's grant of accreditation or preaccreditation, as required by 34 CFR § 668.237(b)(2).
- Perform a site visit as soon as practicable but *no later than one year after initiating the PEP at the first two additional locations*, as required by 34 CFR § 668.237(b)(3).

### Ongoing agency responsibilities:

- Provide nonbinding feedback as a required relevant stakeholder regarding the approval and operation of a PEP within an oversight entity's jurisdiction, as required by 34 CFR § 668.241(b)(1). An agency may be asked to provide nonbinding feedback via participation on the oversight entity's optional advisory committee, but the agency is not required to join the advisory committee if it believes a conflict of interest exists and may provide feedback via another means.
- *After the first best interest determination and prior to PPA reviews:* Review and approve the methodology for how the institution, in collaboration with the oversight entity, made the determination that the PEP meets the same standards as substantially similar programs that are not PEPs at the institution (if the requirements under 34 CFR § 668.236(a)(3) are satisfied), as required by 34 CFR § 668.237(b)(4).

### Important elements for agencies to note:

- *Additional location definition expansion effective July 1, 2023:* the additional location definition at 34 CFR § 600.2 is expanded to include "A Federal, State, or local penitentiary, prison, jail, reformatory, work farm, juvenile justice facility, or other similar correctional institution is considered to be an additional location even if a student receives instruction primarily through distance education or correspondence courses at that location."
- Per [34 CFR § 602.24\(f\)\(1\)](#), agencies that allow its accredited institutions to establish Title IV eligibility must adopt and apply the definitions of "branch campus" and "additional location" at 34 CFR § 600.2.
- Agencies are required to review and approve additional locations via a substantive change review, per [34 CFR §§ 602.22\(a\)\(1\)\(ii\)\(G\)](#), [602.22\(a\)\(1\)\(ii\)\(H\)](#), [602.22\(a\)\(1\)\(ii\)\(I\)](#), [602.22\(c\)](#), and/or [602.22\(f\)](#).
- Agencies are required to conduct a site visit to an additional location, per [34 CFR § 602.22\(f\)](#), as applicable.
- To meet the approval requirements of [34 CFR § 602.22\(a\)\(1\)\(i\)](#), agencies are required to report all additional locations to the [Database of Accredited Postsecondary Institutions and Programs](#) (DAPIP).
- If an agency has policies and procedures in place and an institution meets the requirements of [34 CFR § 602.22\(c\)](#), the agency is not required to approve additional locations beyond the first two.<sup>1</sup>

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<sup>1</sup> In addition to obtaining prior approval of the first two additional locations, an institution must also have successfully completed at least one cycle of accreditation, not have been placed on probation or equivalent status or been subject to a negative action by the agency over the prior three academic years, and not be under provisional certification as provided in 34 CFR § 668.13 to meet the notification eligibility requirements at 34 CFR § 602.22(c).