



South Carolina Commission on Higher Education

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Executive Director

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Summary of Regulatory Criteria for Licensing of Nonpublic Postsecondary Institutions South Carolina Commission on Higher Education

Pursuant to the authority granted to the Commission on Higher Education (CHE) by Chapter 58, Title 59 of the SC Code of Laws, as amended, regulations for the issuance of licenses to non-public post-secondary educational institutions and the issuance of permits to agents representing such institutions have been established and are covered by regulations in Article 1 of Chapter 62 of the State Regulations.

In an effort to assist institutions and others in understanding and interpreting those regulations, CHE has prepared the following summary that organizes many of the stated criteria into a more accessible, user-friendly format. This summary is intended as a guide to the enacted regulations and does not in any way replace, supplant, or pre-empt the regulations as stated in SC Regulations 62-1 through 62-100.

Per SC Regulations 62-1 through 62-100, the Commission may license an institution after due investigation has revealed that the institution and its programs have met stated criteria.

Criterion One: Academics and Curriculum

The course, program, curriculum, and instruction are of quality, content, and length as may reasonably and adequately achieve the stated objective for which the course, program, curriculum or instruction is offered and in response to documented need. SC Reg. 62-6(A) [Note: For specific program and instructor requirements by degree program, please see **SC Regs. 62-10 through 62-13.**]

- A) An accrediting body recognized by the U.S. Department of Education or the Council for Higher Education Accreditation must accredit out-of-state degree-granting institutions. **SC Reg. 62-6(A)(i)**
- B) The institution publishes and enforces admission requirements consistent with the purposes of the institution. **SC Reg. 62-6(N)**
- C) The institution has developed satisfactory course and program outline(s) including syllabi for each course specifying goals and requirements, course content, methods of evaluation, and bibliography; attendance policy; grading policy including a policy for incomplete grades, rules of operation and conduct; and a policy for handling student complaints in compliance with Regulation 62-27. **SC Reg. 62-6(E)**
- D) Chief Academic Officers (those who choose faculty) must be credentialed at the same level as required for faculty. Site directors are credentialed at the same level as the highest degree conferred at the site. **SC Reg. 62-6(J)**
- E) Each full-time and part-time faculty member must present documentation of academic preparation, such as official transcripts and, if appropriate for demonstrating competency, official documentation of professional and work experience, technical and performance competency, records of publications, certifications, and other qualifications. The institution must keep on file, for each full-time and part-time faculty member, documentation of academic preparation. **SC Reg. 62-6(B); see entire citation.**
- F) Institutions must ensure that each faculty member employed is proficient in oral and written communication in the language in which assigned courses will be taught. **SC Reg. 62-6(B)**

- G) The institution must award the student an appropriate certificate, diploma or degree showing satisfactory completion of the course, program, or degree. **SC Regs. 62-6(F) and 62-6(D)**
- H) Adequate records as prescribed by the Commission are kept to show attendance and progress or grades, and satisfactory standards relating to attendance, progress, and conduct are enforced. **SC Reg. 62-6(G)**
- I) The institution must have a clearly defined process by which the curriculum is established, reviewed, and evaluated. The institution must provide for appropriate and regular evaluation of the institution and its program and course effectiveness including assessment of student learning, retention, graduation rates, and student, graduate, faculty, and employer satisfaction. The results must be used to ensure and improve quality of instruction. **SC Reg. 62-6.2**

Criterion Two: Facilities

There is in the institution adequate space, equipment, instructional material, and appropriately qualified instructional personnel to provide training and education of good quality. SC Reg. 62-6(B)

- A) The institution complies with all local, county, and state regulations, such as fire, building, and sanitation codes. **SC Reg. 62-6(H)**
- B) The institution must have adequate security measures to protect and back up [its] data. **SC Reg. 62-20**
- C) The institution must have policies concerning retention and disposal of records and information-release policies which respect the rights of individual privacy, the confidentiality of records, and the best interests of the student and institution. **SC Reg. 62-20(A-D) for a listing of components.**
- D) Programs offered by distance education must meet the licensing requirements of the Nonpublic Postsecondary Institution License Act. **SC Reg. 62-6.1**
- E) The institution owns or makes available sufficient learning resources or, through formal agreements with institutional or other (where adequate) libraries to which students have access, ensures the provision of and access to adequate learning resources and services required to support the courses, programs and degrees offered. **SC Reg. 62-6(C); see complete citation for stipulations regarding formal agreement and SC Reg. 62-14 for library requirements.**
- F) Any student living quarters owned, maintained, or approved by the institution are appropriate, safe and adequate. **SC Reg. 62-6(Q)**

Criterion Three: Finances

The institution is financially sound and can fulfill its commitments for education or training. SC Reg. 62-6(I)

- A) The institution does not owe a penalty under Chapter 58 of Title 59, South Carolina Code of Laws, 1976. **SC Reg. 62-6(O)**
- B) Before an institution is licensed, surety bond – or other acceptable means of collateral - must be provided by the institution, the obligation of which will be that the institution, its officers, agents, and employees will faithfully perform the terms and condition of contracts for tuition and other instructional fees entered into between the institution and persons enrolling as students. **SC Reg. 62-7; see complete citation for terms governing bond requirement, including SC Reg. 62-7(F), which outlines alternative to surety bond.**
- C) The institution shall maintain adequate financial records and exercise proper management, financial controls, and business practices. **SC Reg. 62-8(A)**
- D) Adequate insurance shall be carried to protect the institution's financial interests. The amount of insurance shall be sufficient to maintain the solvency of the institution in case of loss by fire or other causes, to protect the institution in instances of personal and public liability, and to assure continuity of the operation of the institution. **SC Reg. 62-8(D)**
- E) Degree-granting institutions shall maintain a sound plan for long-range financial development. **SC Reg. 62-8(E)**

- F) Degree-granting institution's business and financial management shall be centralized under a qualified and bonded business offer responsible to the chief executive officer and charged with the supervision of the budget. **SC Reg. 62-8(F)**
- G) The institution must have a schedule of tuition, fees, other charges and refund policy. (**SC Reg. 62-8(E)**); **see also SC Reg. 62-17 for a complete description of tuition policy requirements and SC Reg. 62-18 for cancellation and refund policy guidelines.**

Criterion Four: Reputation and Character

The institution's owners and directors are appropriately experienced and educated and are of good reputation and character. SC Reg. 62-6(J); see SC Reg. 62-6(J)(1-6) for specific definition of "good reputation."

- A) Site directors should be credentialed at the same level as the highest degree conferred at the site. **SC Reg. 62-6(J)**
- B) All administrative officers must possess credentials, experience and/or demonstrated competence appropriate to their areas of responsibility. **SC Reg. 62-6(J)**
- C) The effectiveness of all administrators must be evaluated periodically. **SC Reg. 62-6(J)**
- D) The institution has, maintains, and publishes in its catalog, bulletin, or brochure and in its enrollment contract the proper refund policy that complies with Regulation 62-18. **SC Reg. 62-6(K); SC Reg. 62-18; and SC Reg. 62-16 for requirements relating to information at a minimum that must be included the institution's catalog, bulletin or brochure.**
- E) The institution does not use erroneous or misleading advertising by actual statement, omission, or intimation; it provides students, prospective students and other interested persons a catalog, bulletin or brochure containing the minimum items as identified in CHE Regulation 62-16. **SC Reg. 62-6(L) and SC Reg. 62-6(P)**
- F) The institution does not use a name that is misleading, the same as or similar to that of an existing institution. **SC Reg. 62-6(M)**