



# Handbook of Institutional Accreditation

New York State Board of Regents and the Commissioner of Education

The University of the State of New York  
The State Education Department  
Albany, New York 12234

Updated February 2016

THE UNIVERSITY OF THE STATE OF NEW YORK

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# Introduction

This Handbook provides information on institutional accreditation by the New York State Board of Regents and the Commissioner of Education (“agency”), acting in their capacity as a nationally recognized institutional accrediting agency.

The agency’s scope of accreditation, granted by the U.S. Secretary of Education, is as follows:

***Scope of recognition: the accreditation of those degree-granting institutions of higher education in New York, including distance education offered by those institutions, that designate the agency as their sole or primary nationally recognized accrediting agency for purposes of establishing eligibility to participate in HEA programs.<sup>1</sup>***

The principal purpose of institutional accreditation by the Regents and the Commissioner of Education is to establish an accredited institution’s eligibility for Title IV student aid programs established by the Higher Education Act of 1965, as amended. The institutional accreditation process is entirely voluntary on the part of the institution. The process is separate from the State authorization processes of the Regents and the Commissioner.

The institutional accreditation process is administered by the State Education Department’s Office of Higher Education. Please direct inquiries to:

Office of College and University Evaluation  
Attention: Accreditation  
State Education Department  
89 Washington Avenue  
Albany, NY 12234  
Phone: (518) 474-1551  
Fax: (518) 486-2779  
E-mail: [ACCREDITOR@NYSED.GOV](mailto:ACCREDITOR@NYSED.GOV)

The Handbook is available on the Department’s web site:

<http://www.highered.nysed.gov/ocue/accred/accred-forinstitutions.htm>

## Institutions Accredited by the Board of Regents and Commissioner of Education

For the current listing of institutions accredited by the Board of Regents and Commissioner of Education, please visit

<http://www.highered.nysed.gov/ocue/accred/handbook/directory.htm>

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<sup>1</sup> Source: [http://www2.ed.gov/admins/finaid/accred/accreditation\\_pg6.html](http://www2.ed.gov/admins/finaid/accred/accreditation_pg6.html) (accessed October 20, 2014)

# Initiating the Application Process for Institutional Accreditation

An authorized degree-granting institution located in New York State may apply to the Regents and the Commissioner for institutional accreditation, acting in the Board's and the Commissioner's capacity as a nationally recognized institutional accrediting agency. Institutional accreditation by the Regents and the Commissioner establishes eligibility to participate in Title IV programs available under the Higher Education Act of 1965, as amended.

The scope of the Board of Regents and Commissioner's recognition by the U.S. Secretary of Education includes distance education. Please note, however, that this agency has not sought or been granted the authority to include correspondence education in its scope of recognition.

An institution will not be considered for institutional accreditation until it can document success with respect to student achievement in relation to the institution's mission, including, consideration of graduation rates, job placement rates and State licensing examination scores, as appropriate and in accordance with the standards of quality for institutional accreditation set forth in §4-1.4 of the Rules of the Board of Regents.

The applicant institution is encouraged to review closely all materials related to accreditation before deciding to pursue accreditation by the Regents and the Commissioner. Having done so, it sends a letter of interest to:

Office of College and University Evaluation  
Attention: Accreditation  
State Education Department  
89 Washington Avenue  
Albany, New York 12234

The letter encloses evidence that all required State approvals have been met. (These normally include a Regents charter or permission to confer degrees and program registration letters from the State Education Department.) An application will not be entertained if any significant conditions related to compliance with the Rules of the Board of Regents or the Regulations of the Commissioner of Education are attached to any State approvals.

After a review of these materials, the Department will determine whether the institution is in compliance with State authorization requirements and whether the institution is under any adverse action by the Federal government with respect to Title IV responsibilities or by any other nationally recognized accrediting agency. If there are no concerns, an accreditation staff member will be assigned as the institution's primary contact and review coordinator. Once an institution has submitted an application for accreditation, the applicant institution should maintain ongoing contact with its review coordinator.

# Process Overview: Accreditation and Renewal of Accreditation

Note: The following overview highlights elements of the process for reviewing institutions seeking accreditation or renewal of accreditation by the Board of Regents and the Commissioner of Education. The basis for this is [Subpart 4-1 of Regents Rules](#). The Department may alter the process due to extenuating circumstances and in concurrence with Regents Rules.

Regents Rules on institutional accreditation and Policies Related to the Criteria of the U.S. Secretary of Education define the requirements of the accreditation process and related responsibilities. Regents accredited institutions should familiarize themselves with those standards and policies.

## Overview

The New York State Board of Regents and the Commissioner of Education are an institutional accrediting agency recognized by the Secretary of the United States Department of Education (“Secretary”). An institution may apply to the Regents and the Commissioner for accreditation for the purpose of establishing eligibility to participate in Title IV student aid programs established by the Higher Education Act of 1965, as amended. An application for accreditation can occur only after the Regents and the Commissioner, acting in their capacities as a State approval agency, have conferred degree authority and registered the institution’s program(s). (**Note:** institutions that hold provisional charters do not have the ability to confer degrees.)

Institutional accreditation focuses on institutional policies and on the qualitative effectiveness of the institution as a whole, particularly with respect to promoting student achievement and development. It takes into account an institution’s compliance with its responsibilities as a recipient of Title IV funds if it participates in such programs.

An institution may be accredited for a period of up to ten years or for a shorter time, at the discretion of the Regents and the Commissioner. During its accreditation period, an institution provides annual reports for review to assure sustained compliance with all accreditation standards. Information from annual reports or from other agencies related to compliance with accreditation standards may occasion a review of the accreditation standing of an institution. Such review may take the form of reports on specified topics, a special on-site review, or acceleration of the scheduled periodic accreditation review.

The Department publishes a list of institutions scheduled for accreditation or renewal of accreditation review in the New York *State Register*, requesting third-party comment on the institution's qualifications for accreditation.

## Application for Initial Accreditation

An institution seeking initial institutional accreditation from the Regents and the Commissioner submits a letter of interest describing the scope of requested

accreditation. It shows that it has all required State approvals and that it is not under adverse action by the Federal government (with respect to use of Title IV funds) or by another nationally recognized accrediting agency. An institution will not be reviewed for possible accreditation until the self-study can document student outcomes consistent with the institution's statement of mission, purpose and objectives. Generally, this means the institution has graduated at least one class.

### Application for Renewal of Accreditation

Institutions seeking renewal of accreditation shall submit a letter of intent requesting renewal at least 18 months prior to the end date of the institution's current accreditation period. Following a review and direction by the Department, the institution may begin the self-study process.

### Preparation of a Self-study

Upon receipt of an application for accreditation, the professional accreditation staff member of the Office of Higher Education who has been designated as the review coordinator contacts the institution to discuss the institution's self-study. A Self-Study Guide, including the accreditation standards, examples of compliance, suggested documentation, and other pertinent materials, is provided to the institution. Following receipt of the institution's self-study, the review coordinator examines the self-study to determine the institution's readiness for a site visit by a peer review team. The Department may require the institution to submit additional information.

### Public Notice

The Department invites the public to comment on an institution's qualifications for accreditation by publishing in the New York State *Register*, or its successor publication, a notice that the institution is being considered for accreditation action.

### Review Team Selection

The review coordinator establishes the peer review team before the site visit. The team consists of outside peer reviewers as well as professional accreditation staff from the Department. Team size varies, depending on the scope of the institution; however, it is usually in the range of four to six persons. Team members may include faculty and administrators from comparable institutions in New York and other states. Care is taken to identify persons who are expert in their fields, objective in their judgments, and who have no conflicts of interest. Team members have undergone training on institutional accreditation conducted by the State Education Department, including coverage of conflicts of interest and recusals. The Department will select one peer member to serve as chair of the review team. The Department provides the names and affiliations of proposed team members to the institution, which may request substitutions when there is an actual or apparent conflict of interest. Conflict of interest guidelines are also provided in advance to the institution.

### Team Preparation for the Visit

The institution provides each team member with the completed self-study at least 30 days prior to the visit, if possible. At the same time, the Department's review

coordinator provides the team members with guidelines for conducting review activities, guidelines on conflict of interest, the format for the reporting of findings, recommendations and suggestions, a tentative schedule of review activities during the visit, and supplementary guidelines for use in assessment activities and determinations. Team members with a conflict of interest under the written guidelines are expected to recuse themselves from the review.

Team members are asked to review the self-study and the Department's review standards and procedures prior to the visit and to seek any needed clarifications from the Department's review coordinator. Once on site, the team typically meets before beginning its review activities to review assignments and identify any information needs.

## The Visit

The purpose of the site visit to the institution is to assess compliance with the standards for institutional accreditation. Site visits usually last 1-3 days. During the visit, team members typically interview faculty, administrators, and students; visit classes; review course syllabi and student work; examine student and faculty folders; examine administrative records and policy statements; assess physical facilities, library resources, and instructional equipment; and visit branch campuses. Team members meet regularly during the site visit to share observations, work on recommendations under the guidance of the chair, and clarify any uncertainties related to the application of standards. Particular attention is given to the development of findings related to the institution's qualitative effectiveness in promoting successful student outcomes and development in relation to applicable standards and the institution's mission and scope.

At the end of the site visit, the chair, other members of the team and the Department's review coordinator may meet with the chief executive officer and any staff he or she may designate. The team chair and the review coordinator outline subsequent steps in the review process. No accreditation recommendation is announced at this time.

## Report of the Visit

After the site visit, each team member submits to the team chair and the review coordinator a written report of observations and findings concerning the institution's compliance with the accreditation standards and any recommendations and suggestions for institutional improvement in relation to the standards. Team member reports are advisory and confidential. The team chair prepares a draft team report based on the members' written reports. When the team reaches agreement on a version of the team report, it is submitted to the review coordinator, who then prepares a preliminary draft compliance report. The preliminary report includes the team's recommendations for institutional improvement or compliance with specific standards. Following review of the preliminary draft by Department accreditation staff, the review coordinator may return to the team for final clarifications. The Department then transmits the draft report to the chief executive officer of the institution and asks the institution to note any factual errors, respond to particular requests for clarification or additional information, and provide any comments. The institution has 30 days to

respond in writing to the draft compliance report, starting from the date the Department sends the draft report.

The Department sends the final compliance report to the institution after the Department receives the institution's response. The final compliance report consists of the draft report, the institution's response, and the Department's preliminary recommendation with respect to accreditation action and a summary of the institution's compliance with the standards.

## Determination Process

The Department transmits the final compliance report and a preliminary recommendation for institutional accreditation action to the Regents Advisory Council on Institutional Accreditation (RAC). In addition, the Council receives the self-study and other pertinent supporting documentation at least 20 days prior to the scheduled Council meeting. The Council reviews these materials at its next available meeting, drawing on the observations and recommendations of assigned readers appointed by the Council Chair. Accreditation staff introduces the institution and presents an outline of the process and the recommended action. Typically, a member of the peer review team presents a summary of the team's findings and recommendations. The Council invites representatives of the institution under review and, at the Council's discretion, other interested parties, to make oral presentations. After concluding its review, the Council votes on a recommendation on accreditation action to the Commissioner and the Board of Regents, based on the entire record, including the institution's self-study and the compliance review report. (The possible actions are noted in the next section.) The Department transmits a copy of this recommendation to the institution.

The institution and/or the Deputy Commissioner of Higher Education has the right to appeal the Council's findings and recommendations. If neither the institution nor the Deputy Commissioner appeals, the Commissioner adopts the Council's findings and recommendations as the Commissioner's findings and recommendations to the Regents. At a regularly scheduled public meeting, the Board of Regents considers the complete record of the accreditation process (including the institution's self-study, compliance review report, and the record of the RAC) and makes the final determination on accreditation action. Representatives of the applicant institution may be present at this meeting; however, they do not participate in discussion of their application.

The Regents may act or may defer action pending further consideration by the Council or the receipt of additional information. If the Regents take adverse action as defined in Regents Rules §4-1.2(d) on an application for institutional accreditation or renewal of accreditation, a statement of the reason(s) for this action will be provided to the applicant institution.

## Possible Accreditation Actions

- Accreditation without conditions. The institution is in full compliance with the standards for institutional accreditation. Any follow-up matters are not, in the

judgment of the Regents, of a nature or scope that affects the institution's capacity to maintain adherence to the institutional accreditation standards for the period of accreditation. Recommendations or any follow-up reports relate either to minor compliance matters or to the strengthening of practices that meet the standards of compliance. Accreditation without conditions may be for a period of up to ten years. Accreditation without conditions may apply to institutions seeking initial accreditation or renewal of accreditation.

- Accreditation with conditions. The institution is in substantial compliance with the standards for institutional accreditation. Any areas of non-compliance are not of such nature or scope as to call into question the institution's substantive adherence to the institutional accreditation standards during the term of accreditation. The institution has demonstrated the intent and capacity to rectify identified deficiencies and to strengthen practice in marginally acceptable matters within no more than two years. The institution will be required to take steps to remedy issues raised in the review for accreditation and to provide reports and/or submit to site visits concerning such issues. Accreditation with conditions may be for a period of up to ten years, contingent on a finding of compliance within no more than two years on any areas for deficiency cited in the Regents accreditation action. Accreditation with conditions may apply to institutions seeking initial accreditation or renewal of accreditation.
- Probationary accreditation. Probationary accreditation means accreditation for a set period of time, not to exceed two years, during which the institution shall come into compliance with standards for accreditation through corrective action. During this period, the institution provides documentation of compliance with standards, particularly all standards that were not met at the time of the Regents action. A follow-up visit by Department staff and/or peer reviewers may be required following provision of a required report. Probationary accreditation is only available to institutions seeking renewal of accreditation.
- Denial of accreditation. The institution does not meet standards for institutional accreditation and cannot reasonably be expected to meet those standards within two years. Denial of accreditation may apply to institutions seeking initial accreditation or renewal of accreditation.

## Summary of Selected Policies

- Institutional accreditation for Title IV purposes is the outcome of an application that is separate from application for State authorizations by the Regents and the Commissioner of Education. All determinations about accreditation and renewal of accreditation are based solely on the defined standards and requirements for institutional accreditation set forth in Subpart 4-1 of the Rules of the Board of Regents. Approvals by the Regents and the Commissioner, acting singly or together as a State agency, do not impute accreditation by the Regents and the Commissioner acting as a nationally recognized institutional accrediting agency.

Institutions accredited by the Board of Regents and Commissioner must adhere to the separate and distinct State authorization and institutional accreditation standards and processes. An institution's action to address an accreditation requirement does not serve to address or initiate actions that may be needed for State authorization purposes. Likewise, actions taken to address State authorizations do not initiate actions that may be needed for purposes of Regents institutional accreditation.

*For example*, State authorization and Regents institutional accreditation standards that address the addition of new institutional locations may differ from one another. Institutions are responsible for initiating required actions to maintain compliance with both State authorization and Regents institutional accreditation requirements.

- Denial, non-renewal, or other adverse accreditation action, or voluntary withdrawal by an institution, does not impute loss of State approval.
- In the event of institutional closure, State authorization policies and processes relative to that action do not impute compliance with teach-out requirements of the standards for accreditation.
- Accreditation and renewal of accreditation are not granted to any institution that is under adverse action by another nationally recognized accrediting agency, by the Federal government with respect to Title IV participation, or by the State approval agency.
- Institutions and the Deputy Commissioner of Higher Education may appeal accreditation recommendations of the Advisory Council, as set forth in Part 4 of the Rules of the Board of Regents.

# Institutional Accreditation Self-Study Guide

Degree-granting institutions in New York State may designate the New York State Board of Regents and the Commissioner of Education as their nationally recognized accrediting agency for the purpose of establishing eligibility for student aid funds available under Title IV of the Higher Education Act of 1965, as amended. Institutions receiving such designation must meet the quality standards established by the Regents and the Commissioner of Education for voluntary institutional accreditation. Institutional adherence to these standards is periodically confirmed through a process of institutional self-study and subsequent peer review.

The Office of Higher Education, acting under the authority of the Regents and the Commissioner, has prepared this Self-Study Guide to assist institutions in undergoing a review for purposes of institutional accreditation. The self-study requires an examination of the entire institution and the contributions of its departments to the institution as a whole. The process is intended to help identify areas that need strengthening and suggest future actions as well to assure compliance with accreditation standards.

This guide includes:

- a description of the format for the self-study
- a summary data form
- statements of the applicable standards, "examples of compliance" and "suggested documentation"
- a list of materials commonly used in documentation of the self-study and in the subsequent on-site review (Appendix A)
- specific forms to be used in the self-study (Appendix B)

Because of the distinctiveness of each institution, it is important that the institutional representative coordinating the self-study maintain ongoing communication with the Department's designated review coordinator during all phases of the self-study process.

An institution must assess itself in terms of all applicable sections of the standards for institutional accreditation. Under each standard, or grouping of standards, three responses are requested:

(1) Data: In this section, the institution describes its present status with regard to the standard cited. The statements of "examples of compliance" and "suggested documentation" are intended to assist the institution in its self-assessment of compliance and to identify any areas needing changes, as well as to assist peer reviewers and others assess institutional compliance. Documentation may vary in type and scope, depending on an institution's mission and scope of instruction. The institution may consult with the review coordinator if it has questions about documentation appropriate to its circumstances. Documentation commonly required is cited in Appendices A and B of this self-study guide.

(2) Analysis: In this section, the institution provides a careful and thorough evaluation of its compliance with the standard cited and of the effectiveness of its policies and practices in the area addressed by the standard. It should recognize **both accomplishments and areas for improvement**.

(3) Plans: In this section, the institution presents its plans to build on its strengths and to correct identified weaknesses or matters of non-compliance.

### Suggestions on Organizing the Self-Study

The main narrative of the Self-Study should be concise. Consider providing lengthy evidence and documentation as clearly labeled appendices to the main narrative. This will help reviewers access the information as needed while reading the narrative. Please be prepared to provide the Self-Study in both paper and electronic forms.

Evidence and documentation should be clearly relevant to statements made in the Self-Study narrative. While you may find it necessary in some cases to append a large document (such as a Student Handbook), it would be helpful if the narrative notes the location of the relevant material (e.g., *Appendix C, Student Handbook, page 6*).

Peer reviewers will be writing primarily to the institution's compliance with accreditation standards found in section 4-1.4 of Regents Rules. These are the standards reflected in the Self-Study document. They also have as a reference (but are not limited to) the Self-Study document's "examples of compliance" and "suggested documentation" elements. A clear and accurate self-assessment will help reviewers assess the statements made by the institution. If the team cannot confirm compliance with a standard, it will not assume the standard is met.

# INSTITUTIONAL ACCREDITATION SELF-STUDY GUIDE

## SUMMARY DATA

Name of Institution: \_\_\_\_\_

Address of Main Campus: \_\_\_\_\_

President: \_\_\_\_\_

Contact for this application—Name: \_\_\_\_\_  
\_\_\_\_\_

Address: \_\_\_\_\_

E-mail: \_\_\_\_\_ Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Number of Branch Campuses and additional locations: \_\_\_\_\_: **Attach list with addresses and enrollments. See definition in section 4.-1.2 of the Rules of the Board of Regents.**

Number of Degrees Awarded by Level:  
**(Preceding academic year July 1 - June 30)**

Associate \_\_\_\_\_ Baccalaureate \_\_\_\_\_ First-Professional \_\_\_\_\_

Master's \_\_\_\_\_ Master of Philosophy \_\_\_\_\_ Doctoral \_\_\_\_\_

Number of Faculty: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_  
**(Most recent fall term)**

Total Enrollment:  
**(Most recent fall term)**

Undergraduate: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_

First-Professional: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_

Graduate: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_

First-Year Freshman Enrollment: Full-time \_\_\_\_\_ Part-time \_\_\_\_\_  
**(Most recent fall term)**

Admissions: Completed applications: (a) First Year \_\_\_\_\_ (b) Transfer \_\_\_\_\_

Acceptances: (a) First Year \_\_\_\_\_ (b) Transfer \_\_\_\_\_

**(Most recent fall term undergraduate)**

Requests for financial aid transcripts (in preceding academic year, e.g., Sept. 1 - Aug 31)

(a) By other institutions (N) \_\_\_\_\_

(b) By this institution from other institutions (N) \_\_\_\_\_

Percents of institutional revenues from: (a) TAP \_\_\_\_\_ and (b) Pell \_\_\_\_\_ grant programs **(Preceding academic year or other 12-month reporting period)**

First-Year Undergraduate Persistence: First term to second term (FT only)

Entering Cohort Number (N) \_\_\_\_\_ Continued Second Term \_\_\_\_\_(N) Percent Continuing \_\_\_\_\_

Undergraduate Graduation Rate (in period 50 percent greater than normal program length)

Associate Degree (3 years):

Entering Cohort Year \_\_\_\_\_ Entering Cohort (N) \_\_\_\_\_ Graduates (N) \_\_\_\_\_ Rate (%) \_\_\_\_\_

Baccalaureate Degree (6 years):

Entering Cohort Year \_\_\_\_\_ Entering Cohort (N) \_\_\_\_\_ Graduates (N) \_\_\_\_\_ Rate (%) \_\_\_\_\_

Job Placement Rate: \_\_\_\_\_

Distance education courses

Total courses offered through distance education: \_\_\_\_\_

Total Enrollment in distance education courses

Total programs registered in the distance education format: \_\_\_\_\_

**(Most recent fall term. See definition in section 4.-1.2 (p) of the Rules of the Board of Regents.)**

# Institutional Accreditation Self-Study Guide

- **Standards of Quality**
- **Examples of Compliance**
- **Suggested Documentation**

## **Standard: Institutional mission** (Regents Rules, §4-1.4(a))

The institution shall have a clear statement of purpose, mission, and goals that shall be reflected in the policies, practices, and outcomes of the institution. The statement of mission may include but need not be limited to: the academic purposes of the institution and the institution's commitment to the social and economic context in which the institution operates; the relative roles of teaching, creation and preservation of knowledge, and service; the nature of constituents to be served; and the basis for setting priorities.

### Examples of Compliance:

- Institutional mission and goals are clearly stated in the catalog and other publications.
- The mission statement does not conflict with the institution's charter or authorizations granted by the Regents.
- Institutional goals, objectives, policies, practices, and programs reflect and implement the mission.
- Components of the institution's educational program are consistent in defined objectives and content with stated institutional purpose, mission and goals.
- Members of the institutional community (trustees, administration, faculty, students) are knowledgeable about the institution's mission.
- Institutional and student outcomes are consistent with the institutional mission and goals.
- The institution has a plan and program to assess the effectiveness with which its units and services contribute to the consistent implementation of its mission and goals.
- If the institution offers distance education courses or programs, the institution's distance learning activity is consistent with the institutional mission.

### Suggested Documentation:

- Citations of pertinent statements in catalogs, other publications, and internal documents.
- Syllabi, examinations and other course materials.
- Surveys of members of the institution's community.
- Data on outcomes for students and the institution as a whole.
- Institutional effectiveness assessment plan and program.

- Reports of internal and external reviews of the institution.
- Minutes of trustees, administrative committees, and faculty committees.
- Institutional long-range master plan.
- Statement of mission.
- Statement of institution vision.
- Evidence of reappraisal of mission.
- Evidence that institutional budgets reflect the mission and goals.

Standard: Assessment of student achievement (Regents Rules, §4-1.4(b))

(1) The institution shall prepare and implement a plan for the systematic assessment of its effectiveness in promoting the quality of student achievement and development. The assessment plan shall include but need not be limited to: graduation rates, retention rates and, as pertinent to institutional mission and programs, State licensing examination results and job placement rates. The plan may include other information important to the institution's achievement of its mission, such as transfer rates and the subsequent educational success of its graduates. The institution shall provide to the department on request and in all applications for accreditation and renewal of accreditation, evidence of its implementation of the plan and its effects on the quality of student achievement in relation to its mission and goals.

Examples of Compliance:

- The institution has a comprehensive plan and program to assess its effectiveness in promoting the quality of student achievement and development on a scheduled, periodic basis and has implemented the plan. The institution's plan to assess its effectiveness includes assessment of the outcomes of its educational programs and services and specifically includes student persistence and graduation rates, licensing examination results and job placement rates as applicable to the fields and programs of study, and the institutional policies and practices contributing (or not contributing) to these outcomes.

Suggested Documentation:

- Institutional effectiveness assessment plan and documentation of its implementation.
- Outcomes data on student persistence rate, graduation rate, job placement, and other outcomes including, if applicable, state professional licensing examination results.

(2) The institution shall annually submit to the department:

- (i) timely and accurate statistical information as prescribed by the commissioner;
- (ii) additional specified reports, including data related to graduation rates, State licensing examination results, job placement rates, and other evidence of the quality of student achievement;
- (iii) record of compliance with its program responsibilities under HEA title IV (including student default rate data, and the results of audits and program reviews);

(iv) record of student complaints and their outcomes; and

(v) other information pertaining to an institution's compliance with the standards prescribed in this Subpart, as determined by the department.

Examples of Compliance:

- Annual reports are accurate, complete, and timely.

Suggested Documentation:

- Annual reports provided to the department.

(3)(i) Graduation rates. (Note: State graduation rate data is available at <http://www.highered.nysed.gov/oris/gradrates/>.)

(a) Associate degrees. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution awarding associate degrees that reports an associate degree completion rate more than five percentage points below the mean associate degree completion rate reported by all institutions in the State, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by graduation rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a completion rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(b) Baccalaureate degrees. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution awarding baccalaureate degrees that reports a baccalaureate degree completion rate more than five percentage points below the mean baccalaureate degree completion rate reported by all institutions in the State, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by graduation rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a completion rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(ii) Job placement rates.

(a) Two-year colleges. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers no programs beyond the associate degree that reports job placement rates, including placement in civilian and military

occupations, more than five percentage points below the mean reported by all institutions in the State offering programs no higher than the associate degree level, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a job placement rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(b) Four-year colleges. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers programs at and above the baccalaureate degree that reports job placement rates, including civilian and military occupations, below 80 percent, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve at least an 80 percent job placement rate. Such plan shall be submitted to, and subject to approval by, the commissioner.

(c) Graduate-only institutions. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers no programs below the master's degree that reports job placement rates, including civilian and military occupations, below 80 percent, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve at least an 80 percent job placement rate. Such plan shall be submitted to, and subject to approval by, the commissioner.

#### Examples of Compliance:

- Provision of a satisfactory plan to address any shortfalls in the designated performance measures.

#### Suggested Documentation:

- Written plan, with timelines, to come into compliance with the performance standards.
- Comparison of institutional graduation and job placement data with the New York State Total Trend report:

<http://eservices.nysed.gov/orisre/NYStotalParams.jsp>

**Standard: Programs of study** (Regents Rules, §4-1.4(c))

**(1) Integrity of credit.**

(i) Each course offered for credit by an institution shall be part of a general education requirement, a major requirement, or an elective in a program of study leading to a degree or certificate.

(ii) Credit toward an undergraduate degree shall be earned only for college-level work. Credit toward a graduate degree shall be earned only through work designed expressly for graduate students. Enrollment of secondary school students in undergraduate courses, of undergraduates in graduate courses, and of graduate students in undergraduate courses shall be strictly controlled by the institution.

(iii) The institution, in offering coursework through distance education or correspondence education, must have processes in place to verify that the student who registers in a distance education or correspondence education course or program is the same student who participates in and completes the course and receives the academic credit for the course, using methods that may include but are not limited to a secure login and pass code; proctored examinations; and other technologies and practices that are effective in verifying student identity. Institutions must also use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

(iv) Learning objectives for each course shall be of a level and rigor that warrant acceptance in transfer by other institutions of higher education.

(v) The institution shall assure that credit is granted only to students who have achieved the stated objectives of each credit-bearing learning activity.

**Examples of Compliance:**

- Remedial course work is not credit bearing.
- Coursework for undergraduate credit is college level.
- Course enrollment is strictly controlled by the institution according to level; appropriate prerequisite knowledge is required.
- Credit is granted only for courses that count toward some degree offered by the institution, at least as an elective.
- Credit is granted only for achievement of objectives of all credit-bearing activities; grades and credit are commensurate with demonstrated student attainment of course objectives.
- The length of instructional time and hours of supplementary assignments meet the requirements set forth in §4-1.2(v).
- Registrar audits of program progress and completion are consistent with published requirements for curricula and degrees completion.

- Distance learning courses and programs are expected to produce the same learning outcomes as comparable classroom-based programs.
- The policies and procedures for the verification of student identity in distance education courses are adequate and effective.
- The processes used protect student privacy are judged to be effective and adequate.
- Charges associated with the verification of student identity are clearly identified in publications and presented to students at the time of registration or enrollment.

Suggested Documentation:

- Instructional policy statement and internal guidelines on expectations of effort and level.
- Catalog descriptions of curricula and courses and their prerequisites.
- Comprehensive list of all courses scheduled for a term.
- Written institutional policies regarding enrollment in courses (by level or place in the curriculum).
- Course materials, including general syllabi, instructor course outlines, exam questions, graded student papers.
- Recent self-assessments or external assessments of programs, departments, and general education, as available.
- If the institution offers distance education courses or programs, samples of course websites and grading rubrics; student verification policies and procedures.
- Transcripts, registrar's audits on program progress; degree and program templates for advisors.
- Feedback from students, alumni, employers on attainment of course objectives and needed general skills and knowledge.
- Completed Course Assessment Forms, as indicated by review coordinator.
- Listings of charges and fees in catalog and other publications

(2) Programs of study goals and objectives.

(i) The goals and the objectives of each program of study and the competencies expected of students completing the program shall be clearly defined in writing.

(ii) Each program of study shall show evidence of careful planning. The content and duration of programs of study shall be designed to implement their purposes.

(iii) Course syllabi shall clearly state the subject matter, the learning objectives, and requirements of each course and shall be provided to the students in the course.

Examples of Compliance:

- The curriculum design is coherent, implements the philosophy and purposes of the program, and is aligned with the educational objectives of the program.

- Learning experiences and methods of instruction are consistent with the purposes and objectives of the program.
- Curriculum content proceeds from introductory level to advanced in logical sequence with appropriate breadth, depth, and currency.
- Course outlines/syllabi are clear and comprehensive and include: course objectives; prerequisites; credits allocated; course content and assignments; testing methods; method of assessing student achievement; basis of grade; and bibliographic and other resources related to course; and other course policies.
- There is a record of ongoing and formal periodic review of curricular design, content, and effectiveness in implementing stated purposes, consistent with institutional mission and objectives.
- The same academic standards and requirements are applied to programs offered on campus and through distance learning.

Suggested Documentation:

- Descriptions of curricular objectives and requirements in the catalog and other printed materials, and on-line.
- Feedback from faculty and students regarding the effectiveness of curricula in implementing their purposes and meeting defined objectives.
- Course materials, including syllabi, examinations, and graded student papers.
- Course evaluations by students and peer reviewers.
- Recent formal program evaluations, including assessment by internal committees and by external peer reviewers and/or constituencies.

(3) Assessment of success in achieving the goals and objectives. There shall be a written plan to assess, no less than every five years, the effectiveness of faculty and students in achieving goals and objectives and to promote improvement. Such assessment shall include systematic collection, review and use of quantitative and qualitative information about programs of study, including information that directly addresses learning outcomes, and shall document actions taken to improve student learning and development.

Examples of Compliance:

- Existence of the required plan.

Suggested Documentation:

- Provision of the assessment plan.

(4) Program length, credit, and other requirements for degrees. For each program of study, the institution shall assure that courses will be offered with sufficient frequency to enable students to complete the program within the minimum time for degree completion for each degree level identified in this paragraph.

(i) Associate degree programs shall normally be capable of completion in two academic years of full-time study, or their equivalent in part-time study, with an accumulation of not less than 60 semester hours.

(ii) Baccalaureate degree programs shall normally be capable of completion in four academic years of full-time study, or, in the case of five-year programs, five academic years of full-time study, or their equivalent in part-time study, with an accumulation of not less than 120 semester hours.

(iii) Master's degree programs shall normally require a minimum of one academic year of full-time graduate level study, or its equivalent in part-time study, with an accumulation of not less than 30 semester hours. Research or a comparable occupational or professional experience shall be a component of each master's degree program. The requirements for a master's degree shall normally include at least one of the following: passing a comprehensive test, writing a thesis based on independent research or completing an appropriate special project.

(iv) The master of philosophy degree shall require completion of all requirements for the degree of doctor of philosophy except the dissertation, and shall require that the student have been admitted to candidacy in a doctor of philosophy curriculum offered by the institution conferring the master of philosophy degree.

(v) Doctoral programs shall require a minimum of three academic years of full-time graduate level study after the baccalaureate degree, or their equivalent in part-time study. Doctoral studies shall include the production of a substantial report on original research, the independent investigation of a topic of significance to the field of study, the production of an appropriate creative work, or the verified development of advanced professional skills.

#### Examples of Compliance:

- Courses are offered with sufficient frequency to allow full-time students to complete the program within the minimum time frames set forth in these standards.
- The length of time for part-time students is reasonable, with suggested limits for program completion.
- Associate degree curricula include a minimum of 60 semester hours.
- Associate degree curricula normally require a minimum of two years of full-time study or the equivalent in part-time study.
- Baccalaureate degree curricula include a minimum of 120 semester hours.
- Baccalaureate degree curricula normally require a minimum of four years of full-time study or the equivalent in part-time study.
- Master's degree curricula include a minimum of 30 semester hours.
- Master's degree curricula normally require a thesis, based on independent research, a culminating project, a comprehensive examination, or some combination of same.

- Master of Philosophy curricula include all the requirements for a doctor of philosophy except the dissertation.
- The M. Phil. requires that the student has been admitted to candidacy in a Ph.D. program.
- Doctoral programs include a minimum of three years of full-time graduate study or the equivalent in part-time study.
- Doctoral studies include a dissertation based on original research a comparable significant creative work, or the verified development of advanced professional skills.

Suggested Documentation:

- Catalog descriptions of all courses citing frequency of offering; catalog includes model schedules.
- Institution's analysis for the previous two years confirming the offering of courses with sufficient frequency for timely degree completion.
- Institution's analysis of its use of course substitutions and independent study as an alternative to offering of courses.
- Records of registrar's degree audits of students; student transcripts.
- For a master's degree program that does not require a thesis, a culminating project, a comprehensive examination, or some combination of the same, evidence that the program was registered with such a characteristic.
- Masters and doctoral theses or equivalent papers; comprehensive examinations for graduate degrees.
- Record of institution's reviews of graduate theses or the equivalent, and comprehensive examinations for sufficiency of depth, breadth, and quality of analysis.

**Standard: Faculty** (Regents Rules, §4-1.4(d))

(1) Competence and credentials.

(i) In support of the mission of the institution, all members of the faculty shall have demonstrated by training, earned degrees, scholarship, experience, and by classroom performance or other evidence of teaching potential, their competence to offer the courses and discharge the other academic responsibilities which are assigned to them.

(ii) Faculty members who teach in a program leading to a certificate or undergraduate degree shall hold at least a master's degree in the field in which they teach or a related field, or shall be actively pursuing graduate study in such field or a related field, or shall have demonstrated, in other widely recognized ways, such as completion of relevant education, training and/or experience, their competence in the field in which they teach. Upon request, institutions shall provide documentation to the commissioner confirming that faculty members who do not hold such master's degree or are not pursuing such graduate study have demonstrated competence in the field in which they teach.

(iii) At least one faculty member teaching in each program of study culminating in a baccalaureate degree shall hold an earned doctorate in an appropriate field, unless the commissioner deems that the program is in a field of study in which other standards are appropriate.

(iv) All faculty members who teach within a program of study leading to a graduate degree shall possess earned doctorates or other terminal degrees in the field in which they are teaching or shall have demonstrated, in other widely recognized ways, their special competence in the field in which they direct graduate students. Upon request, institutions shall provide documentation to the commissioner confirming that the faculty members who do not hold such doctorate or terminal degrees have demonstrated special competence in the field in which they direct students.

**Examples of Compliance:**

- Faculty have the documented expertise, including the advanced study and licensure appropriate to the field, to teach each course to which they are assigned and conduct other faculty responsibilities set forth in this Section.
- Faculty members teaching at the certificate, associate degree, and baccalaureate degree levels hold at least a master's degree in an appropriate field or are actively pursuing graduate study and have the necessary background for in-depth teaching, curriculum development, and program evaluation responsibilities. A minimum of one faculty member teaching in each curriculum at the baccalaureate level holds an earned doctorate.
- Faculty members teaching at the graduate level hold earned doctorates or other terminal degrees in their specialty areas. Any faculty members teaching at the graduate level who do not hold an earned doctorate or other terminal degree have significant, widely recognized special competence in the field in

which they teach graduate students as demonstrated by such means as publication record.

- The faculty have college teaching and administrative experience appropriate to their assignments.
- If the institution offers distance education courses or programs, the institution recognizes that teaching in the distance learning environment requires different pedagogical and communication strategies to function effectively.

#### Suggested Documentation:

- Faculty transcripts/resumes; record of professional activity; record of service at the institution, as included in faculty folders and other documents.
- Completed faculty information forms and forms on expected advanced training for particular courses.
- Completed Faculty Profile Forms.
- Faculty handbook, employment agreements and contracts, and other documents with criteria for employment, retention, promotion and tenure; evaluation process and standards, and professional development expectations and support.
- Advertisements for faculty positions.
- Minutes of trustee meetings and administrative and faculty committee meetings related to staffing, curriculum and academic standards.
- Course materials, including syllabi and graded student work.
- Course evaluations by students and peers.
- Institutional self-assessments of the educational program and its components, and their outcomes on staffing.
- Descriptions of and materials from faculty training programs on distance education pedagogy and facilitation.

#### (2) Adequacy to support programs and services.

(i) The faculty shall be sufficient in number to assure breadth and depth of instruction and the proper discharge of all other faculty responsibilities.

(ii) To foster and maintain continuity and stability in academic programs and policies, there shall be in the institution a sufficient number of faculty members who serve full-time at the institution.

(iii) For each program of study the institution shall designate a body of faculty who, with the academic officers of the institution, shall be responsible for setting curricular objectives, for determining the means by which achievement of objectives is measured, for evaluating the achievement of curricular objectives, and for providing academic advice to students.

(iv) The ratio of faculty to students in each course shall be sufficient to assure effective instruction.

### Examples of Compliance:

- The faculty clearly are responsible for the development, implementation, and evaluation of curricular design, for ongoing quality assurance, and advising.
- The number of full- and part-time faculty members is sufficient to assure the consistent attainment of institutional and program objectives with respect to breadth and depth of instruction, timely offering of all courses needed to complete each program, and effective conduct of other academic responsibilities.
- There is a sufficient and appropriate number of ongoing full-time faculty members to assure continuity of leadership and stability in all academic programs, including the development, implementation and evaluation of curricular design, ongoing quality assurance, and advising in all program areas. Any exception to the maintenance of a well-qualified core of ongoing full-time faculty in each program area is thoroughly documented in terms of high qualitative learning outcomes for students as well as the unique nature of the field.
- Class size and the methods of instruction are consistently conducive to effective learning. The size of each class is such as to assure prompt, continual, and substantive feedback on student performance during the course and to assure ongoing faculty accessibility to students in the course. Class size is such that the instructor, or a well-qualified member of the instructional team for the course, has a good working knowledge of each student's strengths and weaknesses in the course and interacts with the student to strengthen performance. Remedial classes have enrollments consistent with intensive, individualized teaching; they are consistently less than 20.
- Course evaluations by students and peers assess whether class size and methods of instruction are conducive to effective learning.

### Suggested Documentation:

- Printouts of courses offered, with class sizes; summary data on class sizes.
- Completed Faculty Profile Form. (See Appendix B.)
- Course grade sheets, as indicated by review coordinator.
- Faculty Information Forms.
- Expected Faculty Expertise Forms.
- Syllabi, examinations, graded student papers, and other course materials
- Continuity of Faculty Form. (See Appendix B.)
- Observations in institutional self-studies of programs and of institutional functioning, and their outcomes.
- Feedback from students, faculty, graduates and others on instructional effectiveness and outcomes.
- Student and peer evaluations of instructors and courses.
- Composition of committees, including academic standards, curriculum, and tenure and promotion.
- Minutes of faculty committees.
- Faculty handbook and other documents addressing (a) academic governance and (b) expectations in teaching.

- Institutional self-studies of optimum class size for effective teaching and the core of full-time faculty needed to assure continuity and stability in programs and policies.
- Data on student/faculty ratios and class size.
- Data on proportion of instruction by full-time faculty.
- Institutional definition of full-time employment for faculty members.

(3) Evaluation and professional responsibilities.

(i) The teaching and research of each faculty member, in accordance with the faculty member's responsibilities, shall be evaluated periodically by the institution. Members of the instructional staff new to the institution shall receive special supervision during the initial period of appointment.

(ii) The institution shall ensure that each member of the faculty is allowed adequate time, in accordance with the faculty member's responsibilities, to broaden professional knowledge, prepare course materials, advise students, direct independent study and research, supervise teaching, participate in institutional governance and carry out other academic responsibilities appropriate to his or her position, in addition to performing assigned teaching and administrative duties.

Examples of Compliance:

- Institutional policy provides for evaluation of faculty members according to an established schedule and procedure; faculty folders reflect adherence to stated policy.
- Orientation and supervision of inexperienced faculty members are carried on during the initial period of appointment; other faculty are evaluated periodically with respect to their teaching and other responsibilities.
- The institution has written policies regarding release time and other support for faculty members pursuing activities which contribute to their professional knowledge and implements them consistently and evenhandedly.
- Faculty workloads are consistent with the skill levels of students and their needs for instructional support, feedback and individual mentoring.
- Faculty workloads permit sufficient time for participation in academic governance, advising, professional development and other designated responsibilities.
- Faculty workloads provide sufficient time for course preparations and for frequent and careful assessments of students' progress, including the development of writing and analytical skills.
- Assignment of maximum faculty teaching loads is consistent with the assessed quality of teaching and with high qualitative learning outcomes for students. Total teaching loads, including overload assignments, take into account the effect of class size and total student load on quality of instruction. Normally, full-time faculty have a teaching load of no more than three separate course preparations.

- The institution has developed and implemented a process for sustaining faculty professional development in distance learning.

Suggested Documentation:

- Written institution policies in faculty handbook, individual or collective contracts or agreements, and other documents, including descriptions of formal systems of faculty evaluation, orientation and supervision of inexperienced faculty, and faculty workloads.
- Materials in faculty folders on evaluation of teaching and other responsibilities.
- Description of advising responsibilities and workloads of faculty and staff, description of basis for assigning advisees.
- Record of faculty development and other professional activities.
- Internal assessments of faculty workload in relation to the quality of student achievement and development.
- Completed Faculty Information Forms and Statements of Expected Expertise. (See Appendix B.)
- Any institutional self-studies on teaching effectiveness.
- Syllabus, examinations, graded student papers and other course materials.

**Standard: Resources** (Regents Rules, §4-1.4(e))

(1) Facilities, equipment, and supplies.

(i) The institution shall provide classrooms, administrative and faculty offices, auditoria, laboratories, libraries, audio-visual and computer facilities, clinical facilities, studios, practice rooms, and other instructional resources sufficient in number, design, condition, and accessibility to support its mission, goals, instruction, programs, and all other educational activities.

(ii) The institution shall provide equipment sufficient in quantity and quality to support administration, instruction, research, and student performance.

**Examples of Compliance:**

- Facilities include an adequate number of well-equipped class, conference, and multimedia/computer rooms, and laboratories, as appropriate to the curricula offered.
- Adequate maintenance and repair of equipment and supplies.
- Adequate faculty office space for meetings with students and course preparations.
- Adequate space and equipment for academic support services and administrative services.
- Compliance with the New York State Uniform Fire Code, or with a local fire code that supersedes it, with applicable local health and sanitation codes, and other licensing requirements.
- Provision of computers and other teaching aids sufficient in number, kind and condition to meet institutional and course objectives.
- There is adequate provision for accessibility by all students.
- The institution has committed sufficient resources to its distance learning programs and services to ensure their effectiveness.
- The institution has in place a comprehensive, viable technology plan for distance learning.

**Suggested Documentation:**

- Summary data on classrooms, laboratories, academic support services, faculty, administrative services and other spaces, and equipment related to the educational program.
- Summary of provisions for accessibility for students; reports on compliance.
- Summary data on computing and other equipment for the educational program and plans for upgrades.
- Maintenance agreements or budget allocations for maintenance and repair of classroom and laboratory equipment.
- Written agreements for provision of facilities or services by other organizations and to other organizations.
- Certificates of occupancy, code, fire, safety, and health compliance, as applicable.

- Technology plans

(2) Library and information resources.

(i) The institution shall provide libraries that possess, maintain, and provide access to print and non-print collections and technology sufficient in depth and breadth to support the mission of the institution and each program of study.

(ii) Libraries shall be administered by professionally trained staff supported by sufficient personnel. Library services and resources shall be available for student and faculty use with sufficient regularity and at appropriate hours and shall support the mission of the institution and its programs of study.

(iii) The institution shall ensure that all students receive instruction in information literacy.

Examples of Compliance:

- The library collection contains print materials, including monographs and serials, and non-print media adequate in breadth and depth to support the institution's mission and curricula, in addition to full-text data bases.
- Professional library staff have master's degrees from accredited library schools.
- Faculty and library staff have mechanisms to collaborate to ensure the adequacy of library resources for academic programs.
- Faculty and students have ready access to the circulation, reference, and reserve collections.
- Professional and support staff are sufficient in number to provide instruction and other services to students and to engage in collection development.
- Library services such as orientation, computer search, and duplicating equipment are available to faculty and students.
- Library seating capacity and hours are adequate to meet the needs of students and faculty.
- Students consistently attain information literacy skills through their use of library resources.
- The institution provides adequate library and information resources, services and support for academic programs, including training on information literacy. These resources and services are accessible at a distance on a timely basis.

Suggested Documentation:

- Statement of library hours for student use.
- Statement of collection development plan and underlying budgeting.
- User studies, statistics, or other qualitative or quantitative measures that assess effectiveness of resources and instruction.
- Summary of library holdings and resources by major program area; list of acquisitions in the last year by program area.

- Minutes of meetings demonstrating collaboration of faculty and library staff.
- Summary of materials placed on reserve for courses in the fall term of the academic year of the site visit.
- Resumes of full- and part-time professional staff; summary of staffing during hours of operation.
- Summary of seating capacity and computers for student use.
- Summary of access to databases and other information available through library computers.
- Any written agreements or contracts for sharing information resources with other library organizations or networks.
- Summary of instruction in information accessing and library use skills in the term preceding the accreditation site visit; provision of instructional materials.
- Course materials documenting training in information literacy.
- Analysis of library holdings of materials cited under bibliographic resources in course syllabi.
- Evidence of support for the institution's mission in the library's holdings and services.
- Instructions for students on accessing library materials and resources.
- Evidence of the integration of library instruction with coursework.

(3) Fiscal capacity. The institution shall possess the financial resources necessary for the consistent and successful accomplishment of its mission and objectives at the institutional, program and course levels.

Examples of Compliance:

- The institution demonstrates an acceptable score on the Federal Test of Financial Responsibility and meets all other federal criteria for determining if the institution may participate in the Title IV student aid programs.
- The institution's certified audits and other data indicate ongoing capacity to carry out its educational mission effectively and in compliance with these accreditation standards.

Suggested Documentation:

- Institutional budget for the current year; monthly cash flow for the 12 months preceding provision of the self-study.
- Certified financial audits for the three most recent fiscal years.
- Documentation of expenditures supporting the institution's mission, goals, and objectives.

**Standard: Administration** (Regents Rules, §4-1.4(f))

(1) Responsibilities.

(i) Responsibility for the administration of institutional policies and programs shall be clearly established.

(ii) Within the authority of its governing entity, the institution shall provide that overall educational policy and its implementation are the responsibility of the institution's faculty and academic officers. Other appropriate segments of the institutional community may share in this responsibility in accordance with the norms developed by each institution.

(iii) Academic policies applicable to each course, including learning objectives and methods of assessing student achievement, shall be made explicit by the instructor at the beginning of each term.

(iv) The institution shall provide academic advice to students through faculty or appropriately qualified persons. The institution shall assure that students are informed at stated intervals of their progress and remaining obligations in the completion of the program.

(v) The institution shall maintain for each student a permanent, complete, accurate, and up-to-date transcript of student achievement at the institution. This document will be the official cumulative record of the student's cumulative achievement. Copies shall be made available at the student's request, in accordance with the institution's stated policies, or to agencies or individuals authorized by law to review such records.

(vi) The institution shall not be in violation of State and/or Federal statute, where such violation demonstrates incompetence and/or fraud in the management of the institution in the judgement of the commissioner.

**Examples of Compliance:**

- Responsibilities for all institutional functions and services are clearly established and known to all affected constituencies through publication and timely notice.
- Communication channels are clearly established and follow established organizational structure in educational governance and administrative services; communication is open.
- Institutional organization and services, and the institution's program for assessing institutional functioning, are effectively focused on maximizing the quality of student achievement and development.
- Faculty and academic officers are actively engaged in and responsible for the setting of curricular and academic standards.
- Students, advisory committee members, and other representatives of the college community have an opportunity to share in the responsibility of educational governance.

- Academic policies are made explicit by instructors at the beginning of each course.
- A course outline has been developed for each course that includes learning objectives; prerequisites; credits allocated; methods of instruction; course content and assignments; means of assessing student achievement; basis of grades; bibliographic and other resources related to course; and other course policies.
- Students are formally informed of their progress, including all grades and cumulative grade point average, throughout each term.
- Faculty and other staff with advisement responsibilities are regularly and conveniently available to students for academic and career planning advisement.
- Copies of cumulative transcripts and assessments of remaining academic requirements and other obligations are available to students on request.
- Transcripts are kept current and accurately reflect student achievement; they include a key to the meaning of symbols, abbreviations, calculations; there are satisfactory provisions for security.
- The institution has and adheres to procedures and criteria for entries on and changes to academic transcripts.
- Courses taken at other colleges and accepted for credit are included on the transcript.
- Transcripts clearly differentiate between credit and non-credit courses.
- Transcripts include term and cumulative grade point averages.
- Policies on recording of grades, including those for repeated courses, changes in grades, and other aspects of recording and calculating student attainment adhere to sound, widely accepted professional practices.
- The institution has clearly identified a single office or officer with responsibility for assuring the quality of all distance education across the institution.
- The institution ensures the administration of its distance learning programs by knowledgeable personnel with adequate time and resources to accomplish this task.

Suggested Documentation:

- For Regents-chartered institutions, and as available for proprietary institutions, by-laws of the board of trustees and minutes of their meetings.
- Organizational charts of the institution's structure; description of responsibilities of senior staff; description of responsibilities of committees responsible for assuring institutional effectiveness.
- Written policies concerning curriculum development, evaluation, and revision.
- Minutes of faculty and administrative committees responsible for academic governance.
- Sample transcripts, advisement worksheets, and degree audit worksheets.
- Compendium or handbook of policies relating to student records, including recording of student progress and records retention.
- Institutional effectiveness assessment plan or its equivalent.
- Self-assessments of academic programs or administrative services in the last three years, and their outcomes.

- Description of the institution's resource allocation process and criteria.
- Course syllabi.

(2) Published policies. The institution shall establish, publish and enforce explicit policies with respect to:

(i) academic freedom;

(ii) the rights and privileges of full-time and part-time faculty and other staff members, working conditions, opportunity for professional development, workload, appointment and reappointment, affirmative action, evaluation of teaching and research, termination of appointment, redress of grievances and faculty responsibility to the institution; and

(iii) requirements for admission of students to the institution and to specific programs of study, requirements for residence, graduation, awarding of credit, degrees or other credentials, grading, standards of progress, payment of fees of any nature, refunds, withdrawals, standards of conduct, disciplinary measures and redress of grievances.

Examples of Compliance:

- Clear and reasonable policies are published and in effect for each of the above items; policies are consistent with applicable governmental requirements; policies meet widely accepted professional expectations of "even-handedness" and "fairness."

Suggested Documentation:

- Catalogs and brochures, student handbook, faculty handbook, contracts and other pertinent publications; reference to pertinent publications and pages for each item.
- Record of complaints and their resolutions.

**Standard: Support services (Regents Rules, §4-1.4(g))**

(1) The institution shall assure that whenever and wherever the institution offers courses as part of a program of study it shall provide adequate support services, taking into account its mission and the needs of its students.

(2) Institutions that admit students with academic deficiencies shall provide sufficient supplemental academic services to enable them to make satisfactory progress toward program completion.

**Examples of Compliance:**

- The institution adequately assesses the skill levels of all entering degree students and addresses any needs for the development of college-level skills, including the areas of writing, literacy, computing, time management, and analytical thinking, that are consistent with the institution's educational mission.
- The institution provides the academic and other support services, including but not limited to tutoring and personal and career counseling, that students may need to succeed in the programs to which they have been admitted.
- The institution provides adequate advising and program planning services to support its academic programs.
- The institution has procedures to assess the effectiveness of its support services in meeting students' needs.
- If the institution admits English language learners, it provides adequate instruction in English as a Second Language (ESL) to enable such students to undertake college level study in English.
- The institution provides physical resources commensurate with the scope and fields of instruction and learning needs of the students.
- The institution provides distance learners with adequate academic support, including academic advisement, technical support, and other student support services normally available on campus.

**Suggested Documentation:**

- Samples of any tests or other diagnostic tools used for student assessment, together with the meaning of scores, and the resulting placements and/or other outcomes in accordance with test results.
- Citation of written policies and procedures regarding academic advising, placement, and other student support services; a summary of staffing for these services; a summary record of services provided in the academic year preceding the review visit.
- If childcare is operated by the institution, record of its licensure.
- Assessment of services provided to a sample of 15-30 "at risk" students.
- Descriptions of special strategies and programs to strengthen student persistence, and their outcomes.
- Instructions for students on accessing student services and resources, including access for students at a distance.

**Standard: Admissions** (Regents Rules, §4-1.4(h))

(1) The admission of students shall be determined through an orderly process using published criteria consistent with the institution's mission that shall be uniformly applied.

(2) Admissions shall take into account both the capacity of the student to undertake a course of study and the capacity of the institution to provide the instructional and other support the student needs to complete the program.

(3) Among other considerations and consistent with its mission, the institution shall take measures to increase enrollment in academic programs at all degree levels by persons from groups historically underrepresented in such programs.

(4) An institution shall not refuse a student's request for transfer of credit based solely upon the source of accreditation of the sending institution, where the sending institution is institutionally accredited for title IV purposes by an accrediting agency recognized by the U.S. Secretary of Education for such purposes.

**Examples of Compliance:**

- Admissions criteria are fully and accurately described in the catalog and other admissions literature.
- The institution adheres to published admission criteria and policies for admitting only those students capable of completing the course of study to which they apply, given the instructional and other support it provides.
- The institution effectively places all admitted students in courses and services consistent with their assessed skill and knowledge.
- The institution identifies groups historically underrepresented in college programs and encourages the enrollment of students from those groups.
- The institution identifies any special educational needs of students, including students with disabilities, and makes appropriate provisions for meeting those needs.
- Availability of documentation that remediation, other college skills, and developmental programs are effective.
- Social, psychological, health, financial, and academic counseling services are available to students and are effective.
- The admissions and registration processes are readily accessible to distance students, and materials clearly describe how access is obtained.

**Suggested Documentation:**

- Data on number of applications, acceptances, and students enrolled for the most recent academic years together with demographic and academic profile of admitted students for the most recent fall term including such demographic

elements as age, gender, racial/ethnic distribution, and geographic origin of students and such academic elements as grade point averages and admission test scores, as pertinent.

- Admissions criteria as published in catalog; supplemental written materials describing assessment standards and policies.
- Written advanced placement policies and challenge opportunities.
- Written guidelines on providing academic assistance to students in need of remediation; documentation of practice.
- Sample of admission files.
- Data, including institutional self-studies, on the success/failure of students who have completed remedial coursework.
- Catalog and other published materials indicating availability of social, psychological, health, financial, and academic counseling services.
- Statement of materials that normally are included in a student folder.
- Provision of a sample of student academic records, as indicated by review coordinator.
- Procedures for identifying and addressing special educational needs of admitted students.
- Data on the number of persons from historically underrepresented groups recruited by, applying to, and accepting and enrolling at the institution; discussion of policy and strategies employed.

**Standard: Consumer information (Regents Rules, §4-1.4(i))**

(1) The following information shall be included in all catalogs of the institution:

(i) Information shall be provided on financial assistance available to students, costs of attending the institution, the refund policy of the institution, and the instructional programs and other related aspects of the institution. Information shall include programs of financial assistance from State, Federal, institutional and other sources. Information on the institution's standards of progress shall be disclosed, if different from those utilized for State student financial aid programs.

(ii) Cost of attending the institution for each of the cost categories listed below shall be provided. Estimates, so indicated, may be used where exact figures are unavailable or inappropriate. Where summary information is provided, an institutional office where detailed information can be obtained shall be identified.

(a) Tuition and fees. Information shall be provided on all assessments against students for direct educational and general purposes. A brief description of the purpose of any mandatory fee shall be included if the purpose of such fee is not apparent from its name. Course fees and lab fees shall be clearly identified. Conditions under which nonmandatory fees need not be paid shall be clearly stated.

(b) Books and supplies. Estimated costs of textbooks, books, manuals, consumable supplies and equipment, which a student should possess as a necessary corollary to instruction, shall be provided. Separate estimates shall be provided for major program categories for which such costs vary more than 25 percent from the average for the entire institution.

(c) Room and board. Costs of housing and food services operated by the institution shall be provided where such services are available. Estimated costs of similar accommodations available in the community shall also be provided. These figures shall be consistent with estimated student budgets prepared by the institution's financial aid office.

(d) Other living expenses. Estimated cost of personal expenses applicable to students devoting primary efforts to pursuit of educational objectives shall be provided. This estimate shall be consistent with similar figures defined by the institution's financial aid office.

**Examples of Compliance:**

- Tuition and mandatory course and laboratory fees are clearly identified. Conditions under which non-mandatory fees need not be paid are clearly stated.
- Estimated costs of textbooks, manuals, consumable supplies and equipment that a student should possess are provided.

- Costs of housing and food services operated by the institution are provided. Estimated costs of similar accommodations available in the community are also provided.
- Estimated cost of personal expenses applicable to students devoting primary efforts to pursuit of educational objectives is provided.

Suggested Documentation:

- Catalogs; citation of pages in self-study.
- Other public documents, e.g., viewbooks, website.

(iii) The institution shall state its policy and requirements on student withdrawal from the institution and its policy and requirements concerning refunds due to failure of students to complete an academic term for any reason. The policy shall include the percentage or amount of tuition, fees, institution-operated room and board, and other assessments to be refunded after specified elapsed periods of time.

Example of Compliance:

- The institution has a clearly stated and published refund policy that includes the percentage or amount of tuition, fees, institution-operated room and board charges, and other assessments to be refunded after specified elapsed periods of time.

Suggested Documentation:

- Catalogs; citation of pages in self-study
- Other public documents, e.g., viewbooks, website.

(iv) The instructional programs of the institution shall be described accurately.

(a) Degree, certificate and diploma programs. A list of degree, certificate and diploma programs shall be provided. The list shall be consistent with the inventory of registered degree and certificate programs maintained by the department. The list shall contain at least the official approved program title, degree, HEGIS code number, and shall be preceded by a statement that enrollment in other than registered or otherwise approved programs may jeopardize a student's eligibility for certain student aid awards.

(b) Program descriptions. Each degree, certificate or diploma program shall be described in terms of program objectives, prerequisites and requirements for completion.

(c) The academic year in which each instructional offering (course) is expected to be taught shall be indicated.

(d) Program-related facilities. A general description of instructional, laboratory and other facilities directly related to the academic program shall be provided, in

addition to general information describing the total physical plant. Narrative and/or statistical information shall be provided about library collections and facilities, student unions, and institution-operated eating-places. Hours of operation, including holiday and vacation schedules, shall be provided.

(e) Faculty and other instructional personnel. Regular resident faculty shall be listed by rank, with the highest degree held by the faculty member and the institution by which such degree was granted, full-time or part-time status, and department or major program area to which such member is assigned. An estimated number of adjunct faculty and teaching assistants in each department or major program area shall be provided.

(f) Recruiting and admission practices. The process and criteria for the recruitment and admission of students to the institution and to specific programs of study, as required by subparagraph (f)(2)(iii) of this section and by subdivision (h) of this section, shall be published.

(g) Transfer of credit. The process and criteria for accepting transfer of credit from other institutions shall be publicly disclosed and include a statement of the criteria established by the institution regarding the transfer of credit earned at another institution of higher education and a list of the institutions with which the institution has established articulation agreements.

(h) Academic calendar. The academic calendar of the institution, and of specific programs of study, if different, shall be published.

(i) Grading. The grading policy of the institution, and of specific programs of study, if different, shall be published.

(j) Student retention and graduation. Information on student retention and graduation rates shall be provided based on a summary of the most recent cohort survival statistics (e.g., percentages of those students enrolled at the end of the spring term, percentages of freshman classes that graduate in four, five and six years) available to the institution for at least full-time undergraduates. Statistics shall be computed in a manner consistent with data reported to the department through its higher education data system.

(k) Outcomes for former students. Summaries of employment outcomes, advanced study, and student professional and occupational licensing examination results compiled by or provided to the institution shall be provided. The student cohort year or years, or date of examinations shall be included. Data displays on employment outcomes shall be by major or discrete curricular area.

(v) Information shall be provided on the institution's code of conduct for students and any disciplinary measures that may be applied to a student for a violation of such conduct, with a description of the institution's student disciplinary process.

(2) Institutions that produce a multi-year catalog may use an annual printed addendum to update the information in the catalog or, if the catalog is also

online, a website update. All print and online catalogs shall be archived annually, and archived copies shall be retained permanently.

(3) The institution shall demonstrate that it continuously assesses the effectiveness of its efforts to provide students and prospective students with timely, accurate, and complete consumer information.

Examples of Compliance:

- Programs are accurately listed according to title, degree, and HEGIS code.
- Programs are described in terms of both prerequisites and requirements for completion.
- The academic year in which each course is expected to be taught is included.
- Instructional, laboratory, and other facilities directly related to the academic program are described.
- Information about hours of operation of the institution's services, including the library and food services, is provided.
- Faculty are listed by rank, indicating the highest degree held by each faculty member, the institution which granted the highest degree, and the program area to which the faculty member is assigned.
- An estimated number of adjunct faculty and teaching assistants in each department or major program is provided.
- Admissions criteria and procedures are fully described in the institution's catalogs.
- The academic calendar is published in the catalog.
- The institution's academic policies including its grading policies are published.
- Information on graduation rates and retention is provided.
- Summaries of job placement statistics and information on other activities of former students compiled by the institution are available.
- Distance education courses and programs are clearly and accurately represented in written and other materials, and include the nature of the learning experience, program and faculty responsibilities, the nature of interaction opportunities, techniques and requirements.
- Materials describing distance education courses and programs define any specific student background, knowledge, and/or technical skills needed to undertake and successfully complete distance education courses and/or programs, and list required and recommended technical equipment and software.
- The institution's transfer of credit policy lists the criteria for awarding credit earned at another institution.
- The institution maintains a publicly accessible list of other institutions with which articulation agreements have been established.

Suggested Documentation:

- Catalogs; citation of pages in self-study.
- Other public documents, e.g., viewbooks, website.

#### (4) Advertising.

(i) Advertising conducted by or on behalf of an institution shall not be false, misleading, deceptive, or fraudulent and shall be consistent with the provisions of article 22-A of the General Business Law. Advertising and promotional material shall not leave false, misleading, or exaggerated impressions of the institution, its personnel, its facilities, its courses and services, or the occupational opportunities of its graduates.

(ii) The primary emphasis of all advertisements and promotional literature shall be the educational services offered by the institution. Such advertising and promotional literature shall clearly indicate that education, not employment, is being offered by the institution.

(iii) Statements and representations in all forms of advertising and promotion shall be clear, current, and accurate. To the extent that statements of facts are made, such statements shall be restricted to facts that can be substantiated. Materials to support statements and representations in advertising and promotion shall be kept on file and shall be available for review by the department.

(iv) Any endorsement or recommendation shall include the author's identity and qualifications and shall be used only with the author's consent. No remuneration of any kind for any such endorsement or recommendation shall be paid for such endorsement or recommendation.

(v) References to the New York State Board of Regents in any advertisement or promotional literature shall comply with the requirements of section 13.11 of this Title and subdivision (m) of this section.

#### Examples of Compliance:

- Students are recruited based on factual and accurate information about the institution.
- Financial aid is not the sole enrollment incentive used to recruit students, and aid available only at the institution is distinguished from aid available at most institutions.
- When recruiting students, representatives of the institution state clearly their credentials, purpose, and position or affiliation with the institution; such recruiters are either volunteers or paid employees of the institution and are not paid on the basis of numbers of students recruited.
- All advertisements, promotional literature and recruitment activities focus primarily on the educational services offered by the institution.
- The institution accurately characterizes its recognition by the New York State Board of Regents.

#### Suggested Documentation:

- Advertising and other promotional materials.

**Standard: Student complaints** (Regents Rules, §4-1.4(j))

(1) The institution shall establish, publish, and consistently administer internal procedures to receive, investigate, and resolve student complaints related to the standards prescribed in this Subpart.

(2) The institution may have informal means by which students can seek redress of their complaints.

(3) The institution shall have a formal complaint procedure that shall include, but need not be limited to: steps a student may take to file a formal complaint; reasonable and appropriate time frames for investigating and resolving a formal complaint; provision for the final determination of each formal complaint to be made by a person or persons not directly involved in the alleged problem; and assurances that no action will be taken against the student for filing the complaint.

(4) The institution shall maintain adequate documentation about each formal complaint and its disposition for a period of at least six years after final disposition of the complaint. Assessment of the disposition and outcomes of complaints shall be a required component of any self-study required by this Subpart and shall be a consideration in any review for accreditation or renewal of accreditation.

**Examples of Compliance:**

- The institution has formal procedures for students to file complaints and seek redress of grievances consistent with the requirements of this section. The procedures protect the rights of the student and provide for a fair hearing with adequate assurance that no action will be taken against the student for filing the complaint.
- The institution maintains adequate documentation of its handling of all formal complaints for at least six years after the final disposition of the complaint.

**Suggested Documentation:**

- Catalogs, student handbooks, or other publications widely available to students stating complaint policy and procedures; citation of pages in the self-study.
- Record of any complaints in previous two years.

**Standard: HEA Title IV program responsibilities (Regents Rule 4-1.4 (k))**

(1) An institution shall have a procedure in place to ensure that it is in compliance with its program responsibilities under title IV of the HEA and shall maintain a record describing such procedure.

(2) An institution shall maintain a record of its compliance with its program responsibilities under title IV of the HEA over the previous 10 years, unless the department determines that there is good cause for a shorter records retention period. This record shall include: student default rate data provided annually to the secretary by the institution; financial or compliance audits conducted annually by the secretary; and program reviews conducted periodically by the secretary. The institution shall submit information from this record of compliance to the department on a periodic basis as determined by the department.

**Examples of Compliance:**

- The institution has a procedure in place to ensure its compliance with its responsibilities to participate in Title IV student aid programs.
- The institution maintains a record describing its compliance, including student default rate data; financial or compliance audits conducted by the Secretary; and program reviews conducted by the Secretary.

**Suggested Documentation:**

- Written procedures indicating methods of complying with Title IV responsibilities.
- Record of compliance, including Federal audits.
- Student default rates in most recent three years.

**Standard: Teach-out plans and agreements (Regents Rules, §4-1.4(I))**

(1) Institutions are required to submit for approval to the accrediting agency a teach-out plan upon the occurrence of any of the following events:

(i) the Board of Regents receives notification by the Secretary of Education that the secretary has initiated an emergency action against an institution, or an action to limit, suspend, or terminate an institution participating in any title IV program of the Higher Education Act, and that a teach-out plan is required;

(ii) the Board of Regents acts to withdraw, terminate, or suspend the accreditation of the institution;

(iii) the institution notifies the Board of Regents that it intends to cease operations or close a location that provides one hundred percent of at least one program; or

(iv) another state's licensing or authorizing agency notifies the Board of Regents that an institution's license or legal authorization to provide an educational program has been or will be revoked.

(2) An institution's teach-out plan must ensure that it provides for the equitable treatment of students pursuant to criteria established by the commissioner and the Board of Regents and that the plan specifies additional charges, if any, and provides for notification to the students of any additional charges.

(3) As part of its teach-out plan, the institution must submit any teach-out agreement that an institution has entered into with another institution or institutions for approval. To be approved, such agreement shall:

(i) be between or among institutions that are accredited or pre-accredited by a nationally recognized accrediting agency;

(ii) ensure that the teach-out institution(s) has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonable similar in content, structure and scheduling to that provided by the closed institution;

(iii) ensure that the institution will remain stable, carry out its mission, and meet all obligations to existing students; and

(iv) ensure that the teach-out institution(s) can provide student access to the program and services without requiring them to move or travel substantial distances.

**Examples of Compliance:**

- Any teach-out agreement has been approved by the department.

- Any teach-out agreement shall be with an accredited institution or institutions, is consistent with applicable standards and regulations, and meets obligations to existing students.
- The teach-out institution has the necessary experience, resources, and support services to provide a comparable educational program.
- The teach-out plan does not require students to move or travel substantial distances to have access to the program(s) and services.
- The teach-out plan assures the equitable treatment of students and addresses the requirements set forth in the standard.
- The institution informs the students about any additional charges as a result of the teach-out plan.

Suggested Documentation:

- Teach-out plan, if applicable.

**Standard: Public disclosure of accreditation status** (Regents Rules, §4-1.4 (m))

An institution that elects to disclose its accreditation status shall disclose such status accurately and identify in its disclosure the specific academic and instructional programs covered by that status and information identifying the New York State Board of Regents and the New York State Commissioner of Education as its institutional accrediting agency. Such information shall include the address and telephone number of the department. The disclosure shall be consistent with the requirements of section 13.11 of this Title.

Examples of Compliance:

- The institution's statement of its accreditation status is accurate and up-to-date.
- Suggested statement: *(Name of Institution) is accredited by the New York State Board of Regents and Commissioner of Education. Contact information: New York State Education Department, Office of College and University Evaluation, 89 Washington Avenue, Albany, NY 12234. Telephone number: (518) 474-1551*

Suggested Documentation:

- Published materials that cite the institution's accreditation by the commissioner and the Regents; citation of the pages in the self-study.

## Self-Study Appendix A: Suggested Documentation

The institution's Self-Study should be supported by documentation that confirms the statements made in the Study. Please consider this guidance along with the "Suggested Documentation" items in the Self-Study template. Documents that are referenced/summarized in the Self-Study narrative (such as handbooks, minutes, contracts) may be appended to that narrative. Reminder: if the team cannot confirm compliance with a standard, it will not assume the standard is met.

The following lists show a typical distribution of items to be sent in advance and those that can be provided on site. The institution may provide additional or alternative items as relevant to its operations. It may consult with the Department's Review Coordinator if it has questions. At least three weeks prior to the visit, each team member receives the completed Self-Study. Copies of all materials sent to team members are also to be available on site.

Note: the review coordinator and/or members of the peer review team may identify additional materials to be sent in advance of the visit. Additional requests may be made on site at the time of the visit. Representatives of the institution should be available to respond to such inquiries.

**In general, the following items should be sent in advance as part of the Self-Study narrative or its appendices:**

1. Copy of organizational chart; list of senior administrators and descriptions of their responsibilities.
2. Copy of by-laws and/or other documents describing institutional governance, including trustee responsibilities, and institutional purposes and goals. Self-study reports in last three years dealing with general issues of institutional mission, goals and effectiveness.
3. Undergraduate admissions profiles (a) academic: (e.g., high school rank in class distributions, GPA, SAT, ACT, or ability to benefit scores, ESL and other placement score distributions, etc.) and (b) demographic (e.g., age, gender, ethnic/racial, income distributions). Graduate admissions profiles by undergraduate grade point average distribution and graduate or professional assessment tests (GRE, LSAT, GMAT, etc.). Data for most recent fall term.
4. Retention, graduation, placement statistics, licensing examination results (pass rates), advanced study, transfers, and other outcomes data. Results of employment and graduate "satisfaction surveys."
5. Note: The New York State Total Trend report displays totals of major indicators such as tuition, enrollment, persistence and graduation by Sector and Level:

<http://eservices.nysed.gov/orisre/NYStotalParams.jsp>

6. Copy of student handbook or other materials that describe student obligations, standards of conduct, disciplinary measures, redress of grievances, and due process (including handling of complaints).

7. Copy of faculty handbook or other materials that describe standards for appointment, reappointment, promotion and tenure; professional responsibilities; professional development; termination; redress of grievances; faculty responsibility to the institution.
8. Copy of faculty collective bargaining contract (if applicable); blank copy of individual faculty contracts or employment agreements for full-and part-time faculty.
9. Blank copy of course and faculty evaluation forms used by students, peers, and administrators.
10. Schedule of courses offered at the time of the visit and for the term prior to the visit (all times, formats, locations). Schedule should indicate which courses are offered through distance learning, if applicable.
11. Sample course outlines/syllabi. (All syllabi should be available on site.)
12. Completed Faculty Profile, Faculty Continuity, Course Review, and Individual Faculty Information Forms (See Appendix B).
13. The two most recent certified audits; institutional budget for current year; other compliance audits related to HEA Title IV compliance (last three years); monthly cash flow report for 12 months preceding submission of the self-study. **Send two copies of each to review coordinator only.**
14. List of materials normally in a student's file; blank copy of forms, generic letters, etc.
15. List of materials normally in a faculty member's file; copy of blanks of forms.
16. Current catalog(s), annotated to show (a) recent changes in senior staff and full-time faculty personnel, and (b) pages stating required consumer information, noting the requirement being addressed.
17. Description of recent or planned changes in curriculum, academic services and policies related to academic performance or progress of students.
18. Description of measures/services to improve student performance and persistence, including scope and assessed outcomes of particular services.
19. Study of a specific sample of undergraduate students (15 to 30) admitted in the "at risk" category (if any): achievement levels and issues on entry, performance and outcomes following entry; a description of institutional interventions/services; and analysis of what, if anything, might have been done differently.
20. List of diagnostic and placement tests for first-time undergraduate students with scores for admissions or placement options and numbers in each group. Copy of blank forms.
21. Admissions and marketing literature used in all media in the last year.
22. Summary of library/resource center print holdings, access to databases, and other resources.

23. Copy of any current institutional effectiveness plan, or the equivalent.
24. Updated annual data report form, data for current term or preceding term if visit is less than one month after start of current term

**The following items should be available on site:**

1. Minutes of trustee meetings; minutes of faculty governance committees (including academic standards, curriculum, tenure and promotion). Minutes of meetings of academic units within the institution, (departments, divisions, schools) as indicated by review coordinator. Provide for last three years.
2. Any special reports to trustees, institution-wide committees, or senior administrators on academic issues (e.g., general education, grading practices) related to institutional effectiveness. Provide for last three years.
3. Packets of materials for a sample of courses, including syllabus/course outline; final grade roster; final examination questions; graded student papers (15 alphabetically based on final grade roster); copy of title page and table of contents of principal texts; completed Faculty Information Form (See Appendix B); and completed Statement of Expertise Form (see Appendix B).
4. Copies of recent self-studies for other nationally recognized accrediting agencies and the subsequent reports of the accrediting agencies (last 3 years); compliance and audit reports by public agencies (last 3 years).
5. Advertisements for faculty and professional staff positions in the last year.
6. For baccalaureate programs, senior essays as available. For graduate programs, master's theses, essays, projects; doctoral thesis proposals and completed theses; comprehensive examination questions.
7. Most recent institutional profile reports to voluntary organizations, such as the College Board, Peterson's Guides, or U.S. News and World Report, the Common Data Form, or comparable forms.
8. Sample transcripts of the prior year's graduates (15, alphabetically; personal identification should be removed).
9. List of students in their last term of study for their degree; transcripts and degree audits of students in this group (first 15, alphabetically; personal identification should be removed).
10. List of evaluative/compliance reports prepared for external organizations in the 18 months prior to the date of the institutional accreditation visit. Include reports that are pertinent to one or more of the standards for institutional accreditation
11. List of evaluation/compliance reports received from external organizations or reviewers in the 18 months prior to the date of the institutional accreditation visit. Include reports that are pertinent to one or more of the standards for institutional accreditation.

## Self-Study Appendix B: Faculty Forms

- **Faculty Profile Form (institution-wide)**
- **Faculty Continuity Form (institution-wide)**
- **Faculty Information Form (individual)**
- **Statement of Expertise Form (individual)**

These reports or similar institution-prepared reports should be available to the site visit team. A representative sample should be attached as an appendix to the Self-Study document.

FACULTY PROFILE FORM

1. Complete a form for each term or semester in the preceding academic year.
2. At end of table, provide an unduplicated total count of faculty in each column.

Curricula (If many programs, cluster by major discipline areas). Separate programs by degree level (associate, bachelor's, etc.)	Degree Awarded	Tot al No.	Full-time				Prof. License in Field (e.g., CPA) <sup>1</sup>	Total No.	Part-time				Prof. License in Field (e.g., CPA) <sup>1</sup>	Name of Director or Coordinator of Curriculum
			Highest Earned Degree						Highest Earned Degree					
			Doc.	Mast	First Prof <sup>2</sup>	Other degrees			Doc.	Mast	First Prof <sup>2</sup>	Other degrees		

<sup>1</sup>Count may duplicate degrees

<sup>2</sup>Examples of first professional degrees: J.D., M.D., D.D.S., D.C., Pharm.D.

## FACULTY CONTINUITY FORM

(Number of Faculty for each of the most recent four quarters)

Time Teaching at Institution	Full time* (continuous service)	Part time* (total terms of service **)
Less than 1 term		
One full term to one year		
1 year but less than 3 years		
3 years but less than 5 years		
5 years but less than 7 years		
7 years but less than 9 years		
9 or more Years		

\*Define full and part time here or reference pertinent pages in Faculty or Employee Handbook.

\*\*Two terms equal one year.

Note any atypical instances of faculty service.

## FACULTY INFORMATION FORM

**Directions:** Form to be completed for faculty designated by the department's review coordinator.

**Note:** Some items may be completed by reference to an attached resume

Date: \_\_\_\_\_ Institution: \_\_\_\_\_

Name: \_\_\_\_\_ Department: \_\_\_\_\_

Years at Institution: \_\_\_\_\_ FT (new) \_\_\_\_\_ PT (new) \_\_\_\_\_ Tenured? (Yes or No) \_\_\_\_\_

Institution has no tenure system \_\_\_\_\_

1. CURRENT RESPONSIBILITIES AT THIS INSTITUTION:

a. Teaching

Teaching This Term: (list each section)	Credits	Approx Enroll	Location if not main campus	Day(s) and time Offered

b. Advising: Number of Advisees: Undergraduate \_\_\_\_\_ Graduate \_\_\_\_\_

c. Other Assignments/Responsibilities (committees, etc., in last three years):

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2. CURRENT RESPONSIBILITIES AT OTHER COLLEGES/SCHOOLS, COMPANIES, AGENCIES, ETC.

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3. EDUCATION: (starting with most recent)

<u>Degree</u>	<u>Institution</u>	<u>Date Received</u>	<u>Major/ Specialization</u>	<u>Title of Research</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

4. OTHER PROFESSIONAL TRAINING/EXPERIENCE RELATED TO COURSES LISTED ABOVE

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5. PRIOR TEACHING EXPERIENCES: (starting with those most pertinent to current teaching assignments at this institution)

<u>Institution</u>	<u>Subjects</u>	<u>Dates</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

6. ACTIVITY IN PROFESSIONAL ASSOCIATIONS:

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7. PUBLICATIONS:

- a. Most Significant
- b. Recent (last 3-5 years)

8. OTHER SIGNIFICANT PROFESSIONAL ACCOMPLISHMENTS

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9. EVALUATION OF TEACHING AND OTHER RESPONSIBILITIES BY COLLEGE

- a. What are this institution's policies on evaluation of faculty?
- b. Describe this institution's support of your professional development in the past five years.

## STATEMENT OF EXPERTISE FORM

Institution's Statement of Faculty Expertise that Should Underlie Specific Courses

**Directions:** Form to be completed only for courses designated by the Department's review coordinator.

Course: \_\_\_\_\_ Course Number: \_\_\_\_\_

Attach course description from catalog. Include statement of expected prerequisite courses or knowledge.

### Expected Faculty Expertise

1.     Minimum Degree(s)                      Acceptable Field(s) of Degree  
       \_\_\_\_\_  
       \_\_\_\_\_  
       \_\_\_\_\_
  
2.     Coursework/formal training needed as a specific knowledge foundation in field to teach course content with sufficient breadth, depth and currency. For example, if the course is Calculus I, indicate coursework or advanced knowledge beyond Calculus I needed to demonstrate sufficient expertise, in the institution's view.  
       \_\_\_\_\_  
       \_\_\_\_\_  
       \_\_\_\_\_  
       \_\_\_\_\_
  
3.     Any comparable alternative basis of content knowledge and how documented.  
       \_\_\_\_\_  
       \_\_\_\_\_  
       \_\_\_\_\_  
       \_\_\_\_\_
  
4.     Other expertise and skills needed to teach course content.  
       \_\_\_\_\_

# Other Applications and Reports: Annual Reporting and Substantive Changes

## Required Annual Reporting

Institutions accredited by the Board of Regents are required under Section 4-1.3(f) of the Rules of the Board of Regents (“Rules”) to file an annual data report. Failure to provide this report, or other reports required by the State Education Department, will result in a finding of noncompliance with the standards of quality for institutional accreditation, as defined under section 4-1.4(b)(2) of the Rules.

The Department will send the annual data report near the end of the calendar year. In addition, the latest version of the annual report form will be available at

<http://www.highered.nysed.gov/ocue/accred/accred-forinstitutions.htm> .

## Applying for a Change in Scope of Accreditation Due to “Substantive Change”

### Overview

Section 4-1.5(d) of Regents Rules defines actions that require a change in the scope of an institution’s accreditation. It also describes the process for considering such substantive changes.

#### **Important:**

These Rules address Regents institutional accreditation requirements; they are designed to comply with Federal requirements for accrediting agencies. Accreditation definitions and standards are distinct from, **and may differ from**, State requirements for institutional authorization and program registration.

For example, Regents Rules on institutional accreditation define the term “additional location.” (section 4-1.2) This is **not** the same as the off-campus locations defined for institutional authorization and program registration purposes (section 50.1 of Commissioner’s Regulations).

### What Constitutes a Substantive Change?

Substantive change means:

- (i) any change in the established mission or objectives of the institution;
- (ii) any change in the legal status, form of control, or ownership of the institution;
- (iii) the addition of courses or programs that represent a significant departure from the existing offerings of educational programs, or method of delivery, from those that were offered when the department last evaluated the institution for accreditation;
- (iv) the addition of courses or programs of study at a degree or credential level different from that which is included in the institution's current accreditation;
- (v) a change from clock hours to credit hours;

- (vi) a substantial increase in the number of clock hours or credit hours awarded for successful completion of a program;
- (vii) the establishment of an additional location or branch campus, as such terms are defined in section 4-1.2 of this Subpart;
- (viii) if the accreditation granted to the institution enables the institution to seek eligibility to participate in title IV, HEA programs, the entering into a contractual agreement with an entity not certified to participate in title IV, HEA programs, that offers more than 25 percent of one or more of the institution's program of study;
- (ix) the establishment of an additional location at which the institution offers at least 50 percent of an educational program;
- (x) the acquisition of any other institution or any program or location of another institution; or
- (xi) the addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their program of study.

### **Requirement to Apply for Change in Scope of Accreditation**

A Regents-accredited institution that initiates a substantive change is required to apply to the agency for a change in the scope of its accreditation.

### **State Authorizations Must Occur First**

Under Regents Rules 4-1.3(a)(1), "The institution shall be in compliance with State standards prescribed in this Title, including but not limited to section 3.47, and Parts 50, 52, 53 and 54 of this Title...."

These "State authorization" references encompass the State institutional authorization and program registration requirements under which New York institutions of higher education operate, regardless of institutional accreditation status. ***This stipulation requires that any relevant State authorizations/registrations occur BEFORE Regents institutional accreditation actions.***

#### ***Important:***

State authorization and program registration actions do not constitute notification or application for a change in scope of institutional accreditation. State authorization and Regents institutional accreditation processes are separate and distinct, in keeping with Federal requirements.

### **No Retroactive Approvals**

The effective date of any substantive change shall be the date of the commissioner and Board of Regents determination of an approved accreditation substantive change. By Regents Rule and Federal requirement, such changes may not be retroactive.

### **Site Visits and Comprehensive Reviews**

The agency may conduct a site visit in connection with the review of any proposed substantive change. Site visits are ***required*** to establish branch campuses; additional locations; and changes in ownership that effect a change in control of the institution.

In addition, the Department may conduct a comprehensive review or a compliance review (as defined under section 4-1.5 of Regents Rules) at its discretion for good cause based on (but not limited to) information provided in an application for a change in scope of accreditation; significant growth at the institution; complaints relating to the institution's compliance with state or accreditation standards; adverse or probationary actions taken by other recognized accrediting agencies; federal or state financial aid audits, reviews, or actions; loss of financial viability; loss of state approval; inadequate student performance; and/or other developments that suggest the basis for the institution's previous recognition may no longer provide evidence of the institution's capacity to comply with accreditation standards.

### **Application Content**

Consistent with requirements in Regent Rules, an application for a change in scope of accreditation should focus on demonstrating that the proposed change does not adversely affect the institution's capacity to meet accreditation standards. Frame your responses to the application items in those terms. You may find it useful to consider the examples of compliance associated with each standard in the self-study guide (found in the Accreditation Handbook).

### **Draft Substantive Change Review Report**

The department shall prepare a draft report on the substantive change assessing compliance and provide a copy to the institution. The institution shall be given the opportunity to respond in writing to the draft report within 30 days of the date it was transmitted by the department.

### **Substantive Change Review Report**

The department shall send to the institution the determination by the deputy commissioner concerning the change in the scope of accreditation, together with the substantive change review report. Such determination and report shall address whether the institution has met the standards set forth in this Subpart, and any comments by the institution concerning the draft review report.

### **Approval of Change in Scope of Accreditation**

The Commissioner and Board of Regents make the determination concerning approval or disapproval of the institution's application for a change in the scope of accreditation, and shall provide the institution with written notification indicating the approval and inclusion of the substantive change in the institution's grant of accreditation. As noted previously, the effective date of any substantive change shall be the date of the Commissioner and Board of Regents' determination of an approved substantive change. Under Regents Rules, that date may not be retroactive.

### **Denial of Change in Scope of Accreditation**

Decisions to deny a change in the scope of accreditation may be appealed in keeping with section 4-1.5(d)(8) of Regents Rules.

### **Application for a Change in Scope of Accreditation**

Visit [www.highered.nysed.gov/ocue/accred/accred-forinstitutions.htm](http://www.highered.nysed.gov/ocue/accred/accred-forinstitutions.htm) to download an application for a change in scope of institutional accreditation.

# Appendix 1: Regents Rules

## Part 4 Regents Accreditation, Subpart 4-1 Voluntary Institutional Accreditation for Title IV Purposes<sup>2</sup>

### Section 4-1.1 Purpose.

The purpose of this Subpart is to establish standards and procedures that must be met by institutions of higher education voluntarily seeking institutional accreditation for purposes of title IV of the Higher Education Act of 1965, as amended, by the Commissioner of Education and the Board of Regents as a nationally recognized accrediting agency.

### Section 4-1.2 Definitions.

As used in this Subpart:

(a) Accreditation means the status of public recognition that the Commissioner of Education and the Board of Regents grant to an educational institution that meets the standards and requirements prescribed in this Subpart.

(b) Accreditation action means accreditation, accreditation with conditions, probationary accreditation, approval of substantive changes in the scope of accreditation, and denial, revocation, or termination of accreditation.

(c) Accreditation with conditions means accreditation that requires the institution to take steps to remedy issues raised in a review for accreditation, and provide reports and/or submit to site visits concerning such issues, provided that such issues do not materially affect the institution's substantial compliance with the standards and requirements for accreditation.

(d) Adverse action or adverse accreditation action means suspension, withdrawal, denial, revocation, or termination of accreditation or pre-accreditation.

(e) Additional location means a location of an institution geographically apart from the main campus, other than a branch campus, at which the institution offers at least 50 percent of an educational program.

(f) Advisory council means the Regents Advisory Council on Institutional Accreditation established pursuant to section 3.12 of this Title.

(g) Branch campus means a location of an institution that is geographically apart and independent of the main campus of the institution, meaning that the location is permanent in nature, offers courses in educational programs leading to degrees or certificates authorized by the department, has its own faculty and administrative or supervisory organization, and has its own budgetary and hiring authority.

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<sup>2</sup> Copied February 6, 2014 from <http://www.dos.ny.gov/info/nycrr.html>. The latest version of the Rules is available through that site.

- (h) Certificate means a credential issued by an institution in recognition of the completion of a registered curriculum other than one leading to a degree.
- (i) Correspondence education shall mean education provided through one or more courses by an institution under which the institution provides instructional materials, by mail or electronic transmission, including examinations on the materials, to students who are separated from the instructor. Interaction between the instructor and the student is limited, is not regular and substantive, and is primarily initiated by the student and is typically self-paced.
- (j) Course means an organized series of instructional and learning activities dealing with a subject.
- (k) Curriculum or program or program of study means the formal educational requirements necessary to qualify for certificates or degrees.
- (l) Credit means a unit of academic award applicable towards a degree offered by the institution.
- (m) Degree means an academic award listed in section 3.50 of this Title.
- (n) Department means the Education Department of the State of New York.
- (o) Deputy commissioner means the Deputy Commissioner for Higher Education of the State Education Department.
- (p) Distance education means education that uses one or more of the following technologies to deliver instruction to students who are separated from the instructor and to support regular and substantive interaction between the students and the instructor, either synchronously or asynchronously:
- (1) the internet;
  - (2) one-way and two-way transmissions through open broadcast, closed circuit, cable, microwave, broadband lines, fiber optics, satellite, or wireless communications devices;
  - (3) audioconferencing; or
  - (4) video cassettes, DVDs, and CD-ROMs, if the cassettes, DVDs, or CD-ROMs are used in a course in conjunction with any of the technologies listed in paragraphs (1) through (3) of this subdivision.
- (q) Higher Education Act or HEA means the Higher Education Act of 1965, as amended.
- (r) Institution of higher education or institution means an institution authorized by the Regents to confer degrees.
- (s) Probationary accreditation means accreditation for a set period of time, not to exceed two years, during which the institution shall come into compliance with standards for accreditation through corrective action.

(t) Principal center means the location of the principal administrative offices and instructional facilities of an institution of higher education.

(u) Secretary means the United States Secretary of Education.

(v) Semester hour means a credit, point, or other unit granted for the satisfactory completion of a course which requires at least 15 hours (of 50 minutes each) of instruction and at least 30 hours of supplementary assignments, or the equivalent as approved by the commissioner.

(w) State means New York State.

(x) Teach-out agreement means a written agreement between or among institutions that are accredited or pre-accredited by a nationally recognized accrediting agency that provides for the equitable treatment of students if one of those institutions stops offering an educational program before all students enrolled in that program have completed the program.

(y) Teach-out plan shall mean a written plan that provides for the equitable treatment of students if an institution or an institutional location that provides 100 percent of at least one program ceases to operate prior to all students completing their program of study. A teach-out plan may include a teach-out agreement between institutions.

### **Section 4-1.3 General requirements and provisions.**

(a) General requirements. To meet the requirements for institutional accreditation and the renewal of existing institutional accreditation, the institution shall meet the requirements in each of the following paragraphs:

(1) State standards. The institution shall be in compliance with State standards prescribed in this Title, including but not limited to section 3.47, and Parts 50, 52, 53 and 54 of this Title. The institution shall be authorized to confer at least one degree and have at least one program that is registered pursuant to Part 52 of this Title.

(2) Standards for accreditation. The institution shall meet the standards of quality for institutional accreditation as prescribed in section 4-1.4 of this Subpart.

(3) Other requirements for accreditation. The institution shall meet all other requirements of this Subpart, including but not limited to the requirements of this section and the procedural requirements set forth in section 4-1.5 of this Subpart.

(b) Duration of accreditation. Accreditation shall be for a term of 10 years unless otherwise limited to a lesser period for good cause as determined by the commissioner and the Board of Regents, based upon a review conducted pursuant to this Subpart. The term of accreditation may be extended by the commissioner on one or more occasions for a period not to exceed 12 months on each occasion for good cause as determined by the commissioner, including but not limited to inability to conduct site visits because of unforeseen events and the department's plan to coordinate a site visit with a site visit by another accrediting agency.

(c) Scope of accreditation. The institution's accreditation shall include the principal center, branch campuses and additional locations that exist at the time accreditation is granted, unless otherwise limited. Such accreditation shall not include substantive changes, as defined in section 4-1.5(d) of this Subpart, made after accreditation is granted. Accreditation action is required to include each such substantive change, as prescribed in section 4-1.5(d) of this Subpart.

(d) Enforcement of standards.

(1) If the review of an institution under the standards prescribed in this section and section 4-1.4 of this Subpart; including such review which may be initiated by one or more complaints against the institution, or a financial or compliance audit or program review conducted by the U.S. Secretary of Education relating to the institution's HEA title IV program responsibilities, or an adverse action or a placement on probation by another nationally recognized accrediting agency, among other reasons; indicates that the institution is not in compliance with any such standard, the commissioner and the Board of Regents shall either:

(i) immediately initiate adverse action against the institution; or

(ii) require the institution to take appropriate corrective action to bring itself into compliance with such standards within a time period that shall not exceed:

(a) 12 months, if the longest program offered by the institution is less than one year in length;

(b) 18 months, if the longest program offered by the institution is at least one year, but less than two years in length; or

(c) two years, if the longest program offered by the institution is at least two years in length.

(2) The corrective action period may be extended for a maximum period of 12 months at the discretion of the commissioner and the Board of Regents upon good cause shown, including but not limited to, an adequate showing by the institution that it has a reasonable explanation for not meeting the standard during the corrective action period and that it has a plan acceptable to the department to meet the standard within a reasonable time period.

(3) An institution that is required to take corrective action pursuant to subparagraph (1)(ii) of this subdivision shall receive probationary accreditation for such period of corrective action.

(4) An institution that is applying for accreditation with the commissioner and the Board of Regents for the first time shall not be eligible to receive probationary accreditation.

(e) Use of information.

(1) Information obtained by the department pursuant to an institutional accreditation review may be used by the department for State actions, including but not limited to program registration actions as prescribed in Part 52 of this Title.

(2) Information obtained by the department in relation to such State actions may be used by the department for purposes of institutional accreditation.

(3) Information provided to the department by the secretary concerning the institution's compliance with its HEA title IV program responsibilities, including but not limited to annual student default rate data, financial or compliance audits conducted annually by the secretary, and program reviews conducted periodically by the secretary, shall be a consideration in a review for accreditation or renewal of accreditation, or in an enforcement review.

(f) Reporting requirements.

(1) An institution shall notify and obtain the commissioner and the Board of Regents' approval of any substantive change, as defined in section 4-1.5(d) of this Subpart before the department will include the substantive change in the scope of accreditation it previously granted to the institution.

(2) The institution shall submit data reports on a timetable and in a form prescribed by the department.

(3) The institution shall notify the department of any denial, withdrawal, suspension, revocation or termination of accreditation or pre-accreditation by another nationally recognized accrediting agency against the institution or any of its programs within 72 hours after receiving official notification of that action by providing to the department a copy of the action.

(g) Adverse action by a State agency or a nationally recognized accrediting agency. Except as otherwise provided in subdivision (h) of this section, the commissioner and the Board of Regents shall not grant initial or a renewal of accreditation to an institution, or a program offered by an institution, if the commissioner and the Board of Regents knows, or has reasonable cause to know, that the institution is the subject of:

(1) a pending or final action against the institution or a program at such institution by a State agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide postsecondary education in the State;

(2) a decision by a nationally recognized accrediting agency to deny accreditation or preaccreditation;

(3) a pending or final action brought by a nationally recognized accrediting agency to suspend, revoke, withdraw, or terminate the institution's accreditation or preaccreditation; or

(4) probation or an equivalent status imposed by a recognized agency.

(h) If the commissioner and the Board of Regents learn that an accredited institution, or an institution that offers a program it accredits, is the subject of an adverse action by another recognized accrediting agency or has been placed on probation or an equivalent status by another recognized agency, the commissioner and the Board of Regents shall promptly review its

accreditation through the compliance review procedure in section 4-1.5 of this Subpart to determine if it should also take adverse action or place the institution on probation. The commissioner and the Board of Regents shall only grant accreditation or a renewal of accreditation to an institution described in subdivision (g) of this section if the institution satisfactorily meets the standards of the compliance review procedure described in section 4-1.5 of this Subpart. If the commissioner and the Board of Regents grant accreditation or a renewal of accreditation after a compliance review, the commissioner and the Board of Regents shall provide to the U.S. Secretary of Education, within 30 days of its action, a thorough and reasonable explanation, consistent with its standards, why the action of the other body does not preclude the grant of accreditation or renewal of accreditation.

#### **Section 4-1.4 Standards of quality for institutional accreditation.**

(a) **Institutional mission.** The institution shall have a clear statement of purpose, mission, and goals that shall be reflected in the policies, practices, and outcomes of the institution. The statement of mission may include but need not be limited to: the academic purposes of the institution and the institution's commitment to the social and economic context in which the institution operates; the relative roles of teaching, creation and preservation of knowledge, and service; the nature of constituents to be served; and the basis for setting priorities.

(b) **Assessment of student achievement.**

(1) The institution shall prepare and implement a plan for the systematic assessment of its effectiveness in promoting the quality of student achievement and development. The assessment plan shall include but need not be limited to: graduation rates, retention rates and, as pertinent to institutional mission and programs, State licensing examination results and job placement rates. The plan may include other information important to the institution's achievement of its mission, such as transfer rates and the subsequent educational success of its graduates. The institution shall provide to the department on request and in all applications for accreditation and renewal of accreditation, evidence of its implementation of the plan and its effects on the quality of student achievement in relation to its mission and goals.

(2) The institution shall annually submit to the department:

(i) timely and accurate statistical information as prescribed by the commissioner;

(ii) additional specified reports, including data related to graduation rates, State licensing examination results, job placement rates, and other evidence of the quality of student achievement;

(iii) record of compliance with its program responsibilities under HEA title IV (including student default rate data, and the results of audits and program reviews);

(iv) record of student complaints and their outcomes; and

(v) other information pertaining to an institution's compliance with the standards prescribed in this Subpart, as determined by the department.

(3)(i) Graduation rates.

(a) Associate degrees. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution awarding associate degrees that reports an associate degree completion rate more than five percentage points below the mean associate degree completion rate reported by all institutions in the State, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by graduation rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a completion rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(b) Baccalaureate degrees. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution awarding baccalaureate degrees that reports a baccalaureate degree completion rate more than five percentage points below the mean baccalaureate degree completion rate reported by all institutions in the State, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by graduation rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a completion rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(ii) Job placement rates.

(a) Two-year colleges. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers no programs beyond the associate degree that reports job placement rates, including placement in civilian and military occupations, more than five percentage points below the mean reported by all institutions in the State offering programs no higher than the associate degree level, according to the most recent information available to the department, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve a job placement rate not lower than five percentage points below the mean. Such plan shall be submitted to, and subject to approval by, the commissioner.

(b) Four-year colleges. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers programs at and above the baccalaureate degree that reports job placement rates, including civilian and military occupations, below 80 percent, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve at least an 80 percent job placement rate. Such plan shall be submitted to, and subject to approval by, the commissioner.

(c) Graduate-only institutions. If, in the judgement of the commissioner, there is a sufficient cohort of students, based on the most recent data submitted to the department, an institution whose mission includes the preparation of students for employment and that offers no programs below the master's degree that reports job placement rates, including civilian and military occupations, below 80 percent, shall prepare and submit a plan to improve student achievement as measured by job placement rates. Such plan shall include but need not be limited to: strategies and timelines to achieve at least an 80 percent job placement rate. Such plan shall be submitted to, and subject to approval by, the commissioner.

**(c) Programs of study.**

**(1) Integrity of credit.**

(i) Each course offered for credit by an institution shall be part of a general education requirement, a major requirement, or an elective in a program of study leading to a degree or certificate.

(ii) Credit toward an undergraduate degree shall be earned only for college-level work. Credit toward a graduate degree shall be earned only through work designed expressly for graduate students. Enrollment of secondary school students in undergraduate courses, of undergraduates in graduate courses, and of graduate students in undergraduate courses shall be strictly controlled by the institution.

(iii) The institution, in offering coursework through distance education or correspondence education, must have processes in place to verify that the student who registers in a distance education or correspondence education course or program is the same student who participates in and completes the course and receives the academic credit for the course, using methods that may include but are not limited to a secure login and pass code; proctored examinations; and other technologies and practices that are effective in verifying student identity. Institutions must also use processes that protect student privacy and notify students of any projected additional student charges associated with the verification of student identity at the time of registration or enrollment.

(iv) Learning objectives for each course shall be of a level and rigor that warrant acceptance in transfer by other institutions of higher education.

(v) The institution shall assure that credit is granted only to students who have achieved the stated objectives of each credit-bearing learning activity.

**(2) Programs of study goals and objectives.**

(i) The goals and the objectives of each program of study and the competencies expected of students completing the program shall be clearly defined in writing.

(ii) Each program of study shall show evidence of careful planning. The content and duration of programs of study shall be designed to implement their purposes.

(iii) Course syllabi shall clearly state the subject matter, the learning objectives, and requirements of each course and shall be provided to the students in the course.

(3) Assessment of success in achieving the goals and objectives. There shall be a written plan to assess, no less than every five years, the effectiveness of faculty and students in achieving goals and objectives and to promote improvement. Such assessment shall include systematic collection, review and use of quantitative and qualitative information about programs of study, including information that directly addresses learning outcomes, and shall document actions taken to improve student learning and development.

(4) Program length, credit, and other requirements for degrees. For each program of study, the institution shall assure that courses will be offered with sufficient frequency to enable students to complete the program within the minimum time for degree completion for each degree level identified in this paragraph.

(i) Associate degree programs shall normally be capable of completion in two academic years of full-time study, or their equivalent in part-time study, with an accumulation of not less than 60 semester hours.

(ii) Baccalaureate degree programs shall normally be capable of completion in four academic years of full-time study, or, in the case of five-year programs, five academic years of full-time study, or their equivalent in part-time study, with an accumulation of not less than 120 semester hours.

(iii) Master's degree programs shall normally require a minimum of one academic year of full-time graduate level study, or its equivalent in part-time study, with an accumulation of not less than 30 semester hours. Research or a comparable occupational or professional experience shall be a component of each master's degree program. The requirements for a master's degree shall normally include at least one of the following: passing a comprehensive test, writing a thesis based on independent research or completing an appropriate special project.

(iv) The master of philosophy degree shall require completion of all requirements for the degree of doctor of philosophy except the dissertation, and shall require that the student have been admitted to candidacy in a doctor of philosophy curriculum offered by the institution conferring the master of philosophy degree.

(v) Doctoral programs shall require a minimum of three academic years of full-time graduate level study after the baccalaureate degree, or their equivalent in part-time study. Doctoral studies shall include the production of a substantial report on original research, the independent investigation of a topic of significance to the field of study, the production of an appropriate creative work, or the verified development of advanced professional skills.

**(d) Faculty.**

**(1) Competence and credentials.**

(i) In support of the mission of the institution, all members of the faculty shall have demonstrated by training, earned degrees, scholarship, experience, and by classroom performance or other evidence of teaching potential, their competence to offer the courses and discharge the other academic responsibilities which are assigned to them.

(ii) Faculty members who teach in a program leading to a certificate or undergraduate degree shall hold at least a master's degree in the field in which they teach or a related field, or shall be actively pursuing graduate study in such field or a related field, or shall have demonstrated, in other widely recognized ways, such as completion of relevant education, training and/or experience, their competence in the field in which they teach. Upon request, institutions shall provide documentation to the commissioner confirming that faculty members who do not hold such master's degree or are not pursuing such graduate study have demonstrated competence in the field in which they teach.

(iii) At least one faculty member teaching in each program of study culminating in a baccalaureate degree shall hold an earned doctorate in an appropriate field, unless the commissioner deems that the program is in a field of study in which other standards are appropriate.

(iv) All faculty members who teach within a program of study leading to a graduate degree shall possess earned doctorates or other terminal degrees in the field in which they are teaching or shall have demonstrated, in other widely recognized ways, their special competence in the field in which they direct graduate students. Upon request, institutions shall provide documentation to the commissioner confirming that the faculty members who do not hold such doctorate or terminal degrees have demonstrated special competence in the field in which they direct students.

(2) Adequacy to support programs and services.

(i) The faculty shall be sufficient in number to assure breadth and depth of instruction and the proper discharge of all other faculty responsibilities.

(ii) To foster and maintain continuity and stability in academic programs and policies, there shall be in the institution a sufficient number of faculty members who serve full-time at the institution.

(iii) For each program of study the institution shall designate a body of faculty who, with the academic officers of the institution, shall be responsible for setting curricular objectives, for determining the means by which achievement of objectives is measured, for evaluating the achievement of curricular objectives, and for providing academic advice to students.

(iv) The ratio of faculty to students in each course shall be sufficient to assure effective instruction.

(3) Evaluation and professional responsibilities.

(i) The teaching and research of each faculty member, in accordance with the faculty member's responsibilities, shall be evaluated periodically by the institution. Members of the instructional staff new to the institution shall receive special supervision during the initial period of appointment.

(ii) The institution shall ensure that each member of the faculty is allowed adequate time, in accordance with the faculty member's responsibilities, to broaden professional knowledge, prepare course materials, advise students, direct independent study and research, supervise teaching, participate in institutional governance and carry out other academic responsibilities appropriate to his or her position, in addition to performing assigned teaching and administrative duties.

**(e) Resources.**

(1) Facilities, equipment, and supplies.

(i) The institution shall provide classrooms, administrative and faculty offices, auditoria, laboratories, libraries, audio-visual and computer facilities, clinical facilities, studios, practice rooms, and other instructional resources sufficient in number, design, condition, and accessibility to support its mission, goals, instruction, programs, and all other educational activities.

(ii) The institution shall provide equipment sufficient in quantity and quality to support administration, instruction, research, and student performance.

(2) Library and information resources.

(i) The institution shall provide libraries that possess, maintain, and provide access to print and non-print collections and technology sufficient in depth and breadth to support the mission of the institution and each program of study.

(ii) Libraries shall be administered by professionally trained staff supported by sufficient personnel. Library services and resources shall be available for student and faculty use with sufficient regularity and at appropriate hours and shall support the mission of the institution and its programs of study.

(iii) The institution shall ensure that all students receive instruction in information literacy.

(3) Fiscal capacity. The institution shall possess the financial resources necessary for the consistent and successful accomplishment of its mission and objectives at the institutional, program and course levels.

**(f) Administration.**

**(1) Responsibilities.**

(i) Responsibility for the administration of institutional policies and programs shall be clearly established.

(ii) Within the authority of its governing entity, the institution shall provide that overall educational policy and its implementation are the responsibility of the institution's faculty and academic officers. Other appropriate segments of the institutional community may share in this responsibility in accordance with the norms developed by each institution.

(iii) Academic policies applicable to each course, including learning objectives and methods of assessing student achievement, shall be made explicit by the instructor at the beginning of each term.

(iv) The institution shall provide academic advice to students through faculty or appropriately qualified persons. The institution shall assure that students are informed at stated intervals of their progress and remaining obligations in the completion of the program.

(v) The institution shall maintain for each student a permanent, complete, accurate, and up-to-date transcript of student achievement at the institution. This document will be the official cumulative record of the student's cumulative achievement. Copies shall be made available at the student's request, in accordance with the institution's stated policies, or to agencies or individuals authorized by law to review such records.

(vi) The institution shall not be in violation of State and/or Federal statute, where such violation demonstrates incompetence and/or fraud in the management of the institution in the judgement of the commissioner.

(2) Published policies. The institution shall establish, publish and enforce explicit policies with respect to:

(i) academic freedom;

(ii) the rights and privileges of full-time and part-time faculty and other staff members, working conditions, opportunity for professional development, workload, appointment and reappointment, affirmative action, evaluation of teaching and research, termination of appointment, redress of grievances and faculty responsibility to the institution; and

(iii) requirements for admission of students to the institution and to specific programs of study, requirements for residence, graduation, awarding of credit, degrees or other credentials, grading, standards of progress, payment of fees of any nature, refunds, withdrawals, standards of conduct, disciplinary measures and redress of grievances.

**(g) Support services.**

(1) The institution shall assure that whenever and wherever the institution offers courses as part of a program of study it shall provide adequate support services, taking into account its mission and the needs of its students.

(2) Institutions that admit students with academic deficiencies shall provide sufficient supplemental academic services to enable them to make satisfactory progress toward program completion.

**(h) Admissions.**

(1) The admission of students shall be determined through an orderly process using published criteria consistent with the institution's mission that shall be uniformly applied.

(2) Admissions shall take into account both the capacity of the student to undertake a course of study and the capacity of the institution to provide the instructional and other support the student needs to complete the program.

(3) Among other considerations and consistent with its mission, the institution shall take measures to increase enrollment in academic programs at all degree levels by persons from groups historically underrepresented in such programs.

(4) An institution shall not refuse a student's request for transfer of credit based solely upon the source of accreditation of the sending institution, where the sending institution is institutionally accredited for title IV purposes by an accrediting agency recognized by the U.S. Secretary of Education for such purposes.

**(i) Consumer information.**

(1) The following information shall be included in all catalogs of the institution:

(i) Information shall be provided on financial assistance available to students, costs of attending the institution, the refund policy of the institution, and the instructional programs and other related aspects of the institution. Information shall include programs of financial assistance from State, Federal, institutional and other sources. Information on the

institution's standards of progress shall be disclosed, if different from those utilized for State student financial aid programs.

(ii) Cost of attending the institution for each of the cost categories listed below shall be provided. Estimates, so indicated, may be used where exact figures are unavailable or inappropriate. Where summary information is provided, an institutional office where detailed information can be obtained shall be identified.

(a) Tuition and fees. Information shall be provided on all assessments against students for direct educational and general purposes. A brief description of the purpose of any mandatory fee shall be included if the purpose of such fee is not apparent from its name. Course fees and lab fees shall be clearly identified. Conditions under which nonmandatory fees need not be paid shall be clearly stated.

(b) Books and supplies. Estimated costs of textbooks, books, manuals, consumable supplies and equipment, which a student should possess as a necessary corollary to instruction, shall be provided. Separate estimates shall be provided for major program categories for which such costs vary more than 25 percent from the average for the entire institution.

(c) Room and board. Costs of housing and food services operated by the institution shall be provided where such services are available. Estimated costs of similar accommodations available in the community shall also be provided. These figures shall be consistent with estimated student budgets prepared by the institution's financial aid office.

(d) Other living expenses. Estimated cost of personal expenses applicable to students devoting primary efforts to pursuit of educational objectives shall be provided. This estimate shall be consistent with similar figures defined by the institution's financial aid office.

(iii) The institution shall state its policy and requirements on student withdrawal from the institution and its policy and requirements concerning refunds due to failure of students to complete an academic term for any reason. The policy shall include the percentage or amount of tuition, fees, institution-operated room and board, and other assessments to be refunded after specified elapsed periods of time.

(iv) The instructional programs of the institution shall be described accurately.

(a) Degree, certificate and diploma programs. A list of degree, certificate and diploma programs shall be provided. The list shall be consistent with the inventory of registered degree and certificate programs maintained by the department. The list shall contain at least the official approved program title, degree, HEGIS code number, and shall be preceded by a statement that enrollment in other than registered or otherwise approved programs may jeopardize a student's eligibility for certain student aid awards.

(b) Program descriptions. Each degree, certificate or diploma program shall be described in terms of program objectives, prerequisites and requirements for completion.

(c) The academic year in which each instructional offering (course) is expected to be taught shall be indicated.

(d) Program-related facilities. A general description of instructional, laboratory and other facilities directly related to the academic program shall be provided, in addition to general information describing the total physical plant. Narrative and/or statistical information shall be provided about library collections and facilities, student unions, and institution-operated eating-places. Hours of operation, including holiday and vacation schedules, shall be provided.

(e) Faculty and other instructional personnel. Regular resident faculty shall be listed by rank, with the highest degree held by the faculty member and the institution by which such degree was granted, full-time or part-time status, and department or major program area to which such member is assigned. An estimated number of adjunct faculty and teaching assistants in each department or major program area shall be provided.

(f) Recruiting and admission practices. The process and criteria for the recruitment and admission of students to the institution and to specific programs of study, as required by subparagraph (f)(2)(iii) of this section and by subdivision (h) of this section, shall be published.

(g) Transfer of credit. The process and criteria for accepting transfer of credit from other institutions shall be publicly disclosed and include a statement of the criteria established by the institution regarding the transfer of credit earned at another institution of higher education and a list of the institutions with which the institution has established articulation agreements.

(h) Academic calendar. The academic calendar of the institution, and of specific programs of study, if different, shall be published.

(i) Grading. The grading policy of the institution, and of specific programs of study, if different, shall be published.

(j) Student retention and graduation. Information on student retention and graduation rates shall be provided based on a summary of the most recent cohort survival statistics (e.g., percentages of those students enrolled at the end of the spring term, percentages of freshman classes that graduate in four, five and six years) available to the institution for at least full-time undergraduates. Statistics shall be computed in a manner consistent with data reported to the department through its higher education data system.

(k) Outcomes for former students. Summaries of employment outcomes, advanced study, and student professional and occupational licensing examination results compiled by or provided to the institution shall be provided. The student cohort year or years, or date of examinations shall be included. Data displays on employment outcomes shall be by major or discrete curricular area.

(v) Information shall be provided on the institution's code of conduct for students and any disciplinary measures that may be applied to a student for a violation of such conduct, with a description of the institution's student disciplinary process.

(2) Institutions that produce a multi-year catalog may use an annual printed addendum to update the information in the catalog or, if the catalog is also online, a website update. All print and online catalogs shall be archived annually, and archived copies shall be retained permanently.

(3) The institution shall demonstrate that it continuously assesses the effectiveness of its efforts to provide students and prospective students with timely, accurate, and complete consumer information.

(4) Advertising.

(i) Advertising conducted by or on behalf of an institution shall not be false, misleading, deceptive, or fraudulent and shall be consistent with the provisions of article 22-A of the General Business Law. Advertising and promotional material shall not leave false, misleading, or exaggerated impressions of the institution, its personnel, its facilities, its courses and services, or the occupational opportunities of its graduates.

(ii) The primary emphasis of all advertisements and promotional literature shall be the educational services offered by the institution. Such advertising and promotional literature shall clearly indicate that education, not employment, is being offered by the institution.

(iii) Statements and representations in all forms of advertising and promotion shall be clear, current, and accurate. To the extent that statements of facts are made, such statements shall be restricted to facts that can be substantiated. Materials to support statements and representations in advertising and promotion shall be kept on file and shall be available for review by the department.

(iv) Any endorsement or recommendation shall include the author's identity and qualifications and shall be used only with the author's consent. No remuneration of any kind for any such endorsement or recommendation shall be paid for such endorsement or recommendation.

(v) References to the New York State Board of Regents in any advertisement or promotional literature shall comply with the requirements of section 13.11 of this Title and subdivision (m) of this section.

(j) **Student complaints.**

(1) The institution shall establish, publish, and consistently administer internal procedures to receive, investigate, and resolve student complaints related to the standards prescribed in this Subpart.

(2) The institution may have informal means by which students can seek redress of their complaints.

(3) The institution shall have a formal complaint procedure that shall include, but need not be limited to: steps a student may take to file a formal complaint; reasonable and appropriate time frames for investigating and resolving a formal complaint; provision for the final determination of each formal complaint to be made by a person or persons not directly involved in the alleged problem; and assurances that no action will be taken against the student for filing the complaint.

(4) The institution shall maintain adequate documentation about each formal complaint and its disposition for a period of at least six years after final disposition of the complaint. Assessment of the disposition and outcomes of complaints shall be a required component of any self-study required by this Subpart and shall be a consideration in any review for accreditation or renewal of accreditation.

**(k) HEA title IV program responsibilities.**

(1) An institution shall have a procedure in place to ensure that it is in compliance with its program responsibilities under title IV of the HEA and shall maintain a record describing such procedure.

(2) An institution shall maintain a record of its compliance with its program responsibilities under title IV of the HEA over the previous 10 years, unless the department determines that there is good cause for a shorter records retention period. This record shall include: student default rate data provided annually to the secretary by the institution; financial or compliance audits conducted annually by the secretary; and program reviews conducted periodically by the secretary. The institution shall submit information from this record of compliance to the department on a periodic basis as determined by the department.

**(l) Teach-out plans and agreements.**

(1) Institutions are required to submit for approval to the accrediting agency a teach-out plan upon the occurrence of any of the following events:

(i) the Board of Regents receives notification by the Secretary of Education that the secretary has initiated an emergency action against an institution, or an action to limit, suspend, or terminate an institution participating in any title IV program of the Higher Education Act, and that a teach-out plan is required;

(ii) the Board of Regents acts to withdraw, terminate, or suspend the accreditation of the institution;

(iii) the institution notifies the Board of Regents that it intends to cease operations or close a location that provides one hundred percent of at least one program; or

(iv) another state's licensing or authorizing agency notifies the Board of Regents that an institution's license or legal authorization to provide an educational program has been or will be revoked.

(2) An institution's teach-out plan must ensure that it provides for the equitable treatment of students pursuant to criteria established by the commissioner and the Board of Regents and that

the plan specifies additional charges, if any, and provides for notification to the students of any additional charges.

(3) As part of its teach-out plan, the institution must submit any teach-out agreement that an institution has entered into with another institution or institutions for approval. To be approved, such agreement shall:

- (i) be between or among institutions that are accredited or pre-accredited by a nationally recognized accrediting agency;
- (ii) ensure that the teach-out institution(s) has the necessary experience, resources, and support services to provide an educational program that is of acceptable quality and reasonable similar in content, structure and scheduling to that provided by the closed institution;
- (iii) ensure that the institution will remain stable, carry out its mission, and meet all obligations to existing students; and
- (iv) ensure that the teach-out institution(s) can provide student access to the program and services without requiring them to move or travel substantial distances.

(m) **Public disclosure of accreditation status.** An institution that elects to disclose its accreditation status shall disclose such status accurately and identify in its disclosure the specific academic and instructional programs covered by that status and information identifying the New York State Board of Regents and the New York State Commissioner of Education as its institutional accrediting agency. Such information shall include the address and telephone number of the department. The disclosure shall be consistent with the requirements of section 13.11 of this Title.

#### **Section 4-1.5 Procedures for accreditation.**

##### **(a) Comprehensive review procedures.**

- (1) Institutions that seek initial accreditation or renewal of accreditation shall be subject to the requirements of this subdivision.
- (2) Application. Institutions seeking initial accreditation shall be required to apply for such accreditation on forms as may be prescribed by the commissioner. Institutions seeking renewal of accreditation shall submit a letter of intent seeking such renewal at least 18 months prior to the end date of the current accreditation period. Institutions seeking renewal of accreditation following accreditation under the transitional procedures prescribed in subdivision (a) of this section shall be notified by the department as to the timelines for commencement of the comprehensive review.
- (3) Self-study. Institutions shall be required to conduct an in-depth self-study substantiating compliance with the standards for accreditation set forth in this Subpart and plans for improvements pertinent to such standards and shall submit such self-study to the

department. The department shall review the self-study to determine whether the self-study is sufficient in depth and breadth to form a reasonable basis for a site review. A copy of the institutional assessment plan developed pursuant to section 52.2(e)(3) of this Title shall be submitted together with each self-study submitted on or after July 1, 2003. The department may require the institution to submit additional information related to the self-study and/or submit additional self-study materials.

(4) Site visit. The department shall conduct a site visit to the institution to assess compliance with the standards for institutional accreditation prescribed in this Subpart.

(5) Public notice and opportunity for comment. The department shall publish in the New York State Register, or its successor publication, a notice that an institution is being considered for accreditation action and invite public written comment concerning the institution's qualifications for accreditation.

(6) Draft compliance review report. The department shall prepare a draft compliance review report and provide a copy to the institution. The institution shall be given the opportunity to respond in writing to the draft compliance review report within 30 days of the date it was sent by the department.

(7) Compliance review report. The department shall prepare a compliance review report and provide a copy to the institution. Such report shall address whether the institution has met each of the standards set forth in sections 4-1.3 and 4-1.4 of this Subpart and shall include any comments by the institution concerning the draft compliance review report. The report shall include the department's preliminary recommendation with respect to accreditation action.

(8) Advisory council.

(i) The department shall notify the institution by first class mail return receipt requested of the date, time and location of the advisory council meeting at which the council will review the department's preliminary recommendation with respect to accreditation action.

(ii) The institution may submit to the department by first class mail, express mail, or personal service a written submission at least 20 days before the scheduled advisory council meeting.

(iii) The advisory council shall review the department's preliminary recommendation with respect to accreditation action. The department shall transmit to the advisory council the written submission by the institution pursuant to subparagraph (ii) of this paragraph, if any, and the record upon which the department made its preliminary recommendation, which shall include, but need not be limited to, the compliance review report and preliminary recommendation, the institution's self-study, the institution's application for accreditation and additional documentation submitted by the institution in support of the application, the department's responses to the institution concerning its application, and any other documentation upon which the department's preliminary recommendation was based. The advisory council shall invite staff of the department, the institution being reviewed, and at the council's discretion other interested parties to make oral presentations at the meeting.

The advisory council shall base its determination only upon the record before the department and the testimony at the advisory council meeting. A record of the testimony before the advisory council related to the accreditation review shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.

(iv) When it concludes its review, the advisory council shall prepare a recommendation on accreditation action to the commissioner and the Board of Regents, together with a report of the factual basis and findings in support of that recommendation. The department shall transmit a copy of this recommendation and report to the institution by first class mail, return receipt requested.

(v) In the event that neither the institution nor the deputy commissioner appeals the findings and recommendations of the advisory council, as prescribed in paragraph (9) of this subdivision, the commissioner shall adopt said findings and recommendations as the commissioner's findings and recommendations to the Board of Regents.

(9) Appeal of advisory council recommendation.

(i) Either the institution or the deputy commissioner shall have the right to appeal to the commissioner the findings and recommendations of the advisory council. The institution shall have the right to be represented by counsel during the appeal.

(ii) Within 10 days of the date that the institution receives notification of the findings and recommendations of the advisory council, the institution and/or the deputy commissioner shall notify the commissioner in writing, by first class mail, express delivery, or personal service, of its intention to appeal pursuant to clause (iii)(a) of this paragraph or the deputy commissioner shall notify the commissioner of its intention to appeal pursuant to clause (iii)(b) of this paragraph.

(iii) Within 25 days of the date that the institution receives notification of the findings and recommendations of the advisory council, the institution may commence an appeal pursuant to clause (a) of this subparagraph or the deputy commissioner may commence an appeal pursuant to clause (b) of this subparagraph.

(a) Appeal by the institution. The institution may commence an appeal of the findings and recommendations of the advisory council by filing with the commissioner by first class mail, express delivery, or personal service the original appeal papers, with an affidavit proving the service of a copy thereof upon the deputy commissioner by first class mail, express delivery, or personal service. The deputy commissioner shall transmit to the commissioner the record before the advisory council and the record of its deliberations and its findings and recommendations. The deputy commissioner may also file a written response with the commissioner by first class mail, express delivery, or personal service within 30 days of service of such appeal papers upon the deputy commissioner, with an affidavit proving the service of a copy thereof by first class mail, express delivery, or personal service upon the institution.

(b) Appeal by the deputy commissioner. The deputy commissioner may commence an appeal of the findings and recommendations of the advisory council by filing with the commissioner by first class mail, express delivery, or personal service the original appeal papers, with an affidavit proving the service upon the institution by first class mail, express delivery, or personal service of a copy thereof. The deputy commissioner shall transmit to the commissioner the record before the advisory council and the record of its deliberations and its findings and recommendations. The institution may file a written response with the commissioner by first class mail, express delivery, or personal service within 30 days of service of such appeal papers upon the institution, with an affidavit proving the service of a copy thereof by first class mail, express delivery, or personal service upon the deputy commissioner.

(c) In the event that both the institution and the deputy commissioner commence an appeal to the commissioner within the time period prescribed in this section, such appeals shall be automatically consolidated and each party shall be permitted to file a written response with the commissioner by first class mail, express delivery, or personal service within 30 days of the mailing or the personal service of the other party's appeal papers upon the party, with an affidavit proving the service of a copy thereof by first class mail, express delivery, or personal service upon the other party.

(iv) The commissioner shall review any appeal papers, written responses filed, the record before the advisory council, the record of its deliberations, and its findings and recommendations. The commissioner shall also consider any new financial information submitted by the institution as part of its appeal if the information was unavailable to the institution until after the decision subject to the appeal was made, the financial information is significant as determined by the commissioner, and bears materially on the financial deficiencies identified by the agency and the only remaining deficiency cited by the agency is the institution's failure to meet any agency standard pertaining to finances. An institution may seek the review of new financial information only once and any determination on the new financial information does not provide a basis for appeal. Upon such record, the commissioner may affirm, reverse, remand or modify the findings and recommendations of the advisory council. Such determination shall constitute a recommendation regarding accreditation action to the Board of Regents.

(10) Regents decision. The Board of Regents shall review any papers, written responses filed, the record before the advisory council, the record of its deliberations, and its findings and recommendations and any other information considered by the commissioner. At a regularly scheduled public meeting, the Board of Regents shall consider the findings and recommendations of the commissioner and make the determination of accreditation action. If the Board of Regents decision includes an adverse accreditation action or probationary accreditation, the Board of Regents shall notify the institution of its right to a hearing before the institutional accreditation appeals board.

(11) Appeal of a determination of adverse accreditation action or probationary accreditation to the institutional accreditation appeals board.

(i) An institution may appeal a Regents determination of adverse accreditation action or granting probationary accreditation to the institutional accreditation appeals board in

accordance with the requirements and procedures of this paragraph. The institution shall have the right to a hearing and to be represented by counsel during the appeal.

(ii) Within five days of the date of a Regents determination of adverse accreditation action or granting probationary accreditation, the institution shall notify the Board of Regents in writing, by first class mail, express delivery, or personal service, of its intention to appeal, with an affidavit proving the service of a copy thereof upon the deputy commissioner by first class mail, express delivery, or personal service.

(iii) Within 20 days of the date of a Regents determination of adverse accreditation action or granting probationary accreditation, the institution may commence an appeal of such determination to the institutional accreditation appeals board by filing with the Board of Regents by first class mail, express delivery, or personal service the original appeal papers, with an affidavit proving the service of a copy thereof upon the deputy commissioner by first class mail, express delivery, or personal service.

(iv) The Board of Regents shall transmit the appeal papers to the institutional appeals board within 20 days of the notice of appeal.

(v) The institutional accreditation appeals board shall provide the institution, the commissioner and the Board of Regents, with at least 10 days' written notice of the time and place of such hearing.

(a) Hearing procedures.

(1) Motions. The chair of the institutional accreditation appeals board, at his or her discretion, may entertain and rule upon dispositive motions and shall make evidentiary rulings as may be necessary.

(2) Evidence. Technical rules of evidence followed by a court of law need not be applied. Irrelevant or unduly repetitious evidence and/or cross-examination may be excluded at the discretion of the panel chair.

(3) Burden of proof. The institution shall have the burden of establishing the Board of Regents decision was arbitrary or capricious or affected by an error of law or facts.

(4) Conduct of hearing. Each party shall have the right to present evidence and cross-examine witnesses.

(5) Record of hearing. All testimony given must be recorded verbatim. The chair of the appeals board may use whatever means he or she deems appropriate, including, but not limited to the use of stenographic transcriptions or recording devices.

(vi) The Board of Regents may file a written response with the institutional accreditation appeals board by first class mail, express delivery, or personal service within 30 days of service of such appeal papers upon the deputy commissioner by the institution.

(vii) The institutional accreditation appeals board shall hold a due process hearing, wherein the institution shall have the right to come before the institutional accreditation appeals board and present its arguments. The appeals board shall review any appeal papers, written responses filed, and the entire record upon which the Regents determination was based, which may include but not be limited to: the record before the advisory council, the record of the advisory council's deliberations and its findings and recommendations, any appeal papers and written responses filed for an appeal of the findings and recommendations of the advisory council, the commissioner's recommendation to the Board of Regents regarding accreditation action, and the Regents determination. Upon such record, the institutional accreditation appeals board shall affirm, reverse, remand or amend the Board of Regents' determination of adverse accreditation action or granting probationary accreditation and notify the institution in writing of its decision and of its findings within 30 days of its decision. In a decision that is implemented by or remanded to the Board of Regents for further consideration, the institutional accreditation appeals board shall identify specific issues that the Board of Regents must address. In a decision that is implemented by or remanded to the Board of Regents, the Board of Regents shall act in a manner consistent with the appeals board's decisions or instructions.

(viii) While a properly filed appeal is pending, the Regents determination of adverse accreditation action or granting probationary accreditation shall be held in abeyance until the institutional accreditation appeals board makes a determination on the matter and acts to affirm, amend, reverse, or remand such determination.

**(b) Compliance review procedures.**

(1) The department may institute a compliance review at any time during the institution's accreditation period to determine whether the institution is in compliance with standards prescribed in this Subpart, including but not limited to the standards prescribed in sections 4-1.3 and 4-1.4 of this Subpart. Such review may be initiated at the discretion of the department for good cause, which may be based on one or more complaints against the institution relating to such standards; or an adverse action or a placement on probation by another nationally recognized accrediting agency; or financial or compliance audits or program reviews conducted by the U.S. Secretary of Education relating to the institution's HEA title IV program responsibilities; or other information obtained by the department that the institution may not be in compliance with standards prescribed in this Subpart, among other reasons.

(2) The department shall notify the institution as to the commencement of the compliance review. Such notification shall include but shall not be limited to a specification of the standard or standards at issue, together with the department's reasons for finding them at issue and shall require the institution to respond in writing.

(3) The department shall review the institution's response and determine whether there is good cause to commence further review. In the event that the department determines that there is no good cause to commence further review, the department shall notify the institution of this determination and that accreditation shall continue to its term. In the event that the department determines that there is good cause to commence further review, the department shall conduct an evaluation to determine compliance with the standards

prescribed in sections 4-1.3 and 4-1.4 of the Subpart, which may include a site visit. The department may require the institution to provide the department with information related to compliance with such standards, including but not limited to evidence that the institution is meeting the standard(s) or has taken immediate corrective action to meet the standard(s).

(4) Draft compliance review report. The department shall prepare a draft compliance review report and provide a copy to the institution. The institution shall be given the opportunity to respond in writing to the draft compliance review report within 30 days of the date it was sent by the department.

(5) Compliance review report. The department shall prepare a compliance review report and provide a copy to the institution. Such report shall address whether the institution has met each of the standards at issue and shall include any comments by the institution concerning the draft compliance review report. In the event that the institution has met the standard(s) at issue, the department shall notify the institution in writing of this determination and that accreditation shall continue to its term. In the event that the department determines that the institution has not met one or more standards at issue, the department shall notify the institution and shall transmit a copy of its preliminary recommendation with respect to accreditation action to the institution and to the advisory council.

(6) Advisory council.

(i) The department shall notify the institution by first class mail, return receipt requested of the date, time and location of the advisory council meeting at which the council will make an accreditation recommendation pertaining to such institution.

(ii) The institution may submit to the department by first class mail, express mail, or personal service a written submission at least 20 days before the scheduled advisory council meeting.

(iii) The advisory council shall review the department's preliminary recommendation with respect to accreditation action. The department shall transmit the written submission by the institution pursuant to subparagraph (ii) of this paragraph, if any, and the compliance review report, including its preliminary recommendation, together with other supporting documentation, which shall include but need not be limited to, documentation prepared either by the institution or the department in support of whether a compliance standard at issue was met, and any other documentation upon which the department's preliminary recommendation was based. The advisory council shall invite staff of the department, the institution being reviewed and at the council's discretion other interested parties to make oral presentations at the meeting. A record of testimony before the advisory council related to the compliance review shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.

(iv) When it concludes its review, the advisory council shall prepare a recommendation on accreditation action to the commissioner and the Board of Regents, together with a report of the factual basis and findings in support of that recommendation. The department shall transmit a copy of this recommendation and report to the institution by first class mail, return receipt requested.

(7) In the event that neither the institution nor the deputy commissioner appeals the findings and recommendations of the advisory council, as prescribed in paragraph (8) of this subdivision, the commissioner shall adopt said findings and recommendations as the commissioner's findings and recommendations to the Board of Regents.

(8) Appeal of advisory council recommendation. The procedures prescribed in paragraph (a)(9) of this section shall be applicable.

(9) Regents decision. The Board of Regents shall review any papers, written responses filed, the record before the advisory council, the record of its deliberations, and its findings and recommendations and any other information considered by the commissioner. At a regularly scheduled public meeting, the Board of Regents shall consider the findings and recommendations of the commissioner and make the determination of accreditation action.

(10) An institution may appeal a Regents determination of adverse accreditation action or granting probationary accreditation to the institutional accreditation appeals board in accordance with the requirements and procedures of paragraph (a)(11) of this section. The institution shall have the right to be represented by counsel during the appeal.

**(c) Procedures for institutions on probationary accreditation.**

(1) Probationary accreditation shall be for the period of time prescribed for corrective action in accordance with the requirements of section 4-1.3(d) of this Subpart. The department shall review an institution on probationary accreditation employing the procedures prescribed in this subdivision.

(2) The department shall require the institution to demonstrate compliance with the standards that the institution needs to address through corrective action. The department shall conduct a review of such compliance, which may include a site visit.

(3) Public notice and opportunity for comment. The department shall publish in the New York State Register, or its successor publication, a notice that an institution is being considered for accreditation action and invite public written comment concerning the institution's qualifications for accreditation.

(4) Draft probationary review report. The department shall prepare a draft probationary review report assessing compliance and provide a copy to the institution. The institution shall be given the opportunity to respond in writing to the draft probationary review report within 30 days of the date it was transmitted by the department.

(5) Probationary review report. The department shall prepare a probationary review report and provide a copy to the institution. Such report shall address whether the institution has met the standards at issue and shall include any comments by the institution concerning the draft probationary review report. The report shall include the department's preliminary recommendation with respect to accreditation action.

(6) Advisory council.

(i) The department shall notify the institution by first class mail, return receipt requested of the date, time and location of the advisory council meeting at which the council will review the department's preliminary recommendation with respect to accreditation action.

(ii) The institution may submit to the department by first class mail, express mail, or personal service a written submission at least 20 days before the scheduled advisory council meeting.

(iii) The advisory council shall review the department's preliminary recommendation with respect to accreditation action. The department shall transmit to the advisory council the written submission by the institution pursuant to subparagraph (ii) of this paragraph, if any, and the record upon which the department made its preliminary recommendation, which shall include but need not be limited to, the probationary review report and preliminary recommendation, pertinent documentation prepared either by the institution or the department in support of whether the institution should be accredited, and any other documentation upon which the department's preliminary recommendation was made. The advisory council shall invite staff of the department, the institution being reviewed and at the council's discretion other interested parties to make oral presentations at the meeting. A record of the testimony before the advisory council related to the accreditation review shall be maintained, but no stenographic transcript shall be required and a tape recording shall be deemed a satisfactory record.

(iv) When it concludes its review, the advisory council shall prepare a recommendation on accreditation action to the commissioner and the Board of Regents, together with a report of the factual basis and findings in support of that recommendation. The department shall transmit a copy of this recommendation and report to the institution by first class mail, return receipt requested.

(7) In the event that neither the institution nor the deputy commissioner appeals the findings and recommendations of the advisory council, as prescribed in paragraph (8) of this subdivision, the commissioner shall adopt said findings and recommendations as the commissioner's findings and recommendations to the Board of Regents.

(8) Appeal of advisory council recommendation. The procedures prescribed in paragraph (a)(9) of this section shall be applicable.

(9) Regents decision. The Board of Regents shall review any papers, written responses filed, the record before the advisory council, the record of its deliberations, and its findings and recommendations and any other information considered by the commissioner. At a regularly scheduled public meeting, the Board of Regents shall consider the findings and recommendations of the commissioner and make the determination of accreditation action.

(10) An institution may appeal a Regents determination of adverse accreditation action or granting probationary accreditation to the institutional accreditation appeals board in accordance with the requirements and procedures of paragraph (a)(11) of this section. The institution shall have the right to be represented by counsel during the appeal.

**(d) Procedures for a change in scope of accreditation.**

(1) For purposes of this subdivision, substantive change shall mean:

(i) any change in the established mission or objectives of the institution;

(ii) any change in the legal status, form of control, or ownership of the institution;

(iii) the addition of courses or programs that represent a significant departure from the existing offerings of educational programs, or method of delivery, from those that were offered when the department last evaluated the institution for accreditation;

(iv) the addition of courses or programs of study at a degree or credential level different from that which is included in the institution's current accreditation;

(v) a change from clock hours to credit hours;

(vi) a substantial increase in the number of clock hours or credit hours awarded for successful completion of a program;

(vii) the establishment of an additional location or branch campus, as such terms are defined in section 4-1.2 of this Subpart;

(viii) if the accreditation granted to the institution enables the institution to seek eligibility to participate in title IV, HEA programs, the entering into a contractual agreement with an entity not certified to participate in title IV, HEA programs, that offers more than 25 percent of one or more of the institution's program of study;

(ix) the establishment of an additional location at which the institution offers at least 50 percent of an educational program;

(x) the acquisition of any other institution or any program or location of another institution; or

(xi) the addition of a permanent location at a site at which the institution is conducting a teach-out for students of another institution that has ceased operating before all students have completed their program of study.

(2) An accredited institution that has experienced a substantive change, as defined in paragraph (1) of this subdivision, shall be required to apply to the department for a change in the scope of its accreditation in a format prescribed by the department.

(3) The commissioner and Board of Regents shall have the authority to make the determination concerning approval or disapproval of the institution's application for a change in the scope of accreditation, based on a substantive change and shall provide the institution with written notification indicating the approval and inclusion of the substantive change in the institution's grant of accreditation. The effective date of any substantive change shall be the date of the commissioner and Board of Regents determination of an approved substantive change, which shall not be retroactive.

(4) General review requirements.

(i) The institution shall document to the department that the proposed substantive change does not adversely affect its capacity to meet the standards set forth in sections 4-1.3 and 4-1.4 of this Subpart.

(ii) The institution shall document that all necessary State approval actions, including but not limited to program registrations, master plan amendments, and charter actions, have been completed favorably.

(iii) The department may conduct a site visit in connection with the review of any proposed substantive change.

(5) Special review requirements. In addition to meeting the general review requirements prescribed in paragraph (4) of this subdivision, the special review requirements prescribed in this paragraph shall apply to substantive changes concerning changes of ownership that effect a change in control of the institution, branch campuses, and additional locations.

(i) Branch campuses.

(a) For instances in which the institution seeks to extend its scope of accreditation to a branch campus, as defined in section 4-1.2 of this Subpart, the institution shall submit a business plan for the branch campus, prior to such establishment. The business plan shall include, but need not be limited to, the educational program or programs to be offered, the projected revenues and expenditures and cash flow, and the operations, management and physical resources at the branch campus.

(b) The department shall conduct a site visit to the branch campus within six months of its establishment.

(c) The commissioner may extend accreditation to the branch campus only after the department evaluates the business plan and determines that the branch has sufficient educational, financial, operational, management and physical resources to meet the standards prescribed in section 4-1.4 of this Subpart.

(ii) Additional locations.

(a) For instances in which the institution seeks to extend the scope of accreditation to additional locations, as defined in section 4-1.2 of this Subpart, the institution shall submit an application for the extension of the scope of accreditation to include such locations prior to their establishment. The department shall conduct a review, which shall include but not be limited to, determining whether the institution has the fiscal and administrative capacity to operate the additional location.

(b) Site visits.

(1) Such review shall include a site visit within six months of establishment of the additional location, if the institution: has a total of three or fewer additional locations; or has not demonstrated to the department's satisfaction that it has a proven record of effective educational oversight of additional location; or has been placed on probationary accreditation or is subject to some limitation by the department on its accreditation.

(2) The department shall conduct a site visit of additional locations when the department has evidence that a location or locations has experienced rapid enrollment growth or that the institution has experience rapid growth in the number of additional locations.

(3) The department shall visit all locations as part of a site visit for accreditation or renewal of accreditation.

(4) The purpose of the site visits prescribed in this clause shall be to verify that an additional location has the personnel, facilities and resources the institution stated that it had in its application for approval of the additional location.

(iii) Change in ownership effecting change in control. For instances in which the substantive change is caused by a change in ownership, which effects a change in control of the institution, the department shall conduct a site visit within six months of the change in ownership.

(6) Draft substantive change review report. The department shall prepare a draft report on the substantive change assessing compliance and provide a copy to the institution. The institution shall be given the opportunity to respond in writing to the draft report within 30 days of the date it was transmitted by the department.

(7) Substantive change review report. The department shall send to the institution the determination by the deputy commissioner concerning the change in the scope of accreditation, together with the substantive change review report. Such determination and report shall address whether the institution has met the standards set forth in this Subpart, and any comments by the institution concerning the draft review report.

(8) Procedures on denial of change in scope of accreditation. Decisions to deny a change in the scope of accreditation may be appealed with the following procedures:

(i) Within 15 days of receiving notice of the decision to deny a change in the scope of accreditation, the institution shall notify the Board of Regents in writing by first class mail, express mail, or personal service, of its intention to appeal.

(ii) Within 60 days of receiving notice of the decision to deny a change in the scope of accreditation, the institution shall submit its appeal to the Board of Regents by first class mail, express mail, or personal service. The appeal shall take the form of a written statement that presents the institution's position on the determination and the substantive change review report and all evidence and information which the institution believes is pertinent to the case. The appeal shall include a statement and explanation of the specific grounds of the appeal. The institution shall have the right to be represented by counsel during the appeal.

(iii) Upon appeal by the institution, the Board of Regents shall submit to the institutional accreditation appeals board the documentation supporting the Board of Regents' decision to deny the change in the scope of accreditation, including but not limited to the institution's application, additional documentation submitted by the institution in support of its application, the substantive change review report and any other documentation upon which the Board of Regents' decision was based.

(iv) Within 60 days of receiving the institution's statement of appeal, the institutional accreditation appeals board shall issue a determination on the appeal.

Adopted by the Board of Regents:  
June 12, 2001, effective July 4, 2001.

Amended by the Board of Regents:  
November 9, 2001, effective November 29, 2001,  
April 23, 2002, effective May 16, 2002,  
February 13, 2007, effective March 8, 2007,  
May 22, 2012, effective June 13, 2012  
June 18, 2013, effective July 3, 2013

**Excerpt downloaded March 4, 2013 from**

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OFFICIAL COMPILATION OF CODES, RULES AND REGULATIONS OF THE STATE OF NEW YORK

TITLE 8. EDUCATION DEPARTMENT

CHAPTER I. RULES OF THE BOARD OF REGENTS

PART 3. UNIVERSITY OF THE STATE OF NEW YORK; STATE EDUCATION DEPARTMENT

\* Section 3.12.\* Councils. [excerpts]

(a)...

(b)...

(c)...

**(d) Regents advisory council on institutional accreditation.**

(1) The purpose of the Regents advisory council on institutional accreditation is to review applications for accreditation and renewal of accreditation pursuant to Part 4 of this Title, and such other matters as the department may ask it to review, and make recommendations to the Regents and the commissioner based upon its review. It also shall advise the department on institutional accreditation procedures, standards, and policies.

(2) The council shall consist of a minimum of nine voting members and one nonvoting member, ex officio. The commissioner shall appoint the voting members of the council and shall designate one of the members to be its chair. At least seven voting members shall be educators practicing in New York State. Of this number, at least two shall have experience as senior administrators in degree-granting institutions; at least two shall have experience as full-time faculty members in degree-granting institutions and at least one shall be a full-time faculty member at the time of appointment. At least two other voting members or one-seventh of the total voting members of the council, whichever is greater, shall be representatives of the public. Representatives of the public shall mean a person who is not an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that is accredited by the commissioner and the Board of Regents or has applied for accreditation; a member of any trade association or membership organization related to, affiliated with, or associated with the commissioner or the Board of Regents; or a spouse, parent, child, or sibling of an individual identified above. The nonvoting member shall be the Deputy Commissioner for Higher Education of the State Education Department, ex officio. Three of the initial voting members shall be appointed for terms not to exceed one year, three shall be appointed to terms of two years and three shall be appointed for three-year terms. Thereafter, all voting members shall be appointed for three-year terms.

**(e) Institutional accreditation appeals board.**

(1) The purpose of the institutional accreditation appeals board is to review and decide appeals from an institution(s) of an adverse accreditation action(s) or probationary accreditation decision(s) of the Board of Regents pursuant to the procedures outlined in section 4-1.5 of this Title.

(2) The commissioner shall appoint a minimum of five voting members to the appeals board and shall designate one member to be its chair. Of this number, at least one shall have experience as a senior administrator in a degree-granting institution; at least two shall have experience as a full-time faculty member in a degree-granting institution and at least one shall be a full-time faculty member at the time of appointment. At least one other voting member or one-seventh of the total voting members of the board, whichever is greater, shall be a representative(s) of the public. Representatives of the public shall mean a person who is not an employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that is accredited by the commissioner and the Board of Regents or has applied for accreditation; a member of any trade association or membership organization related to, affiliated with, or associated with the commissioner or the Board of Regents; or a spouse, parent, child, or sibling of an individual identified above. The commissioner, members of the Board of Regents and members of the Regents advisory council on institutional accreditation may not serve as members of the institutional accreditation appeals board. Three of the initial voting members shall be appointed for terms not to exceed one year and two shall be appointed to terms of two years. Thereafter, all voting members shall be appointed for three-year terms. Members of the institutional accreditation appeals board shall be subject to the conflict of interest policies set forth in section 74 of the Public Officers Law.

## Appendix 2: Related Institutional Accreditation Policies

*These policies supplement provisions of Subpart 4-1 of the Rules of the Board of Regents.*

Note: in this section “agency” refers to the Commissioner of Education and Board of Regents, acting in their role as an institutional accrediting agency recognized by the U.S. Secretary of Education (“Secretary”).

### Composition of Evaluation and Decision-Making Bodies

The evaluation, policy, and decision-making bodies directly involved in accreditation by the Regents and the Commissioner acting as a nationally recognized institutional accrediting agency shall include academic and administrative personnel. [Ref: 34 CFR 602.15 (a) (3)]

When the Regents and the Commissioner act as a nationally recognized institutional accrediting agency, the public shall be represented on all decision-making bodies involved in the institutional accreditation function [Ref: 34 CFR 602.15 (a) (5)].

### Members of Agency Decision-Making Bodies and Related Councils and Staff

- New York State Commissioner of Education:  
[http://usny.nysed.gov/about/commissioner\\_king.html](http://usny.nysed.gov/about/commissioner_king.html)
- New York State Board of Regents: <http://www.regents.nysed.gov/members/>
- Regents Advisory Council on Institutional Accreditation:  
<http://www.highered.nysed.gov/ocue/accred/handbook/advisorycouncil.htm>
- Members of the Accreditation Appeals Board and agency staff are listed in this handbook.  
[Ref: 34 CFR 602.23 (a)]

### Maintenance of Records of Accreditation Reviews and Decisions

When the Regents and the commissioner act as a nationally recognized institutional accrediting agency, complete and accurate records of the last two full accreditation reviews of each institution shall be retained. These records include the institution's most recent self-study report, on-site evaluation reports, institutional responses to on-site reports, and other reports, annual reports, other periodic reports, any reports of special reviews conducted by the Department between regular reviews, all accreditation decisions, including adverse actions, and all correspondence with the institution that is significantly related to decisions about its accreditation.

Permanent records also include substantive change requests, including but not limited to applications for changes in scope of accreditation and all related documentation, including review materials and decisions. [Ref:34 CFR 602.15(b)]

### Review of Accreditation Standards

A review of all institutional accreditation standards in Subpart 4-1 of the Rules of the Board of Regents shall be conducted on a repeating four-year cycle. The purpose of the comprehensive review in each cycle will be an examination of the adequacy, in practice, of the standards for the evaluation of educational quality. A review plan and schedule within this cycle shall be developed

and implemented by accreditation staff of the Department in consultation with the Regents Advisory Council on Institutional Accreditation. Complaints about accreditation standards or procedures will be considered in the cyclical program of comprehensive review of its standards. In addition, accreditation standards and their applications shall be examined continuously, based on accreditation experience and feedback from pertinent constituencies, to assure currency with evolving standards in distance education and other evolving areas.

The Regents shall initiate action on changes to the standards within 12 months of identifying a need for such changes. Such changes shall take effect within a stated time following formal adoption by the Regents. Revisions of standards or adoption of new standards by the Board of Regents shall take into account any recommendations of the Regents Advisory Council on Institutional Accreditation and shall include an opportunity for comment by accredited institutions, other relevant constituencies, and the public for a period of not less than 45 days [Ref: 34 CFR 602.21(a)].

## Public Comment Process

The agency is a public entity in New York, which means that it is required to seek public comment on its proposed regulatory activities (including those related to its institutional accreditation function). As a public entity, the agency is mandated under the New York State Administrative Procedures Act to conduct its regulatory activities in an environment of public access and observation. Regulatory amendments proposed by the agency, for example, require a 45-day public comment period. The agency considers all comments received on a given regulatory proposal. [Ref: 34 CFR 602.21 (c)]

## Student Achievement Benchmarks

As noted in the accreditation Self-Study document, and in consideration of standards described under section 4-1.4(b) of Regents Rules, information needed to assess compliance with student achievement benchmarks (such as graduation rates) may be accessed through such resources as State data available at <http://eservices.nysed.gov/orisre/NYStotalParams.jsp>. [Ref:34 CFR 602.16(a)(1)(i)]

## Policy on Significant Enrollment Growth

The agency will request additional reporting from institutions that exceed a 20 percent growth in headcount enrollment in a single institutional academic year (July 1 through June 30), as reported through required annual reports or other mechanisms. In addition, the agency may request additional reporting when, in the judgment of the agency, the rate of enrollment growth may affect the institution's capacity to comply with accreditation standards. The additional reporting may include, but is not limited to, self-analyses of the growth and its effects on the institution; agency reviews of the institution's financial viability; agency assessment of concomitant growth in faculty, administrative, and other resources; and a compliance review (see section 4-1.5(b) of Regents Rules).

*Special provisions for distance education:* If an institution whose scope of accreditation includes distance education experiences an increase in headcount enrollment of 50 percent or more within

one institutional fiscal year, the agency will report that information to the Secretary within 30 days of acquiring such data. [Ref:34 CFR 602.19(d) and (e)]

## Evaluation of Teach-Out Plans/Closed Institutions

Under Regents accreditation standards, a teach-out plan means a written plan that provides for the equitable treatment of students if an institution or an institutional location that provides 100 percent of at least one program ceases to operate prior to all students completing their program of study.

Institutions selected to complete a teach-out of the closing institution must have the following attributes and capabilities:

- Accreditation or pre-accreditation from a nationally recognized accrediting agency.
- One or more programs registered by the State authorization agency that are comparable in structure, content, and scheduling to those in which students were enrolled at the closing institution.
- Student access to instruction and related services without incurring substantial, additional travel.
- No charges or tuition rates beyond those charged by the closing institution. Any exception for cause will be determined by the Commissioner. In such cases, if additional charges are permitted, the institution will be required to notify students about those charges prior to enrollment.

Teach-out plans will be assessed by accreditation staff. If the agency approves a teach-out plan that includes a program that is accredited by another recognized accrediting agency, it will notify that agency of its approval. [Ref:34 CFR 602.24(c)(3)]

If an institution the agency accredits closes without a teach-out plan or agreement, the agency will coordinate with the U.S. Department of Education and the state authorization agency to assist students in finding reasonable opportunities to complete their education without additional charges.

## Review of Complaints

### Complaints About Regents-Accredited Institutions

Complaints concerning an institution's compliance with Regents accreditation standards should be directed to agency staff by using the complaint form available on the State Education Department Web site at <http://www.highered.nysed.gov/ocue/spr/COMPLAINTFORMINFO.html>.

If the agency finds that the complaint addresses compliance with an accreditation standard, it will forward the complaint to the institution. The agency will provide the institution at least 30 days from the date of the agency's inquiry to respond. Agency staff will then assess the original complaint and institution's response to determine the need for additional action. The complainant and the institution will be notified of the agency's findings.

### Complaints About This Accrediting Agency

In responding to complaints against itself as an accrediting agency, it is the agency's policy to ask the office that is the subject of the complaint to review the matter and resolve it if possible or, alternatively, to explain why it cannot be resolved in the manner desired by the complainant. It is

the agency's policy to respond to any such complaints within 30 days of receipt. The following steps are taken to support an unbiased review:

- If the complaint involves a person or persons, the agency will ask an administrator outside the accreditation staff to provide an unbiased assessment of the complaint and recommend appropriate action.
- If the complaint is about accreditation standards or procedures, the agency will assign the review to the State Education Department's Office of Counsel to provide an unbiased assessment of the complaint and recommend appropriate action.

In addition, a complainant is informed that he or she may directly contact the U.S. Secretary of Education with a complaint regarding the accreditation standards or procedures of the agency. [Ref: 34 CFR 602.23 (c)].

## Provision for Public Correction of Incorrect or Misleading Information on Accreditation

An institution that designates the Board of Regents and the Commissioner of Education as its nationally recognized institutional accrediting agency for Title IV purposes shall make public correction, as specified by the Regents and the Commissioner, of incorrect or misleading information related to the accreditation status of the institution, the contents of reports of on-site reviews, or the accreditation actions of the Regents and the Commissioner, with respect to the institution. Subsequent to an investigation, correction may include all or some of the following: (1) posting of the correction on the institution's web site; (2) correction notices in the media in which the misrepresentation has been disseminated; and (3) letters of correction to any agency or organization to which the institution provided the misleading or inaccurate information, all nationally recognized agencies that accredit one or more programs at the institution or the institution as a whole, the U.S. Secretary of Education; or any interested parties that make inquiry about the misrepresentation.

Persistent or serious misrepresentation may provide a basis for adverse accreditation action by the Regents and the Commissioner pursuant to Subpart 4-1 of the Rules of the Board of Regents. [Ref: 34 CFR 602.23 (e)]

## Notifications of Accreditation Decisions

The following entities shall be notified of the following actions no later than 30 days after the agency's decision [Ref: 34 CFR 602.26 (a,b)] :

- (1) Entities: Secretary of Education (by letter), appropriate accrediting agencies (by letter), and the public (by public notice in the New York *State Register*, published by the New York State Department of State, and on the accreditation web site of the Office of Higher Education).
- (2) Actions: A decision to award initial accreditation to an institution or to renew its accreditation; a final decision to place an institution or program on probation or an equivalent status; a final decision to deny, withdraw or terminate the accreditation of an institution; a final decision to take any other adverse accreditation action or a decision by an accredited institution to withdraw from or let lapse its accreditation.

In addition, the agency shall provide to the Secretary and appropriate accrediting agencies written notice of any action cited under §602.26(b)(2) within 30 days of the date the action is taken. Within 60 days after a decision to deny, withdraw, suspend, revoke or terminate an institution's accreditation, the Board of Regents will provide a brief statement to the Secretary and the public summarizing the reasons for the agency's decision and the official comments, if any, that the affected institution made with regard to that decision (or evidence that the affected institution has been offered the opportunity to provide official comment).

### Notifications to Institutions

- Consistent with Regents Rule section 4-1.5(a)(10), the agency notifies institutions in writing of action on an institution's application for accreditation, renewal of accreditation, or change in scope of accreditation. Notifications of adverse action include the basis for that action. [Ref: 34 CFR 602.25 (a-e)]
- Consistent with Regents Rule section 4-1.5(a)(11), the agency notifies institutions in writing of the results of an appeal and the basis for that result. [Ref: 34 CFR 602.25 (g)]

### Voluntary Withdrawal and Lapses

It is the agency's policy to notify the Secretary, the appropriate State licensing or authorizing agency, the appropriate accrediting agencies, and, upon, request, the public if an accredited institution:

- Decides to withdraw voluntarily from accreditation, within 30 days of receiving notification from the institution that is withdrawing voluntarily from accreditation; or
- Lets its accreditation lapse, within 30 days of the date on which accreditation lapses. [Ref: 34 CFR 602.26e].

### Information to be Provided to the U.S. Secretary of Education

- In conducting an accreditation review, the agency reviews and evaluates the reliability and accuracy of the institution's assignment of credit hours. If the agency finds systemic noncompliance with its credit hour requirements, or significant credit-hour noncompliance in one or more programs at the institution, the agency will promptly notify the Secretary. [Ref: 34 CFR 602.24(f)(4)]
- The Secretary of Education will be provided a copy of any annual report prepared by the Regents and the Commissioner acting in their capacity as a nationally recognized institutional accrediting agency.
- The Secretary of Education will be provided a copy, updated annually, of the directory of institutions accredited by the Regents and the Commissioner acting as a nationally recognized institutional accrediting agency.
- The Secretary of Education will be provided a written data summary of the Regents and the Commissioner's activities as a nationally recognized institutional accrediting agency during the previous year if requested by the Secretary.
- The Secretary of Education will be provided any proposed change in policies, procedures or accreditation standards that might affect the Regents and the commissioner's scope of

recognition or compliance with the criteria for recognition at the same time such proposed change is published in the *State Register*.

The agency will submit to the U.S. Department of Education the name of any institution or program that the agency has reason to believe is failing to meet its HEA Title IV responsibilities or is engaged in fraud or abuse, together with the reasons for the agency's concern. The agency will also submit, on the Secretary's request, information that may bear on an accredited institution's compliance with its Title IV, HEA program responsibilities, including the eligibility of the institution or program to participate in Title IV, HEA programs. The agency considers these contacts with the Secretary to be confidential. [Ref: 34 CFR 602.27].

## Regard for the Decisions of States and Other Accrediting Agencies

- As stated in section 4-1.3(a)(1) of the Rules of the Board of Regents, institutions seeking accreditation from the agency must satisfy New York State's authorization requirements for postsecondary institutions. [Ref: 34 CFR 602.28(a)]
- Except as provided, the agency will not grant accreditation to an institution if it knows, or has reasonable cause to know, that the institution is the subject of
  1. A pending or final action brought by a State agency to suspend, revoke, withdraw, or terminate the institution's legal authority to provide postsecondary education in the state.;
  2. A decision by a recognized agency to deny accreditation or preaccreditation;
  3. A pending or final action brought by a recognized accrediting agency to suspend, revoke, withdraw, or terminate the institution's accreditation or preaccreditation; or
  4. Probation or an equivalent status imposed by a recognized agency. [Ref: 34 CFR 602.28(b)]
- The agency may grant accreditation to an institution, as identified in the preceding paragraph, only if it provides to the Secretary, within 30 days of its action, a thorough and reasonable explanation, consistent with its standards, why the action of the other body does not preclude the agency's grant of accreditation. [Ref: 34 CFR 602.28(c)]
- If the agency learns that an institution it accredits is the subject of an adverse action by another accrediting agency or has been placed on probation or an equivalent status by another recognized agency, the agency must promptly review its accreditation of the institution to determine if it should also take adverse action or place the institution on probation or show cause. [Ref: 34 CFR 602.28(d)].

## Appendix 3: Conflict of Interest Guidelines and Recusal Policy

These guidelines apply to peer reviewers, members of the Regents Advisory Council, the Commissioner of Education, the Board of Regents, accreditation staff, and members of the Institutional Accreditation Appeals Board. For purposes of this section, all are considered “reviewers” based on their involvement in the institutional accreditation process.

The Commissioner of Education, peer reviewers, accreditation staff, members of the Board of Regents, members of the Regents Advisory Council and the Institutional Accreditation Appeals Board shall be subject to New York State Public Officers Law section 74, which is the code of ethics and conflict of interest policies for officers of a State agency and maybe accessed at the link below: [http:// public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS](http://public.leginfo.state.ny.us/menugetf.cgi?COMMONQUERY=LAWS).

This section provides that “[no officer or employee of a state agency, member of the legislature or legislative employee should have any interest, financial or otherwise, direct or indirect, or engage in any business or transaction or professional activity or incur any obligation of any nature, which is in substantial conflict with the proper discharge of his duties in the public interest.” Likewise, individuals engaged by the Department as peer reviewers may only participate in such reviews if they are able to satisfy these requirements.

Individuals involved in the institutional accreditation process must follow the conflict of interest and recusal policies prescribed herein. Strict adherence to these standards will assure the continued independence, credibility, integrity and reputation of the Commissioner and the Board of Regents as an accrediting agency, and its policy making processes, by avoiding actual conflicts, potential conflicts, or even the appearance of a conflict of interest.

In addition to the prohibitions in Public Officers Law section 74, to avoid an actual, potential or the appearance of a conflict, any reviewer involved in an accreditation activity under Subpart 4-1 of the Rules of the Board of Regents should recuse him or herself from an accreditation action and/or review if he/she:

(1) is a present or former employee, student, member of the governing board, owner or shareholder of, or consultant to the institution that is seeking institutional accreditation from the Commissioner and the Board of Regents;

(2) is a spouse, parent, child, or sibling of an individual or persons listed in (1) above;

(3) has expressed an opinion for or against the proposed accreditation;

(4) is seeking or being sought for employment or other relationship with the institution under review;

(5) has a personal, professional or other relationship with the institution under review, or with its affiliates, partners or other constituents or interested parties that might compromise objectivity; and/or

(6) has a competitive relationship with the institution that might compromise objectivity (such as a material interest in a particular accreditation outcome based on a significant business or other fiduciary agreement—excluding routine articulation or similar inter-institutional agreements); and/or

(7) if, in the agency’s judgment, there is any other circumstance that could be perceived as a conflict of interest.

Prior to making assignments, the site team coordinator must take appropriate measures to assure that no site team evaluators will be assigned to review an institution with which the individual has a conflict or appearance of a conflict.

All decision-making bodies shall exercise the duties of care, loyalty and obedience and must refrain from self-dealing and usurping corporate opportunities and receiving improper personal benefits.

Each staff member of the agency involved in accreditation functions, or any member of the Regents Advisory Council, the Board of Regents or the Institutional Accreditation Appeals Board shall promptly notify the Deputy Commissioner of Higher Education if he/she has an actual, perceived or an appearance of a conflict of interest with any of the institutions accredited by the Commissioner and the Board of Regents prior to any review of such institution.

#### Recusal Policy

- Members of the Regents Advisory Council; the Commissioner; members of the Board of Regents; and members of the Institutional Accreditation Appeals Board shall review their employment and other interests and relationships on an ongoing basis for potential conflicts of interest with institutions accredited by the Commissioner or Board of Regents and candidates seeking accreditation. Members may seek guidance from the Department’s Ethics Officer on potential conflicts when necessary (email: [NYSEDEthics@mail.nysed.gov](mailto:NYSEDEthics@mail.nysed.gov); or telephone (518) 474-6400)
- Members of the Regents Advisory Council; members of the Board of Regents; and members of the Institutional Accreditation Appeals Board who determine they have a conflict of interest for a given application or proposed action must notify the Deputy Commissioner of Higher Education immediately in writing and disclose the material facts as to the relationship or interest.
- Members of the proposed site visit team who determine they have a conflict of interest must notify the site visit coordinator in writing and disclose the material facts as to the relationship or interest.
- Recusal should occur when there exists any financial or personal interest, direct or indirect, that is incompatible with the Commissioner or member’s duties, or might reasonably be expected to impair objectivity and independence of judgment in the exercise of his/her official duties.
- The minutes of any Committee or board meeting where any action is taken that involves an actual or potential conflict of interest should address the conflict of interest subject and identify the potential conflict of interest, record the material facts as to the relationship and interest,

known or disclosed at the meeting.

- The Commissioner and/r the members of the Regent Advisory Council; the Board of Regents or members of the Institutional Accreditation Appeals Board should absent themselves during any substantive discussion and recuse themselves from any accreditation-related decision involving an institution with which they have a conflict. Any abstention shall also be duly recorded in the minutes of the meeting.

### Confidential Information

The team's report is confidential until it is final. Reviewers may not disclose the report or any part of the report until the Regents have acted on the institution's application. Confidential information obtained during the course of the review may not be used for personal gain. Reviewers' memoranda, notes and other work products generated during the course of the review are the property of the State Education Department and may never be disclosed.

### Gifts

Gifts or gratuities of more than a nominal value may not be accepted from an institution accredited by the Commissioner and the Board of Regents and/or where accreditation is being considered, where doing so might raise an inference that the gift was intended either to influence the team/reviewer or decision-making body in the performance of the accreditation review.

## Appendix 4: Institutional Accreditation Decision-Making Bodies, Advisory Council, and Staff

### New York State Board of Regents and Commissioner of Education

Profiles of the New York State Board of Regents and Commissioner of Education are available online:

- New York State Commissioner of Education and State Education Department: <http://www.nysed.gov/about>
- New York State Board of Regents: <http://www.regents.nysed.gov/members/>  
Members of the Accreditation Appeals Board and agency staff are listed in this appendix.

### Members of the Institutional Accreditation Appeals Board (*with selected credentials*)

- Christoph Kimmich, D.Phil. (Chair)  
President, CUNY Brooklyn College, 2000-2009  
Interim Chancellor, City University of New York (CUNY), 1997-99
- Augusta Kappner, D.S.W.  
President, Bank Street College of Education, 1995-2008  
Assistant Secretary of Education, U.S. Department of Education, 1993-95
- David P. McCaffrey, Ph.D.  
Distinguished Teaching Professor of Public Administration & Policy, Rockefeller College of Public Affairs & Policy, State University of New York at Albany, 2002 - present
- Barbara Nagler, Ed.D. (public member)  
District Superintendent, Capital Region BOCES (Albany, NY), 1998-2007
- R. Mark Sullivan, Ed.D.  
President, The College of St. Rose, 1996-2012

### Statement on Public Members of Decision-Making Bodies

All accreditation decision-making bodies shall include at least one representative of the public, in compliance with the following criteria (at minimum) and any definitions in law, rule, or regulation establishing those bodies. "Representative of the public" means a person who is not--

1. An employee, member of the governing board, owner, or shareholder of, or consultant to, an institution or program that either is accredited by the agency or has applied for accreditation;
2. A member of any trade association or membership organization related to, affiliated with, or associated with the agency; or
3. A spouse, parent, child, or sibling of an individual identified in paragraph (1) or (2) of this definition.

## Regents Advisory Council on Institutional Accreditation

The Regents Advisory Council on Institutional Accreditation is a key external accreditation group composed of educators and public representatives. Its purpose is to review applications for accreditation and renewal of accreditation of New York colleges and universities voluntarily seeking accreditation by the Regents and the Commissioner, pursuant to Part 4 of the Rules of the Board of Regents, to establish eligibility to participate in HEA Title IV student aid programs. The Council also reviews such other matters as the Department may ask it to review and makes recommendations to the Regents and the Commissioner based on its review. It also advises the Department on institutional accreditation procedures, standards, and policies [§3.12(d)(1) of the Regents Rules].

The Advisory Council typically meets twice a year to review all applications for accreditation and renewal of accreditation that are submitted to it by the Deputy Commissioner of Higher Education. The organization, procedures and responsibilities of the Advisory Council are set forth in its Bylaws.

A listing of Council members and their affiliations is available at <http://www.highered.nysed.gov/ocue/accred/handbook/advisorycouncil.htm> .

## Regents Advisory Council Bylaws

### **Article I. Purpose**

There is need for a board composed of educators and public representatives to assist the Board of Regents and the Commissioner of Education in making institutional accreditation and reaccreditation determinations for degree-granting institutions in New York State that seek accreditation by the Board of Regents and the Commissioner, acting in their capacity as a nationally recognized accrediting agency. The Regents Advisory Council on Institutional Accreditation (hereinafter the "Council") is therefore established. The Advisory Council will review all applications for accreditation and reaccreditation that are submitted to it by the Senior Deputy Commissioner of Education P-16 and make recommendations to the Regents and the Commissioner based on its review. The Council will also serve as an advisory group on institutional accreditation procedures, standards, and policies.

### **Article II. Membership**

*Section 1.* (a) The Council shall be composed of a minimum of nine voting members and one non-voting member. Members of the Council shall not participate in any decisions in which there is a conflict or the appearance of a conflict between their duty in the public interest and their private interests.

(b) Membership shall include:

- (i) At least seven educators practicing in New York State. Of this number, at least two shall have experience as senior administrators in degree-granting institutions; at least two shall have had experience as full-time faculty

members in degree-granting institutions; at least one shall be a full-time faculty member at the time of appointment.

(ii) At least two public representatives. Members of this group shall include persons who have a community and public-interest organization experience and who have demonstrated interest in higher education and who are not affiliated with a degree-granting institution in New York State as an employee or unpaid officer.

(iii) The Deputy Commissioner of Education, *ex officio*, who shall be a non-voting member.

*Section 2.* The Commissioner shall appoint members to serve on the Council.

*Section 3.* The responsibility of the appointed members shall be to serve the purpose of the Council set forth in Article I.

*Section 4.* (a) Terms of the initial voting members of the Council shall be arranged so that the terms of three members will expire on June 30, 2001, the terms of three members will expire on June 30, 2002, and the terms of the three remaining members will expire on June 30, 2003. Thereafter, members shall be appointed to serve a regular term of three years each.

*Section 5.* It shall be the duty of the Council to prescribe and implement attendance policies for the membership. Timely accomplishment of the Council's work shall underlie such policies.

### **Article III, Governance**

*Section 1.* The Commissioner shall appoint a chair and vice chair from the membership who shall serve terms of three years, except for the initial chair and vice chair who will serve from May 19, 2000, through June 30, 2001. Thereafter, the terms shall commence on July 1 and end on June 30 of the third year following.

*Section 2.* The chair or, in his/her absence or incapacity, the vice-chair shall:

- Preside at meetings of the Council;
- Be responsible for the preparation of each meeting agenda in consultation with the Senior Deputy Commissioner of Education P-16;
- Serve as an ex-officio, non-voting member on such standing or ad hoc committees or subcommittees as the Council or Commissioner may establish;
- Recognize individuals and representatives of constituent groups from whom the Council seeks to solicit information;
- Establish, with the concurrence of the Commissioner, provisions for considering written statements from individuals who have requested permission to present them with respect to specific upcoming applications for accreditation and reaccreditation; and
- Provide for the preparation of an annual report of Council activities to the Board of Regents.

*Section 3.* Periodically, the Council shall report its accreditation and reaccreditation recommendations to the Board of Regents through the Commissioner of Education. It also shall

make an annual report to the Board of Regents which will both summarize the actions of the Council and include any recommendations the Council may, following self-study, choose to make on its procedures or on the institutional accreditation processes and standards.

*Section 4.* The Chair shall appoint *ad hoc* committees to review individual applications for institutional accreditation or reaccreditation. These committees normally shall consist of two voting members, neither of whom shall have a conflict of interest, as provided in Section 1a of Article II of these bylaws. The task of these committee members is to be primary readers of the application. Each committee shall make a recommendation to the full Council for its discussion and recommendation. The chair also shall appoint annually an *ad hoc* committee to review procedures and policies related to the Council's responsibilities and operation and make recommendations to the Council. The work of this committee may form a basis for the Council's annual report to the Board of Regents.

#### **Article IV. Meetings**

*Section 1.* The Council shall meet twice a year for one or two consecutive days, to be determined by the Department. The chair may also call additional meetings for good cause.

*Section 2.* The Council shall make decisions regarding recommendations to the Board of Regents by a majority vote of its voting membership. The chair or vice chair has full voting power on all decisions by the Council. A record of dissenting votes and comments will be placed in the Council minutes. In exceptional circumstances the chair may permit members to vote *in absentia* under conditions he or she shall prescribe. The chair shall decide on requests for permission to vote *in absentia* consistently and shall not grant or deny permission arbitrarily.

*Section 3.* Meetings shall contain the following elements: call to order; determination of a quorum, approval of minutes of the preceding meeting, items of information, action items, discussion items, items for inclusion in future meeting agendas, and adjournment.

*Section 4.* A majority of the full voting membership of the Council constitutes a quorum.

#### **Article V. Duties of Staff**

*Section 1.* Staff shall:

- Keep minutes of all full Council meetings;
- Transmit copies of minutes to all Council members at least seven days in advance of the next Council meeting;
- Transmit copies of Council-approved minutes to the Senior Deputy Commissioner of Education P-16;
- Send agenda materials to Council members sufficiently in advance of each meeting;
- Have copies of Council agenda materials available at the time of Council meetings; and
- Provide materials needed for review of proposed accreditations and reaccreditations as determined by the chair. These materials may include the institutional self-study, reports of external reviews, and staff recommendations.

## **Article VI. Expectations of Members**

*Section 1.* Council members are expected to attend all scheduled meetings. With prior notification and for valid reasons, the chair may excuse members. Two unexcused absences from scheduled meetings within a 12-month period are grounds for removal of the member from the Council.

*Section 2.* Council members are expected to prepare thoroughly for each meeting by reading and reacting to supporting documents, as provided.

*Section 3.* Council members are expected to work in a collaborative fashion with each other, the Board of Regents, and Education Department staff. Council members are expected to express views and opinions or concerns openly and constructively.

*Section 4.* Council members are expected to apply consistently and evenhandedly the institutional accreditation standards set forth in the Education Law and other New York State statutes, the Rules of the Board of Regents, the Regulations of the Commissioner of Education, and policies applicable in New York State to degree-granting institutions and relevant to the U.S. Secretary of Education's criteria for national recognition as an accrediting agency.

## **Article VII. Amendments**

*Section 1.* Any member of the Council may submit a proposed amendment to these bylaws. A written, full, and complete text of the proposed amendment shall be provided to the membership at least one month prior to the meeting at which the amendment is to be considered. Approval of the amendment shall be by two-thirds vote of the full voting membership. Amendments shall become effective upon approval by the Commissioner.

## **Article VIII. Approval of Bylaws**

*Section 1.* These bylaws shall take effect upon adoption by a two-thirds vote of the voting membership and approval by the Commissioner.

Adopted by the Council: May 19, 2000

Amended: October 13, 2000, October 26, 2001, April 2007

**Approved by the Commissioner, as of date of amendment: Richard P. Mills**

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