

**Board Academic Affairs Standing Committee  
November 20, 2013  
10:00 a.m. – 11:00 a.m.  
University of Kansas Medical Center  
School of Nursing  
Varnes Board Room**

**Agenda**

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1. Approve November 5, 2013 Conference Call Minutes [Attachment 1]	2
2. BAASC 13-05, Teacher Preparation: Gary Alexander a. Emporia State University Education Dean – Ken Weaver b. Washburn University Education Dean – Donna Lalonde	
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**Kansas Board of Regents  
Academic Affairs Standing Committee**

**Tuesday, November 5, 2013  
Conference Call  
MINUTES**

The Academic Affairs Standing Committee of the Kansas Board of Regents met by Conference Call at 11:00 a.m. on Tuesday, November 5, 2013. This meeting had been properly noticed pursuant to the Kansas Open Meetings Law on October 29, 2013.

**In Attendance:**

**Members:** Regent Robba Moran  
Regent Mildred Edwards  
Regent Van Etten  
Regent Tim Emert

**Staff:** Gary Alexander, Jean Redeker, Karla Wiscombe, Jacqueline Johnson, Crystal Puderbaugh, Susan Fish, Julene Miller and Renee Burlingham

**Others:** Sara Rosen, University of Kansas; Rick Muma, Wichita State University; Tony Vizzini, Wichita State University; Howard Smith, Pittsburg State University; Bill Ivy, Pittsburg State University; Jan Smith, Pittsburg State University; Ruth Dyer, Kansas State University; Brian Niehoff, Kansas State University; Nancy Tate, Washburn University; Randy Pembroke, Washburn University; Gillian Gablemann, Washburn Institute of Technology; Clark Coco, Washburn Institute of Technology; Eric Burks, North Central Kansas Technical College; Jennifer Brown, North Central Kansas Technical College; Richard Fogg, Manhattan Area Technical College; Pedro Leite, Salina Area Technical College; Scott Lucas, Wichita Area Technical College; Diane Stiles, Northwest Kansas Technical College; Brenda Chatfield, Northwest Kansas Technical College; Peggy Forsberg, Highland Community College; Duane Dunn, Seward County Community College; Todd Carter, Seward County Community College; Mike Worley, University of Kansas Medical Center; Chris Crawford, Fort Hays State University; Rustin Clark, Hutchinson Community College; Mike Vitale, Kansas City Kansas Community College; and Linda Fund, Kansas Association of Community College Trustees (KACCT)

Meeting called to order at 11:00 a.m.

**Approve October 16, 2013 Minutes**

Regent Van Etten moved, and Regent Emert seconded the motion, to approve the October 16, 2013 minutes. The motion carried.

## **Consent Agenda**

### **Act on Requests for Additional Degree Granting Authority for:**

- **Vatterott College – Sunset Hills**
- **Spartan College of Aeronautics**
- **Rasmussen College**
- **University of South Dakota**
- **University of Nebraska**

Jacqueline Johnson presented an overview of the above listed requests for additional degree granting authority. These institutions have been reviewed thoroughly by Board staff. The review covers: staff qualifications, record keeping systems, coursework, materials, website platforms, extended studies and campuses. These institutions meet and maintain compliance with all of the imposed requirements. These institutions are also accredited by accrediting agencies recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

Regent Emert moved, and Regent Van Etten seconded the motion, to recommend placing the above listed requests for additional degree granting authority on the November consent agenda of the Board of Regents. Motion carried.

### **Act on Request for Approval of a Master of Science in Geography (CIP 45.0701) – University of Kansas**

Jean Redeker gave a brief overview of the University of Kansas' request for a Master of Science in Geography (CIP 45.0701).

Regent Van Etten moved, and Regent Emert seconded the motion, to recommend placing the University of Kansas' Master of Science in Geography on the November consent agenda of the Board of Regents. Motion carried.

### **Act on Request for Approval of Master of Science in Education (CIP 13.9999) – Pittsburg State University**

Jean Redeker presented Pittsburg State University's request for a Master of Science in Education (CIP 13.9999).

Regent Emert moved, and Regent Van Etten seconded the motion, to recommend placing the Pittsburg State University's Master of Science in Education on the November consent agenda of the Board of Regents. Motion carried.

## **Discussion Agenda**

### **Act on Requests for New Degree Granting Authority for Excelsior College and University of Cincinnati**

Jacqueline Johnson presented the requests for new degree granting authority. Excelsior College is accredited by the Middle States Commission on Higher Education, which is recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation. The University of Cincinnati is accredited by the Higher Learning Commission of the North Central Association of Colleges and Schools, which is recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation.

Regent Emert moved, and Regent Van Etten seconded the motion, to recommend placing Excelsior College's and the University of Cincinnati's requests for new degree granting authority on the November discussion agenda of the Kansas Board of Regents. Motion carried.

## **Other Business**

### **Performance Agreements 2014 - 2016 Review**

BAASC reviewed eleven Performance Agreements for AY 2014, AY 2015, and AY 2016, for the purpose of making recommendations to the full Board.

Jean Redeker gave a brief overview of the following performance agreements:

1. **Emporia State University** – David Cordle was present representing Emporia State University. Indicator 1 targets retention. Indicators 2 and 5 focus on improving student learning outcomes. Indicator 3 compares ESU to peers in relationship to private giving. The other goals focus on growing enrollment of traditional students and increasing the number of student credit hours offered through distance education. All indicators proposed by Emporia State University are in *Foresight 2020* or are otherwise a Board goal (i.e. distance education). Staff recommends approval.

Regent Edwards moved, and Regent Emert seconded the motion, to recommend placing Emporia State University's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

2. **Kansas State University** – Ruth Dyer and Brian Niehoff were present representing Kansas State University. Indicators 1 and 6 target retention. Indicator 2 focuses on the number of credentials completed while Indicator 5 measures the number of underrepresented students receiving a credential. Indicators 3 and 4 look at rankings related to research expenditures and annual giving. Indicators 1 through 5 proposed by Kansas State University are *Foresight 2020* measurements. Staff recommended Indicator 6 also be a *Foresight 2020* measurement. For Indicator 6, K-State measured completion of its First Year Seminar because it directly ties into K-State's strategic goals for retention and graduation. K-State included two ranking indicators, which increased the difficulty of the agreement. Staff recommends approval.

Regent Emert moved, and Regent Edwards seconded the motion, to recommend placing Kansas State University's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

3. **Pittsburg State University** – Howard Smith, Bill Ivy, and Jan Smith were present representing Pittsburg State University. Indicator 1 focuses on retention while Indicator 2 looks at student learning outcomes. Indicator 3 is a ranking indicator and PSU has measured itself against the peers approved by the Board last month in the areas of retention, graduation, research expenditures and faculty qualifications (institutions were ranked on each variable and an average rank was calculated to establish the baseline). Other indicators target growth in distance education, in the awarding of undergraduate degrees to domestic minorities and fund raising for scholarships. All indicators proposed by Pittsburg State University are in *Foresight 2020* or are otherwise a focus of the Board (i.e. distance education). Staff commends PSU for proposing a strong agreement and for developing a multi-faceted ranking indicator. Staff recommends approval of the agreement.

Regent Van Etten moved, and Regent Edwards seconded the motion, to recommend placing Pittsburg State University's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

4. **Washburn University** – Randy Pembroke and Nancy Tate were present representing Washburn University. Indicator 1 focuses on retention. Indicator 2 focuses on attainment of certificates, and degrees while Indicator 4 looks at increasing the percent of students passing required exams for professional or board licensure. Indicator 3 is a ranking indicator and Washburn is comparing itself on the measurement of endowment per full-time equivalent student. Other indicators target growth in distance education and the enrollment of students transferring in Kansas community and technical colleges. Indicator 1 through 4 proposed by Washburn University are in *Foresight 2020*, while Indicator 5 is a focus of the Board. Staff recommended Indicator 6 measure enrolling a population that *Foresight 2020* directly targets. For Indicator 6, Washburn University chose to focus on enrollment of transfer students because it is an institutional goal. Staff recommends approval.

Regent Edwards moved, and Regent Emert seconded the motion, to recommend placing Washburn University's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

5. **Washburn Institute of Technology** – Randy Pembroke, Clark Coco and Gillian Gablemann were present representing Washburn Institute of Technology. Indicator 1 focuses on attainment of certificates and degrees while Indicator 3 measures third-party credential attainment. Indicator 2 is the student success index which measures students who completed or were retained at Washburn Tech or who completed or were retained anywhere in the system, or at institutions that submit data to the National Clearinghouse. Indicator 4 is the developmental education indicator. Indicator 5 aims to increase enrollment at the institution and indicator 6 looks at completion rates. All indicators proposed by Washburn Institute of Technology are in *Foresight 2020*, in the performance agreement model or a focus of the Board (i.e., remedial education). Staff recommends approval.

Regent Edwards moved, and Regent Van Etten seconded the motion, to recommend placing Washburn Institute of Technology's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

6. **North Central Kansas Technical College** – Eric Burks and Jennifer Brown were present representing North Central Kansas Technical College. Indicators 1 and 2 look at increasing retention and graduation rates, while indicator 3 seeks to increase the number of third party credentials awarded. Indicator 4 deals with developmental education. Other indicators look at increasing adult enrollment and increasing distance education. All indicators proposed by North Central Kansas Technical College are in *Foresight 2020*, in the performance agreement model or are a focus of the Board (i.e., distance education, remedial education). Staff recommends approval.

Regent Van Etten moved, and Regent Emert seconded the motion, to recommend placing North Central Kansas Technical College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

7. **Manhattan Area Technical College** – Richard Fogg was present representing Manhattan Area Technical College. Indicator 1 looks at increasing the number of certificates and degrees awarded, while indicator 3 seeks to increase the number of third party credentials awarded. Indicator 2 looks at employment of students after program completion. Indicator 4 deals with developmental education. Other indicators focus on increasing student learning outcomes and increasing enrollment of traditional age students. All indicators proposed by Manhattan Area Technical College are in *Foresight 2020* and/or the performance agreement model. Staff recommends approval.

Regent Emert moved, and Regent Van Etten seconded the motion, to recommend placing Manhattan Area Technical College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

8. **Salina Area Technical College** – Pedro Leite was present representing Salina Area Technical College. Indicator 1 looks increasing the number of certificates and degrees awarded, while indicator 2 seeks to improve retention. Indicator 3 looks at employment of students after program completion while indicator 4 seeks to increase the number of Work Keys credentials awarded. Other indicators focus on increasing student learning outcomes and increasing enrollment of traditional age students. All indicators proposed by Salina Area Technical College are in *Foresight 2020* or in the performance agreement model. Staff recommends approval.

Regent Van Etten moved, and Regent Edwards seconded the motion, to recommend placing Salina Area Technical College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

9. **Wichita Area Technical College** – Scott Lucas was present representing Wichita Area Technical College. Indicator 1 focuses on increasing the number of certificates and degrees earned, while indicator 3 seeks to increase the number of third party credentials awarded. Indicator 2 is ratio measuring the number of award seeking students to credentials conferred. WATC seeks to lower this ratio. The ideal ratio is 1 to 1 which means that each student that seeks an award receives an award. The current baseline is 2.39. This means that for every 2.39 students that seek an award, only one award is given. This leaves 1.39 students not receiving an award. Indicator 4 is the developmental education indicator. Indicator 5 seeks to increase the number of Hispanic and Latino students enrolled. Indicator 6 looks at high school students completing courses. Indicators 1, 2, 3 and 5 proposed by Wichita Area Technical College are in *Foresight 2020*. Indicator 4 is a focus of the Board and Indicator 6 speaks to the Governor's technical education initiative. Staff recommends approval.

Regent Edwards moved, and Regent Emert seconded the motion, to recommend placing Wichita Area Technical College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

10. **Northwest Kansas Technical College** – Brenda Chatfield and Diane Stiles were present representing Northwest Kansas Technical College. Indicator 1 looks at increasing retention rates while indicator 6 looks at graduation rates. Indicator 2 seeks to increase the number of credentials awarded by third parties, while indicator 3 measures the number of certificates and degrees awarded. Indicator 4 is the required developmental student indicator. Indicator 5 measures employment of students after program

completion. All indicators proposed by Northwest Kansas Technical College are in *Foresight2020* and/or the performance agreement model. Staff recommends approval.

Regent Edwards moved, and Regent Van Etten seconded the motion, to recommend placing Northwest Kansas Technical College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

Karla Wiscombe gave a brief overview of the following performance agreement:

11. **Seward County Community College** – Duane Dunn and Todd Carter were present representing Seward County Community College. Indicators 1, 3 and 6 focus on student completion of various levels including courses, credentials, certificates, and degrees. Indicators 2 and 4 target success rates of students in College Algebra and English Composition I. Indicator 5 targets first to second year retention of college ready students. Staff recommends approval.

Regent Emert moved, and Regent Van Etten seconded the motion, to recommend placing Seward County Community College's Performance Agreement on the Kansas Board of Regents January 2014 agenda for approval. Motion carried unanimously.

#### **Other Business**

The Board Academic Affairs Standing Committee meets at 10:00 a.m. on November 20, 2013, in the Varnes Board Room at the School of Nursing, the University of Kansas Medical Center, 3901 Rainbow, Kansas City, Kansas.

The agenda includes Teacher Preparation Presentations by Emporia State University Education Dean – Ken Weaver and Washburn University Education – Donna Lalonde and BAASC will discuss the State Authorization Reciprocity Agreement (SARA).

Regent Emert moved, and Regent Edwards seconded the motion, to adjourn. Motion carried.

The meeting adjourned at 11:40 a.m.

**MIDWESTERN STATE AUTHORIZATION RECIPROCITY AGREEMENT (M-SARA)**

(Final version certified by National Council for SARA, Nov. 1, 2013)

**PREAMBLE**

Americans deserve and require access to high quality postsecondary education, not only because the economic vitality of the nation depends upon how well our population is educated but also because a well educated population contributes greatly to the social and civic vitality of the nation.

Historically, the federal government, state governments, and the postsecondary education community through its accrediting processes and organizations have collaborated to assure that the providers of higher education services were meeting standards of quality and access to serve the nation and its citizens well. Through what is often referred to as “*the triad*” (or the “accountability triad”) the federal government has accepted responsibility for assessing the financial viability of education providers; the states have accepted primary responsibility for assuring that students, as the consumers of educational services, are protected from fraud, abuse, or inadequate provision of services by educational providers; and the educational community through accreditation has accepted responsibility for assuring the adequacy of educational services offered by educational providers.

This three-way collaboration has traditionally worked well to assure reasonable quality, accountability, and consumer protection.

As the nature of postsecondary education has evolved, particularly since the advent of the Internet and the exponential growth of education offered “off campus,” each leg of the triad has faced challenges; however, the states’ role in assuring consumer protection has come under particular scrutiny. In particular, which state is responsible when an institution physically located in one state (the traditional criteria for state oversight) provides education to students living in other states? To clarify the federal government’s understanding of state responsibilities in this regard, in October 2010 the U.S. Department of Education issued regulations indicating that—consistent with existing federal law—states were responsible for all education offered to residents within their state boundaries regardless of where this education “originated.” This regulation appropriately applied to all types of postsecondary education for which students qualified for federal student assistance, regardless of the sector or level of higher education. While this was consistent with existing law, it was counter to the way in which many states were overseeing education; relatively few states were either overseeing or were even aware of the substantial amount of education being provided within their boundaries by institutions from other states.

This clarification of federal expectations had major implications for postsecondary institutions and states. In addition to existing state regulations, there was now a clear federal requirement that all institutions offering education in other states be able to demonstrate that they had authorization to serve students in each of those other states. With the expansion of distance education (via Internet-based education, telecommunications, or other means) many institutions increasingly served students from other states. While some institutions had sought and received such authorizations, in many cases at substantial effort and expense, most institutions offering such instruction had not done so. This federal clarification, therefore, had significant potential implications for institutions, including incurring the costs of securing and maintaining such authorizations to operate and the substantial time and effort invested to secure such authorizations. In some cases access for students



to quality higher education was eliminated if their institutions decided not to incur the cost of complying. States also faced substantial new expectations, with the potential of thousands of institutions requesting authorization from all states, well exceeding the management capacity of current state authorization agencies.

Despite the difficulties arising from the federal regulatory action, the federal expectation of a strong state role in authorization makes sense. This is, in fact, an appropriate state role and responsibility with or without the federal mandate. Consistent with their collaborative missions, we believe that the four existing regional higher education interstate compacts are uniquely positioned to quickly and effectively assist on this issue. The compacts include the Midwestern Higher Education Compact (MHEC), the New England Board of Higher Education (NEBHE), the Southern Regional Educational Board (SREB), and the Western Interstate Commission for Higher Education (WICHE). The compacts operate with the express purpose of expanding educational opportunity within their respective regions. We believe that states within a region, working together and agreeing on terms of engagement and collaboration, can trust each other to work cooperatively and consistently toward reciprocally accepting each other's authorization of institutions to operate. Interstate recognition within a region would also extend to cover all participating states regardless of region. Trust, thus, becomes a guiding principle for a state authorization reciprocity agreement. Trust, however, requires confidence that each of the partners takes seriously its responsibilities with regard to authorizing only institutions that provide high quality education, whether that is through traditional campus-based classroom experiences or through technology mediated or off-campus based experiences.

Similarly, this agreement presumes the efficacy of *the triad* discussed heretofore.

This State Authorization Reciprocity Agreement (SARA), therefore, is built upon these three partnerships: the first being between each higher education regional compact's member states as reciprocal partners, the second being agreement between the four higher education regional compacts, and the third being the partnership between nationally recognized accreditors, the federal government, and the states.<sup>1</sup>

### **Definitions**

A good agreement must be easily and consistently understood by all partners. Definitions of terms, therefore, become very important. Throughout this agreement, where references are made to terms that might be interpreted differently by different partners, definitions are included in footnotes to ensure maximum transparency.

### **This is a Voluntary Agreement**

This agreement establishes reciprocity between willing regional compact member states that accept each others' approval of accredited institutions to operate in their states to offer distance educational services beyond state boundaries. Participation in this agreement is entirely voluntary on the part of the state. This agreement is intended to facilitate expanded access to high quality distance education opportunities for students by improving state policy and operational mechanisms. This agreement applies only to distance educational services provided by institutions outside of their home state boundaries. This agreement does not affect or alter the unique

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<sup>1</sup> SARA is an agreement among states; it is not an agreement among institutions. Institutions need to seek approval from their home state to participate in the reciprocity agreement.

processes that states may use to authorize institutions boundaries to operate or to exempt such institutions from oversight, physically within their state.

Just as participation in this agreement at the state level is voluntary, so too is participation at the institution level. Institutions that wish not to subject themselves to the level of oversight consistent with interstate reciprocity can opt not to participate and thus either choose not to provide distance educational services beyond the boundaries of their state or to seek separate authorization to operate in those states in which they wish to offer educational services.

### **Benefits of Reciprocity**

Significant benefits will accrue to students, institutions and states if the current lack of uniformity in the patchwork of state regulation can be improved through sharing in common, high quality and consistently applied processes and standards.

Institutions will reap financial benefits by no longer having to engage in the confusing and duplicative process of seeking approval to operate on an individual, case-by-case basis in each state in which it serves students.

States will benefit by maintaining their rights and responsibilities to assure quality programs are offered by institutions within their state. States will also benefit by focusing their limited resources on the oversight of institutions within their state, regardless of where that institution serves students. As the number of institutions serving students in multiple states continues to increase, state regulatory offices would find it difficult to conduct meaningful reviews and on-going oversight of the hundreds, if not thousands, of out-of-state institutions operating in their states. Students will benefit as lower costs for institutions will mean fewer costs passed on to students. Some students are finding their options limited as institutions choose not to serve students in states with onerous authorization requirements. Since regulators will focus their reviews on their “home state” institutions, they will have more confidence in the review process and that complaints will be handled and resolved.

Ultimately, the quality of postsecondary education is reflected in the outcomes derived from education. But quality outcomes result from quality processes, and state authorization must focus on both the processes that enable students to acquire the pertinent knowledge and skill as well as the outcomes that demonstrate the acquisition of knowledge and skills.

### **Partnerships**

MHEC has benefitted greatly in the development of this agreement from the work of the Western Interstate Commission for Higher Education, the Presidents’ Forum, the Council of State Governments, and the Commission for the Regulation of Postsecondary Distance Education. With support from Lumina Foundation, these entities engaged in an effort to create a model nationwide interstate reciprocity program, establishing a framework for the four regional interstate compacts (and states and territories that do not currently belong to one of the four interstate compacts) to join together in a collaborative effort to ensure nationwide coverage through four collaborative regional reciprocal agreements. We believe that collaboration between these well-established and highly-regarded regional interstate compacts is the most cost-effective and viable approach to achieve nationwide coverage.

## PURPOSES

This agreement builds upon and strengthens the existing efforts of states, accrediting bodies, and the federal government to facilitate expanded access to high quality education by:

- Establishing common, high quality and consistently applied processes and standards endorsed by participating states, which are efficient and cost-effective;
- Providing for consumer protection and a complaint resolution process;
- Providing for the uniform collection and sharing of information between and among member states for the purposes of assuring adequate quality for distance education services provided by institutions operating outside of their home state boundaries;
- Reducing barriers to innovation in educational delivery;
- Increasing access to postsecondary education and degree completion.

## RESPONSIBILITIES OF THE REGIONAL COMPACTS AND THE RECIPROCATING STATES

### Responsibilities of the Regional Compacts

Each of the regional higher education compacts will manage reciprocity between its member *states*<sup>2</sup> in the acceptance of state approval from all reciprocating states that meet the criteria for reciprocity as defined in this agreement. Each compact will establish a regional State Authorization Reciprocity Agreement (SARA) steering committee. The regional steering committees shall be composed of one representative from each state participating in the reciprocity program selected by the regional compact's commissioners from that state, and up to five additional members selected by the regional compact's commissioners from a slate developed by the respective compact's chief executive officer to represent communities of interest in this agreement that have not been included naturally through the selection process outlined above. Examples of communities of interest include, but are not limited to: state regulators, accreditors, institutions from all sectors of higher education, and state government. Steering committee members' terms of service will be determined by the respective regional compact's governing board.

Three states (New Jersey, New York, and Pennsylvania), the District of Columbia, and all of the U.S. territories and protectorates, do not currently belong to a regional compact. They all have access to all federal education programs and thus are captured at least by the federal government's interest in this set of regulatory issues. These states and territories, subsequently referred to as "non-affiliated" states in this agreement, have the option of paying a \$50,000 annual fee to align with one of the regional compacts so that they can participate in the reciprocity agreement. If they do so, they will each have one representative on the respective compact's regional steering committee.

Each of the regional State Authorization Reciprocity Agreement (SARA) steering committees will establish the criteria for state participation in this reciprocity program and will adjust these criteria, as appropriate, over time. A state seeking to participate in its region's SARA program will submit a plan as to how it will meet the criteria for participation. The regional steering committee will review

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<sup>2</sup> **State** means: any state, commonwealth, district, or territory of the United States.

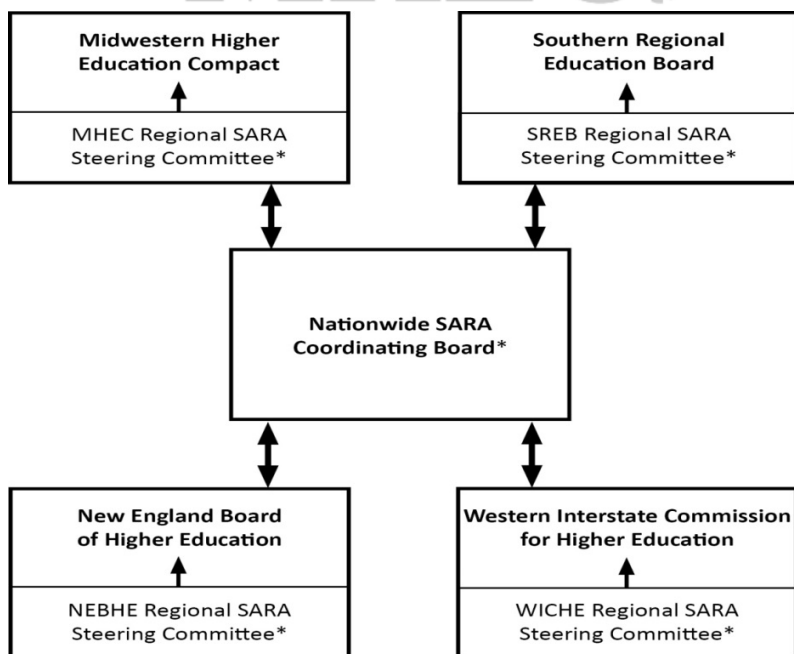
the plan and work with the state to improve the plan until the committee is able to recommend its approval by that region's regional compact. The steering committee also recommends other procedural details and actions regarding participation in SARA to their regional compact's commissioners.

Each regional compact will develop processes for informing states of the requirements for joining the regional reciprocity agreement, accepting states into the reciprocal arrangement, rejecting states from acceptance into the reciprocal arrangement, sanctioning states that fail to meet fully the requirements for participation, and dismissing from the reciprocal arrangement states that fail to respond to concerns that they are not meeting the requirements for participation. These processes must include a process for appeal in the event that a state disagrees with the compact's decision. All states entering into the reciprocity agreement will be reviewed on an annual basis by their respective regional compact to assure that their institutional approval processes and participating institutions continue to meet all of the criteria for inclusion in the reciprocity agreement. The program will be operated by each regional compact under its bylaws, consistent with all other programs that are under its control. Each regional compact will oversee the agreement within its own region.

### **Creating Reciprocity Nationwide**

The four regional compacts jointly accept the responsibility for working together and with states and territories that currently do not belong to a regional compact, for the purposes of harmonizing the State Authorization Reciprocity Agreement across the regions and assuring that the quilt of regional agreements will cover the nation as a whole. This will include creating an organizational structure for the coordination of efforts between these various entities.

Below is a diagram of how this network of collaborative efforts will fit together to provide a nationwide framework. An organizational flow chart follows.



\* Refer to the Responsibilities of the Regional Compacts and the Creating Reciprocity Nationwide sections for information on the composition of the committees and board.

This organizational structure will work as follows. The states will be the principal guardians of consumer protection. They will develop processes for approving and overseeing all accredited degree granting postsecondary education<sup>3</sup> institutions<sup>4</sup> within their state that wish to offer distance educational services outside the state's boundaries. The regional SARA Steering Committees will develop processes for recognizing<sup>5</sup>, for purposes of reciprocity in state authorization, states that demonstrate that they have developed and operate agencies that appropriately authorize<sup>6</sup> and approve for SARA purposes and oversee for SARA purposes all degree granting postsecondary education institutions within their state that wish to offer distance educational services outside state boundaries. The nationwide coordinating board will develop processes for recognizing reciprocity between regional SARAs, for assuring that each regional compact and SARA is appropriately overseeing the states within its regional reciprocity agreement, and for harmonizing procedures among the regions to make the reciprocal recognition of state authorization as it pertains to SARA as seamless and uniform as possible for all participating institutions.

### **Responsibilities of the Reciprocating States**

States participating in this reciprocity agreement have two major areas of responsibility.

#### **I. Authorizing and Approving Responsibility**

First, the states must assure that they have appropriate laws, policy, practice, and processes for authorizing all accredited<sup>7</sup> postsecondary education institutions that operate from their state. The state is defined as the home state<sup>8</sup> for all institutions claiming the state as its principle location for accreditation purposes. This includes authorizing all distance learning activities of these institutions in the home state, and approving all distance learning activities offered by participating SARA institutions in all other states that are members of SARA (defined as host states<sup>9</sup>). After initial SARA

<sup>3</sup> **Postsecondary education** includes all education beyond high school and includes all public, non-profit private, and for-profit private institutions as well as all institutions offering certificates, diplomas, and/or degrees. For purposes of this reciprocity agreement, however, institutional participation will be restricted only to degree granting institutions.

<sup>4</sup> **Institution** means: a college, university, or other postsecondary education institution or collection of such entities doing business as one organization, with an institutional identification from the Office of Postsecondary Education within the U.S. Department of Education (OPEID).


<sup>5</sup> **Recognize** means: states participating in the reciprocity agreement agree to accept each other's institutional approval decisions.

<sup>6</sup> **Authorized** means: holding a current valid charter, license or other written document issued by a state, federal government or government of a recognized Indian tribe, granting the named entity the authority to issue degrees.


<sup>7</sup> **Accredited** means: holding institutional accreditation by name to offer distance education as a U.S.-based institution from an accreditor recognized by the U.S. Department of Education. Only institutions holding such accreditation can participate in interstate state authorization reciprocity.

<sup>8</sup> **Home State** means: a state where the institution holds its principal institutional accreditation.

<sup>9</sup> **Host State** means: a state in which an institution operates under the terms of this agreement, other than the home state.

approval, the home state must review the institution annually for the purposes of affirming or denying approval as a participant of the SARA. To demonstrate a state's adequacy in authorizing institutions, the state must demonstrate to the regional SARA that it meets all of the criteria for approving institutions outlined in the next section of this agreement. 

#### **A. Physical Presence**


One of the most difficult tasks in crafting an interstate agreement on state authorization is determining what activities an institution can or cannot conduct in a state, whether those activities be at a distance or face-to-face. While states use different monikers for these criteria used to determine which activities are allowed in a state, they tend to fall under the notion of "physical presence." It is imperative, therefore, to clearly define what "physical presence" means for institutions participating in SARA for two reasons: 1) because institutions with a physical presence in a host state will not be eligible for reciprocal authorization  and 2) to clearly define what activities can be conducted in a state as a result of participating in this agreement.

The following sections begin to describe the activities that an institution participating in SARA can or cannot conduct in other states that are part of the Agreement. There are so many variations on these activities that it is impossible to cover all contingencies. The items listed below provide initial guidelines to each regional compact, but it is anticipated that each region's steering committee will need to review specific instances of activities conducted in other states and provide additional guidance.

#### **Activities in a Host State Allowed under SARA**

**(These activities DO NOT constitute a Physical Presence that would require State Authorization)**



If an institution is authorized by its home state and that home state is an approved participant in SARA, the institution is eligible to conduct the following activities in any of the SARA states. Physical presence (or "to operate") is not triggered in a state participating in this agreement by any of the following activities:

1. Courses offered at a distance (online, through the United States mail, or similar delivery service) that do not require the physical meeting of a student with instructional staff in a host state. 
2. Academic offerings among institutions from SARA states that are participating in a consortia agreement approved by each of those participating institutions.
3. Advertising to students within a state, whether through print, billboard, direct mail, internet, radio, television or other medium.
4. Recruiting.
5. Experiential learning opportunities arranged for an individual student, such as a clinical, practicum, residency, or internship, provided that:
  - a. The institution has already obtained all of the professional and licensure approvals necessary (if any) to conduct the learning opportunity in the state, or only a small



number of students from each institution is physically present simultaneously at a single field site; and


b. There is no multi-year contract between the institution and a field site.

6. An educational field experience arranged for a group of students that are participating in campus-based programs in another state.
7. An offering in the nature of a short course or seminar, if instruction for the short course or seminar takes no more than twenty classroom hours 
8. A portion of a full-term course, up to two meetings and up to six clock hours, that takes place in a setting where the instructor and students physically meet.
9. Course offerings by an accredited institution on a U.S. military installation, limited to active and reserve military personnel, dependents of military personnel, and civilian employees working on the military installation. 
10. Operation of a server, router or similar electronic service device when such device is not housed in a facility that otherwise would constitute a physical presence; the presence of a server or similar pass-through switching device in a state.
11. Having faculty, adjunct faculty, mentors, tutors, recruiters, or other personnel residing in a state. The presence of instructional faculty in a state, when those faculty offer entirely online or other distance-education instruction and never meet their students in person for educational purposes while in that state, does not establish a presence of the institution in that state or an offer of a course or program from that state for purposes of this agreement.
12. Requiring a student to take a proctored exam at a location or with an entity in the host state prescribed by the institution.
13. Having a contractual arrangement in a state.

#### **Activities in a Host State Not Allowed under SARA**

**(These activities DO constitute a Physical Presence that would require State Authorization)**

For purposes of this agreement, any of the following activities in a host state are not covered by this agreement since they constitute a “physical presence.” An institution would be subject to the default authorization laws and regulations of each individual state in which it conducts these activities:

1. Establishing a physical location in a state for students to receive synchronous or asynchronous instruction; or
2. Requiring students to physically meet in a location in the state for instructional purposes as required for the course; or 

332  
333 3. Establishing an administrative office in the state, including:

- 334  
335 a. Maintaining an administrative office in the state for purposes of providing  
336 information to prospective students or the general public about the institution,  
337 enrolling students, or providing services to enrolled students;  
338  
339 b. Providing office space to instructional or non-instructional staff; or  
340  
341 c. Establishing an institutional mailing address, street address, or phone number in  
342 the state.  
343

344 **B . Complaint Resolution Responsibility**

345 The states must assure that they have reasonable processes for monitoring SARA approved  
346 institutions and for addressing and redressing complaints or concerns that are raised concerning the  
347 delivery of distance education outside state boundaries by these institutions. To demonstrate a  
348 state's adequacy in monitoring and adjudicating the actions of SARA approved institutions, the state  
349 must demonstrate to the respective regional compact's SARA entity that it meets all of the criteria  
350 for monitoring and adjudicating actions of SARA approved institutions, as outlined in the next  
351 section of this agreement.

352  
353 **C. Criteria for State Authorization, Approval, and Oversight**

354  
355 The previous section introduced the responsibility of states in two essential, related, but distinctly  
356 different types of activities: *authorization and approval* of accredited institutions to operate and  
357 participate in SARA and *oversight* of such institutions. Because the criteria for these two functions  
358 differ, they are detailed separately in this section.  
359

360 **Criteria for Approving Institutions to Operate and to Continue Operating**

361 1. **Academic Integrity**

362  
363 States wishing to participate in this regional interstate reciprocity agreement will agree to accept  
364 accreditation by a federally-recognized accrediting agency as both necessary and sufficient evidence  
365 of reasonable institutional academic quality for purposes of delivering distance educational services  
366 outside their home state or receiving services from other states participating in the reciprocity  
367 agreement. Accreditation, therefore, will be acceptable evidence of adequacy with respect to  
368 curriculum, measurement and achievement of student learning outcomes, award of credit, faculty  
369 qualifications, student support services, and academic support services or purposes of reciprocal  
370 acceptance of institutional approval from other states to offer distance educational services beyond  
371 state boundaries, accreditation by an accrediting agency recognized by the U.S. Secretary of  
372 Education upon the advice of the U.S. Department of Education's National Advisory Council on  
373 Institutional Quality and Integrity (NACIQI) must be accepted as sufficient evidence of reasonable  
374 institutional academic quality. Additional criteria to be used in resolving student academic  
375 complaints about an institution are provided in the complaint section below.  
376  
377

378 Additionally, In order to participate in SARA, an institution must agree to abide by all of the  
379 standards set forth in the *Interregional Guidelines for the Evaluation of Distance Education (Online*



Learning) that were developed by the Council of Regional Accrediting Commissions (C-RAC) to assist institutions in planning distance education and to provide an assessment framework for institutions already involved in distance education. They are based on two documents: a 2006 report prepared by the U.S. General Accounting Office, *Evidence of Quality in Distance Education Drawn from Interviews with the Accreditation Community*, and *Best Practice Strategies to Promote Academic Integrity in Online Education*, prepared by the Western Interstate Commission for Higher Education Cooperative for Educational Technologies (WCET). These standards are incorporated in the requirements of all regional accrediting associations and SARA.<sup>10</sup>

## 2. Financial Integrity

States wishing to participate in this interstate reciprocity agreement will agree to accept the standards established by the federal government for demonstrating financial responsibility. The U.S. Department of Education (the Department) considers a public institution to be financially responsible if its debts and liabilities are backed by the full faith and credit of the state or other government entity. The school must provide the Department with a letter verifying that backing from the state, local, or municipal government entity, tribal authority, or other government entity that has the legal authority to make that designation.

While accrediting associations also collect financial information, the federal government has developed a robust and well-accepted process for assessing independent, nonprofit and for-profit institutions' financial data based on audited financial statements. Relying on this federal information provides a high quality mark that is updated annually and reduces redundancy of reporting by institutions, thus reducing administrative burden. The Department uses a financial responsibility composite score to provide an initial evaluation of an institution's financial health and determines a score on a range between -1.0 and 3.0. The Department has identified a score of 1.5 or greater as an indication that an institution is financially responsible, although institutions with lower scores also may continue to receive federal funding if they meet additional fiscal requirements.

For the purposes of this agreement, public institutions, consistent with U.S. Department of Education policies, are presumed to be financially responsible by virtue of their status as state or municipal institutions enjoying the financial backing of their state or municipal government. A private non-profit or for-profit institution is determined to demonstrate sufficient financial strength for participation in the reciprocity agreement if the institution is eligible for federal Title IV student financial aid programs plus the U.S. Department of Education, for the institution's most recent fiscal year for which data is available, has not determined it to have a financial responsibility composite score below 1.5 (only institutions with composite scores of 1.4 or lower are currently notified of their scores); or the institution is otherwise eligible for federal Title IV student aid programs, has a financial responsibility composite score of at least 1.0 but less than 1.5, and the state has determined, upon examination of additional supporting material, that the institution has sufficient financial strength for inclusion or that the reason for the score being at least 1.0 but less than 1.5 is the result of accounting error or the misapplication of generally accepted accounting standards in the calculation of that score.

A private non-profit or for-profit institution that is currently included in its state's reciprocity agreement but that the Department determines in a given year to have a financial responsibility

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<sup>10</sup> C-RAC Standards are appended to this agreement as Appendix A.


composite score of at least 1.0 but less than 1.5 and remains eligible for federal Title IV student aid programs, may, upon approval of its state, be deemed conditionally financially responsible for up to two years.

A private non-profit or for-profit institution that is currently included in its state's reciprocity agreement but that the Department determines to have a financial responsibility composite score below 1.5 for a second, consecutive year may no longer participate in the state's reciprocity agreement, unless the institution demonstrates to the state that the cause of the score is the result of accounting error or the misapplication of generally accepted accounting principles in the calculation of that score. A private non-profit or for-profit institution that has lost its approval to participate in its state's reciprocity agreement under this provision but remains eligible to participate in federal Title IV student aid programs will meet the financial responsibility requirements of the reciprocity agreement if and when the U.S. Department of Education determines the institution no longer has a financial responsibility composite score below 1.5. No institution with a federal composite financial responsibility score of less than 1.0 will be considered eligible for interstate reciprocity, even if it has been deemed to be Title IV eligible by the U.S. Department of Education.


Any institution that wishes to participate in the State Authorization Reciprocity Agreement but that does not have an established federal composite financial responsibility score because it has chosen not to participate in federal Title IV programs must be determined by the state authorizing entity in its home state to be financially responsible based on audited financial information and calculations comparable to those used by the U.S. Department of Education.

The above provisions do not limit the right of the home state to require more demanding financial responsibility requirements for its home state institutions. A SARA member state may require a higher federal financial responsibility score for its participating nonpublic colleges and universities if that standard is applied to the institutions as part of the state's general rules for operating in the state. The state cannot apply a standard higher than the SARA standard solely for eligibility screening for an institution's participation in SARA. For this reason, in a state that applies a higher standard to its nonpublic providers, those providers will by definition operate under a higher standard for the purposes of SARA, but not because of SARA rules.

### 3. Consumer Protection

The triad discussed heretofore gives states the lead responsibility for protecting consumers of postsecondary education. Some of the criteria in this arena are also included within institutional accreditation and within federal oversight, but the primary responsibility of the states lies in this area. The potential adverse consequences for the citizens of the states are so significant that these criteria cannot be assigned solely to either the accreditors or the federal government. States will maintain responsibility for: 

**Recruitment, Marketing, and Other Institutional Disclosures:** To qualify for acceptance into the State Authorization Reciprocity Agreement, a state must demonstrate that institutions approved by the state are held accountable for and have attested to the veracity and adequacy of the institutions' recruitment material, marketing efforts, and other institutional disclosures. This must include each institution being held accountable for and attesting to at least the following:

- Providing full information about institutional and program requirements in a format that prospective students and the public can easily understand and access.
- Assuring that program advertisements and promotional information include all special or exceptional program requirements.
- Ensuring that job placement and related salary information are supported by evidence of their accuracy and efficacy.
- Providing information on programs that prepare students for licensed professions that explicitly states whether the program, including clinical or experiential practice, meets licensure standards in all states in which the institution has students enrolled.
- Monitoring and accepting responsibility for assuring professional conduct of recruiting and marketing staff.
- Disclosing institutional and programmatic accreditation status and providing a brief explanation of what the accreditation status means along with the respective accreditor's information. 

**Tuition, Fees, and Other Charges:** With respect to tuition, fees, and other charges, states require their approved institutions do at least all of the following:

- Disclose all tuition, fees, and other costs associated with attendance, including fees and costs that are unique to specific programs of study.
- Publish clear policies and practices regarding refunds to students, including transparent and readily available information on refund deadlines and refund amounts.
- Provide accurate and complete information about financial aid available to students attending the institution, including all forms of financial aid (grants, scholarships, loans, and work-study) and the sources (institutional, private philanthropic, state, and federal) of each form of aid.



**Admissions:** To qualify for acceptance into the State Authorization Reciprocity Agreement, a state must demonstrate that it assesses the efficacy of the admissions process for every institution seeking new or renewal of approval to serve students via distance delivery in other states. Admissions criteria must include at least the following:

- Clearly stated and comprehensive requirements for admission to the institution must be available to prospective students and this information must also be available as applicable for programs resulting in a certificate, degree, or diploma.
- Reasonable assurance that the admitted students have the capacity to succeed in the program(s) to which they are accepted.

**Complaints and Concerns:** To qualify for acceptance into the State Authorization Reciprocity



Agreement, a state must assure that it requires all institutions seeking approval and participation to demonstrate that they do at least all of the following with respect to complaints against the institution and resolution of such complaints:

- Establish and sustain a complaint procedure that includes clearly understood and published processes for lodging a complaint, both within the institution, to the state authorizing entity, and to the institution's accrediting agency. 
- Establish and sustain processes within the institution for responding appropriately to complaints and for documenting their resolution; 
- Establish and sustain a process for reporting formal complaints and their resolution to the state authorizing/approving entity, including procedures that ensure that an institution's complaint resolution process has been exhausted before the complaint is elevated to the state authorizing/approving entity; and
- Establish and sustain a process for working with the state authorizing entity on resolving complaints that have been lodged and not resolved with that entity.


In addition to requiring institutions to provide such assurances of responsiveness to consumer complaints, the state must demonstrate that it has processes for following up on both formal complaints that it receives and on concerns that come to the attention of the state authorizing entity. The state must demonstrate that it is prepared to accept and act on all legitimate complaints and concerns registered with the state agency with regard to an institution that it has authorized for operation, whether the education provided by the institution was provided in the home state or in a host state. The state authorizing entity must have processes for responding to complaints and concerns from students as consumers, institutions, accrediting agencies, other states within the reciprocity program, the federal government, or other interested parties. Because the states have the primary responsibility for consumer protection and because the accrediting bodies focus more directly on institutional issues, rather than individual student or consumer complaints, it is the responsibility of the state to follow up on all legitimate complaints. The responsibility includes complaints not only related to violations of the consumer protection requirements or of financial solvency of the institution but also include academic standards initially established with an institution's accreditation.

With respect to resolving complaints or concerns regarding academic standards, all states participating in the State Authorization Reciprocity Agreement will be guided by the standards for the evaluation of distance education (on-line learning) adopted by the Council of Regional Accrediting Commissions (C-RAC), which is composed of all of the regional accrediting associations. Abiding by the C-RAC guidelines will ensure that the standards used by accreditors for initial authorization of institutions by the state will be consistent with the guidelines used by states in responding to complaints or concerns lodged with them regarding matters of academic integrity. If deemed necessary in the future, SARA can review and replace these guidelines that are consistent with those used by other entities in reviewing institutional practices.

The state must demonstrate that it accepts affirmative responsibility to promptly report, as appropriate, complaints and concerns to both the institutions about which the complaints/concerns

were lodged and, as appropriate, to the body that accredits the institution. While the host state is not responsible for following up on complaints regarding an institution operating within the state but based elsewhere, the host state must have a process of transferring such complaints that it receives to the home state that has authorized the institution to operate. The home state is responsible for informing the host state of the status or outcome of a complaint lodged through the host state.

#### 4. Data Collection and Sharing

Data collected and shared by participating SARA institutions will be essential to monitoring SARA processes and success. Such data will also allow states to know how many of their students are receiving distance educational services and degrees from providers outside their boundaries. In this way, data collection and sharing among SARA institutions and SARA states will greatly enhance the assessment of the scope and impact of distance education in the nation. Institutions will not be asked to collect and submit data that is readily available and submitted to other entities such as IPEDS and their accrediting agency. Data to be collected and shared by participating SARA institutions may include but will not necessarily be limited to the following 

- Numbers, types, and enrollment of online courses offered in each year
- Number of out-of-state students enrolled in each online degree program/by state/by demographic categories
- Number of out-of-state students completing each online degree program/degrees conferred/by state
- Numbers of complaints lodged against the institution by out-of-state online students/by program

### **Criteria for Overseeing Approved Institutions**

As important as assuring that institutions seeking authority to operate within a state are fit for this purpose is the responsibility of the state to assure that the institution abides by the assurances and commitments it made in seeking authorization.

#### 1. Complaints

The state must demonstrate annually to its SARA agency and to the M-SARA steering committee that the formal complaint process for which it was originally approved still functions as documented in its application for membership to SARA and still works effectively to protect students from possible institutional malfeasance, abuse, incompetence, or criminality. This must include evidence of at least the following:

- Evidence that consumers (students and subsequent employers) have reasonable access to information about the complaint process.
- Documentation of: 1) all formal complaints received, 2) notifications of complaints provided

to institutions and accrediting agencies, and 3) complaint resolutions.

- Demonstration that complaint resolutions were appropriate to the severity and veracity of the complaints, including punishment and restitution for violations (within clearly described guidelines) including specific criteria for the termination of authorization to operate.



Each regional SARA steering committee will establish the specific criteria for these reporting requirements.

## 2. Concerns

The state authorizing entities will become aware of potential problems or possible violations of state authorization and approval, either through staff inquiries or other sources. It is the affirmative obligation of the state entity to address appropriately such concerns. All states participating in a regional State Authorization Reciprocity Agreement must periodically demonstrate that they have clear and well documented policies and practices for addressing such concerns, and that they have followed these policies and practices, consistent with the processes identified in the preceding paragraph. Each regional SARA steering committee will establish the specific criteria for these reporting requirements.

## 3. Catastrophic Responses


State authorizing entities must respond on occasion to catastrophic events at one or more of the institutions that they oversee. All states must periodically demonstrate to their regional SARA entity that they have clear and well documented policies and practices for addressing such catastrophic events, including at least the following.

- In the event of the unanticipated closure of an institution, that the state has a process of assuring that students receive the education they contracted for or
- Reasonable financial compensation for the education they did not receive. 
- Such assurances can come in various forms – tuition assurance funds, surety bonds, teach-out provisions, etc. – and they can come from individual institutional requirements, multi-institutional cooperatives, or state-supported activities. A participating state can choose its own approach, but it must demonstrate regularly that the approach it has selected adequately protects students as consumers. 
- The state entity must also assure that it either requires institutions to have disaster recovery plans, particularly with respect to the protection of student records, or that the state provides such a plan.

## FINANCING SARA


To finance the expenses of establishment, organization, and ongoing activities and to assist states in fulfilling their roles in the State Authorization Reciprocity Agreement, the Nationwide State Authorization Reciprocity Coordinating Board has the authority to collect fees. Fees will be collected



662 from institutions in SARA member states that have chosen to participate in the Agreement and have  
663 been approved for participation by the appropriate state entity.   
664 These fees will be managed and distributed by the coordinating board and will be guided by the  
665 following principles:

- 667 1. Participation in SARA does not infringe upon the right of any member state to charge fees to  
668 its home state institutions to cover the costs associated with review, approval, and  
669 monitoring of operations of institutions in its state.
- 670 2. The home state shall retain all such fees.
- 671 3. Institutions operating in states other than their home state under the provisions of this  
672 agreement shall pay a SARA fee annually to the National Council for SARA.
- 673 4. The SARA fees will be sufficient, in aggregate, to fund the operational expenses associated  
674 with the National Council for SARA and the regional compacts' SARA related work and will be  
675 low enough to encourage institutional participation in this activity.
- 676 5. The SARA fee will be standardized across all regions. After receiving input from each regional  
677 compact and participating states and institutions, the coordinating board shall annually  
678 approve and publish the SARA fee schedule for institutions. The SARA fee will use a  
679 graduated scale based upon the number of students enrolled in or served by an institution.  
680 The tier levels and the metrics to measure students will be determined by the coordinating  
681 board and openly published as part of the fee schedule.

## 686 MHEC 687 CONCLUSION 688

689 Such are the criteria for participating in the State Authorization Reciprocity Agreement. Any of the  
690 states who meet these criteria, and are deemed to have done so by the relevant SARA steering  
691 committee, will be accepted into this reciprocal agreement. 

# Appendix A

## Council of Regional Accrediting Commissions Standards for Distance Education

Revised 2011

The Interregional Guidelines for the Evaluation of Distance Education (Online Learning) were developed by the Council of Regional Accrediting Commissions (C-RAC) to assist institutions in planning distance education and to provide an assessment framework for institutions already involved in distance education. They are based on two documents: a 2006 report prepared by the U.S. General Accounting Office, *Evidence of Quality in Distance Education Drawn from Interviews with the Accreditation Community*, and *Best Practice Strategies to Promote Academic Integrity in Online Education*, prepared by the Western Interstate Commission for Higher Education Cooperative for Educational Technologies (WCET). These standards are now incorporated in the requirements of all regional accrediting associations.

### **1. Online learning is appropriate to the institution's mission and purposes**

#### *Analysis/Evidence:*

- The mission statement explains the role of online learning within the range of the institution's programs and services;
- Institutional and program statements of vision and values inform how the online learning environment is created and supported;
- As appropriate, the institution incorporates into its online learning programs methods of meeting the stated institutional goals for the student experience at the institution;
- The recruitment and admissions programs supporting the online learning courses and programs appropriately target the student populations to be served;
- The students enrolled in the institution's online learning courses and programs fit the admissions requirements for the students the institution intends to serve;
- Senior administrators and staff can articulate how online learning is consonant with the institution's mission and goals.

### **2. The institution's plans for developing, sustaining, and, if appropriate, expanding online learning offerings are integrated into its regular planning and evaluation processes.**

#### *Analysis/Evidence:*

- Development and ownership of plans for online learning extend beyond the administrators directly responsible for it and the programs directly using it;
- Planning documents are explicit about any goals to increase numbers of programs provided through online learning courses and programs and/or numbers of students to be enrolled in them;
- Plans for online learning are linked effectively to budget and technology planning to ensure adequate support for current and future offerings;
- Plans for expanding online learning demonstrate the institution's capacity to assure an appropriate level of quality;
- The institution and its online learning programs have a track record of conducting needs analysis and of supporting programs.



### **3. Online learning is incorporated into the institution's systems of governance and academic oversight.**

#### *Analysis/Evidence:*

- The institution's faculty have a designated role in the design and implementation of its online learning offerings;
- The institution ensures the rigor of the offerings and the quality of the instruction;
- Approval of online courses and programs follows standard processes used in the college or university;
- Online learning courses and programs are evaluated on a periodic basis;
- Contractual relationships and arrangements with consortial partners, if any, are clear and guarantee that the institution can exercise appropriate responsibility for the academic quality of all online learning offerings provided under its name.

### **4. Curricula for the institution's online learning offerings are coherent, cohesive, and comparable in academic rigor to programs offered in traditional instructional formats.**

#### *Analysis/Evidence:*

- The curricular goals and course objectives show that the institution or program has knowledge of the best uses of online learning in different disciplines and settings;
- Curricula delivered through online learning are benchmarked against on-ground courses and programs, if provided by the institution, or those provided by traditional institutions;
- The curriculum is coherent in its content and sequencing of courses and is effectively defined in easily available documents including course syllabi and program descriptions;
- Scheduling of online learning courses and programs provides students with a dependable pathway to ensure timely completion of degrees;
- The institution or program has established and enforces a policy on online learning course enrollments to ensure faculty capacity to work appropriately with students;
- Expectations for any required face-to-face, on-ground work (e.g., internships, specialized laboratory work) are stated clearly;
- Course design and delivery supports student-student and faculty-student interaction;
- Curriculum design and the course management system enable active faculty contribution to the learning environment;
- Course and program structures provide schedule and support known to be effective in helping online learning students persist and succeed.

### **5. The institution evaluates the effectiveness of its online learning offerings, including the extent to which the online learning goals are achieved, and uses the results of its evaluations to enhance the attainment of the goals.**

#### *Analysis/Evidence:*

- Assessment of student learning follows processes used in onsite courses or programs and/or reflects good practice in assessment methods;
- Student course evaluations are routinely taken and an analysis of them contributes to strategies for course improvements;
- Evaluation strategies ensure effective communication between faculty members who design curriculum, faculty members who interact with students, and faculty members who evaluate student learning;
- The institution regularly evaluates the effectiveness of the academic and support services provided to students in online courses and uses the results for improvement;
- The institution demonstrates the appropriate use of technology to support its assessment strategies;
- The institution documents its successes in implementing changes informed by its programs of assessment and evaluation;
- The institution provides examples of student work and student interactions among themselves and with faculty;
- The institution sets appropriate goals for the retention/persistence of students using online learning, assesses its achievement of these goals, and uses the results for improvement.

**6. Faculty responsible for delivering the online learning curricula and evaluating the students' success in achieving the online learning goals are appropriately qualified and effectively supported.**

*Analysis/Evidence:*

- Online learning faculties are carefully selected, appropriately trained, frequently evaluated, and are marked by an acceptable level of turnover;
- The institution's training program for online learning faculty is periodic, incorporates tested good practices in online learning pedagogy, and ensures competency with the range of software products used by the institution;
- Faculty are proficient and effectively supported in using the course management system;
- The office or persons responsible for online learning training programs are clearly identified and have the competencies to accomplish the tasks, including knowledge of the specialized resources and technical support available to support course development and delivery;
- Faculty members engaged in online learning share in the mission and goals of the institution and its programs and are provided the opportunities to contribute to the broader activities of the institution;
- Students express satisfaction with the quality of the instruction provided by online learning faculty members.

**7. The institution provides effective student and academic services to support students enrolled in online learning offerings.**

*Analysis/Evidence:*

- The institution's admissions program for online learning provides good web-based information to students about the nature of the online learning environment, and assists them in determining if they possess the skills important to success in online learning;
- The institution provides an online learning orientation program;
- The institution provides support services to students in formats appropriate to the delivery of the online learning program;
- Students in online learning programs have adequate access to student services, including financial aid, course registration, and career and placement counseling;
- Students in online learning programs have ready access to 24/7 tech support;
- Students using online learning have adequate access to learning resources, including library, information resources, laboratories, and equipment and tracking systems;
- Students using online learning demonstrate proficiency in the use of electronic forms of learning resources;
- Student complaint processes are clearly defined and can be used electronically;
- Publications and advertising for online learning programs are accurate and contain necessary information such as program goals, requirements, academic calendar, and faculty;
- Students are provided with reasonable and cost-effective ways to participate in the institution's system of student authentication.

**8. The institution provides sufficient resources to support and, if appropriate, expand its online learning offerings.**

*Analysis/Evidence:*

- The institution prepares a multi-year budget for online learning that includes resources for assessment of program demand, marketing, appropriate levels of faculty and staff, faculty and staff development, library and information resources, and technology infrastructure;
- The institution provides evidence of a multi-year technology plan that addresses its goals for online learning and includes provision for a robust and scalable technical infrastructure.

**9. The institution assures the integrity of its online offerings.\***

*Analysis/Evidence:*

- The institution has in place effective procedures through which to ensure that the student who registers in a distance education course or program is the same student who participates in and completes the course or program and receives the academic credit. The institution makes clear in writing that these processes protect student privacy and notifies students at the time of registration or enrollment of any projected additional costs associated with the verification procedures. (Note: This is a federal requirement. All institutions that offer distance education programs must demonstrate compliance with this requirement.);
- The institution's policies on academic integrity include explicit references to online learning;
- Issues of academic integrity are discussed during the orientation for online students;
- Training for faculty members engaged in online learning includes consideration of issues of academic integrity, including ways to reduce cheating.

\*Institutions are encouraged to consult *Best Practice Strategies to Promote Academic Integrity in Online Education*, prepared by WCET and available at <http://www.wcet.wiche.edu>

## Requested Approval of Kansas System-Wide Transfer Appeals Process

### Summary and Recommendations

*The Quality Assurance Subcommittee of the Transfer and Articulation Council (TAAC) proposed a “Kansas System-Wide Transfer Appeals Process” to the Council at its October 17, 2013, meeting. The Transfer and Articulation Council now presents the proposed appeal process for consideration by the Board Academic Affairs Standing Committee (BAASC). Staff recommends approval of the proposed appeals process for submission to the full Board.*

*11/20/13*

### Background

KBOR policy states the Transfer and Articulation Council’s mission is to create structures and processes that facilitate student transfer and degree completion within Kansas higher education. TAAC is responsible for assuring quality and adherence to the agreed-upon learning outcomes of courses articulated across institutions. Ensuring appeals processes exist at the institutional level and at the system level for equitable resolution of transfer concerns between institutions was a focus of the Quality Assurance Subcommittee during the initial year of system-wide transfer in Kansas. In addition, the subcommittee was asked to develop a system-wide appeals process for dealing with those situations that may not be settled at the campus level.

The process presented below was approved by electronic vote by the Transfer and Articulation Council after its October 17, 2013, meeting. Following approval the appeals process will be incorporated into the *Kansas Transfer and Articulation Operating Procedures*.

### Proposed System-Wide Appeals Process

#### Kansas System-Wide Transfer Appeals Process

#### Conditions of Appeal

There may be cases in which an institution finds students unable to transfer a course that has been approved by the Kansas Board of Regents (KBOR) for system-wide transfer. In such cases, the sending institution may submit an appeal within 30 calendar days of being notified of the transfer denial to the KBOR Vice President for Academic Affairs, who will refer the matter to the Transfer and Articulation Quality Assurance Subcommittee for review. These conditions must be met for appeals to be considered: **(1) the course being appealed must have been approved for system-wide transfer, (2) the parties must have exhausted all campus-level avenues for resolving the issue\*, and (3) the sending institution can provide evidence that the decision made by the receiving institution was inconsistent with the Kansas system-wide transfer policy.**

#### Appeals Procedures

System Appeals must be made in writing to the KBOR Vice President for Academic Affairs. Each request must include the following documentation:

- Written documentation of the appeals discussion from both the receiving and sending institutions
- Written documentation that the appeals process has been exhausted at the institutional level
- Supporting documents, which could include course descriptions, course syllabi, course objectives, learning outcomes, transcripts or other relevant information
- Rationale from the sending institution as to why the appeal should be supported

Appeals must be submitted by the Provost/Chief Academic Officer of the sending institution to the KBOR Vice President for Academic Affairs, who will refer the appeal to the Chair of the Quality Assurance Subcommittee of the Transfer and Articulation Council (TAAC). If additional clarification is needed, the Registrar at the sending institution may be contacted for further information.

### **Timetable for Appeals**

Appeals approved for review will be considered at the next regularly scheduled meeting of the Quality Assurance Subcommittee.

The Quality Assurance Subcommittee reviews the appeal and makes a recommendation to the full Transfer and Articulation Committee (TAAC). TAAC then reviews the arguments and evidence presented by the Quality Assurance Subcommittee and makes a decision to approve or deny the appeal.

The decision of TAAC is final.

The Transfer and Articulation Council will inform the student and/or the sending and receiving institutions within two weeks of its decision.

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\*The following university websites list individual campus appeals procedures:

<http://www.emporia.edu/regist/com/transferdb.html>

<http://www.fhsu.edu/admissions/transfer-students/>

<http://www.k-state.edu/admissions/#p=apply/transfer.html>

<http://www.pittstate.edu/admission/undergraduate/transfer.dot>

<http://admissions.ku.edu/credit/transfer/>

<http://www.washburn.edu/admissions/undergraduate/transfer/transfer-guides.html>

[http://webs.wichita.edu/?u=academicaffairs&p=/Transfer\\_and\\_Articulation/transferandarticulation/](http://webs.wichita.edu/?u=academicaffairs&p=/Transfer_and_Articulation/transferandarticulation/)

### **Recommendation**

Staff recommends that the proposed appeals policy be approved for consideration by the full Board.