

March 7, 2002

MEMORANDUM

To: Mr. Dalton B. Floyd, Jr., Chairman, and Members, Commission on Higher Education

From: Ms. Dianne Chinnes, Chairman, Committee on Academic Affairs and Licensing

Consideration of Proposed Changes to Licensing Procedures and Regulations

Background

At its September 6, 2001, meeting the Commission on Higher Education requested that a task force be constituted for the purpose of reviewing the criteria and procedures for licensing of nonpublic postsecondary institutions. Commissioners Cathy Harvin and Harry Lightsey co-chaired the task force. Membership on the task force included a business representative, a public institution representative, two private institution representatives, a State Board for Technical and Comprehensive Education representative, and a representative from each of the standing committees of the Commission. The task force met on three occasions and recommended several changes to the regulations. The Committee on Academic Affairs and Licensing met on January 15, 2002, and considered the changes recommended by the Licensing Task Force. Six members of the task force also attended the Committee meeting. Opportunity was provided for input from institutions and staff. The suggestions were strongly considered at the task force meetings and at the Committee on Academic Affairs meeting. Based on additional lengthy discussion at the Committee meeting, revisions were made. Licensing Task Force Co-Chair Cathy Harvin will present the final document at the March 7th Commission meeting.

The task force reviewed the current criteria for licensing. It also considered the results of a comparison of the licensing criteria for the states in the SREB region. The task force discussed at length the licensing criteria and the need for additional resources for enforcement of the licensing criteria.

In general terms the proposed changes to the regulations expand the consumer protection focus of the statute and regulations; provide more direction for institutions concerning policies and procedures for record-keeping; establish more rigorous requirements for faculty and administrators; prescribe limitations for transfer credit; mandate review and evaluation; remove the fee schedule from the regulations; and give the Commission the authorization to set fees.

Recommendations

The Committee recommends that the Commission approve the proposed changes to the regulations summarized below to be forwarded to the general assembly.

Section Title	Section/ Paragraph	Explanation of proposed change
Licensing Criteria	62-6.A.	<ul style="list-style-type: none"> o Require that institutions provide documentation of need o Require that out-of-state institutions be accredited o Require that institutions offer the programs in its principal location
	62-6.B.	<ul style="list-style-type: none"> o Require full-time faculty in each major, curricular area or concentration o Require that faculty be proficient in oral and written communication in language in which courses are taught
	62-6.D.	<ul style="list-style-type: none"> o Prescribe conditions for transfer and awarding credit for experiential learning o Specify 25% residency requirement o Require advanced coursework in inverted, two-plus-two and similar programs o Limit to approximately one-half of a bachelor's program transfer from two-year institution o Require that out-of-state institutions allow transfer credit from branch sites to principal location
	62-6.E.	<ul style="list-style-type: none"> o Specify course syllabi content
	62-6.J.	<ul style="list-style-type: none"> o Specify that site directors should be credentialed at same level as the highest degree conferred at the site o Specify credentials for chief academic officers o Require periodic evaluation of administrators
	62-6.N.	<ul style="list-style-type: none"> o Specify that admission requirements be consistent with purposes of institution o Require evidence of high school diploma or GED for admission into degree programs
	Evaluation & Assessment	62-6.2.

		student learning, retention, graduation rates, student, graduate, faculty, and employer satisfaction and require use of results to improve quality of instruction
Associate Degree Programs	62-11.A	o Require one calendar week per credit hour awarded
	62-11.G.	o Require that faculty who teach general education or transfer courses have 18 graduate hours in discipline and hold master's degree or hold master's degree with major in discipline
	62-11.H.	o Prescribe that faculty who teach occupational or technical courses usually have a bachelor's degree
Bachelor Degree Programs	62-12.A.	o Require one calendar week per credit hour awarded
	62-12.E.	o Require that teacher education and school personnel programs meet requirements of CHE and Department of Education
Graduate Programs	62-13.A.	o Require quantitative and qualitative requirements for admission o Require one calendar week per credit hour awarded
	62-13.B.	o Require credentials from accredited institutions
	62-13.D.	o Require that teacher education and school personnel programs meet requirements of CHE and Department of Education
Catalog Requirements	62-16.	o Require publication of full-time faculty and degrees held
	62-16.H.	o Add disclosure that licensure indicates only that minimum standards have been met and is not equivalent to or synonymous with regional or specialized accreditation
Fees	62-23.	o Allows CHE to set reasonable fees; removes specific fees from regulation ¹

In addition to the changes to the regulations, the Committee recommends that the Commission approve a procedure requiring institutions to submit a letter of intent outlining basic information about the institution and the need for the proposed programs. The letter of intent is distributed to the public and private institutions operating in the state at least 60 days prior to the next scheduled meeting of the Committee on Academic Affairs and Licensing.

¹ See attached guidelines for fee structure.

Guidelines for Fee Structure Considered by the Task Force and Accepted by the Committee on Academic Affairs

Removing a set fee schedule from the regulations will allow the Commission the flexibility to adjust fees as required to offset the costs incurred in supporting the licensing function. Examples of how fees may be adjusted are indicated below:

- Increase the percentage upon which the fees are based (I.E., from one-half of one percent to three-fourths of one percent)
- Increase the maximum fee for initial and renewals (I.E., from \$1,000 to \$5,000)
- Increase the maximum fee for amendments to add programs or sites (I.E., from \$500 to \$2,500)