

**TOWARD A MODEL TEMPLATE UPON WHICH AN INTERSTATE
RECIPROCITY COMPACT OF COLLEGE AND UNIVERSITY PROGRAM
AUTHORIZATION COULD BE BASED**

A White Paper of The Presidents' Forum

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This paper, substantially based upon the findings of a recent survey of state authorization officials and selected others, offers a basis for discussion and modification as determined in consultation with a meeting of state authorization administrators, for the purpose of transmitting these findings and the enclosed draft template to a Task Force and coordinated by the Council on State Governments. It is a policy paper of Forum for a project entitled Multi-State Reciprocity in Postsecondary Approval and Regulation, partially supported by a grant from the Lumina Foundation for Education.

The PRESIDENTS' FORUM is a collaborative of over 150 institutions offering distance higher education, associations, and stakeholder policy bodies that cover all sectors of not-for-profit and for-profit higher learning. As a convening body, the FORUM works across all sectors of higher learning by providing a venue to formulate strategies that drive innovation and best practices in online and distance learning.

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I. Background

The Presidents' Forum, acting at its annual policy meeting in Washington DC identified a number of issues that inhibit the ability of institutions of higher education to serve online and distance students more effectively. Among these issues, none has raised more concern than the chilling effect of the diverse and inefficient regulatory processes and requirements for institutional approval by fifty of the United States. Most importantly, as dramatic improvements in modern technologies have enhanced the capability of colleges and universities to serve students across once restrictive geographical and political boundaries, the individual states have lagged in transforming and streamlining their approval processes. The result, said a Task Force of The Presidents' Forum, has seriously inhibited the ability of these institutions to meet the national goal to increase student degree completion. The 2009 Task Force Report, *Aligning State Approval and Regional Accreditation for Online Postsecondary Institutions: A National Strategy*, recommended that Forum undertake an experimental project to encourage the development of multi-state reciprocal agreements by creating "a template based on a common data base built around clear and substantial standards that might meet the needs of states, accreditors and institutions." At its national meeting in October, 2009, The Presidents' Forum endorsed the Task Force Report and its recommendations for action. This "white paper" addresses several of those recommendations.

As a first step, in September, 2010, Forum convened a meeting of state regulatory officers in Dallas, Texas. The outcome of that meeting was wide agreement as to the nature of the issues and problems faced both by states and institutions of higher education. We determined to move forward with the project defined in this paper, seeking partial support from the Lumina Foundation for Education. The Lumina Foundation subsequently made a grant in support of the Forum initiative in October, 2010.

The second step was to circulate a systematic survey instrument of state practices, issues confronted by state officers, and expressions of priority regarding the relative

importance of certain aspects of the institutional approval process [See Appendix C]. The results of this survey instrument provide important perspectives in the proposed template described briefly in Section V of this paper and as a model template in Appendix B.

Before detailing the project itself, this paper outlines briefly, for those not already familiar with the Presidents' Forum Task Force Report, the issues that the Report identified and which prompted this Forum project.

II. A National Problem

The United States of America, once a leader in the educational attainments of its citizens, has fallen well behind many other nations in student degree completion. At the same time, competing effectively in the current worldwide economy requires still higher levels of learning and competence among American leaders and workers. Aiming to meet these new requirements, The United States, supported by foundations and other leading organizations, has established an ambitious goal for sharply increased completion of college degrees in the years immediately ahead. Moreover, the nation is simultaneously taking measures to strengthen the character of those degrees. Achieving such goals will require substantially enhanced institutional capacities and improved student access. Unfortunately structural impediments in state regulatory processes, as well as limited institutional capacity to increase student services, impede rapid increases in American students' opportunities for degree attainment.

One such impediment is found in the state-based structures of institutional program approval and regulation. The function of postsecondary regulation, left constitutionally to each of the fifty American States, is critical to insuring that programs of study offered by institutions of higher learning meet high substantive standards of performance for residents and consumers. But the complexity and diversity of state requirements often act to impede access and deny needed service to students who seek further education.

Especially those colleges and universities that offer online programs of study across state boundaries or have a national footprint, and which employ digital communications and

services in instructional delivery, find that the current state regulatory practices present barriers that inhibit many opportunities for study. With well over five million students now studying online, this innovative mode of educational delivery is an essential and growing component of a successful plan to increase the quality and quantity of university graduates in the future and so meet national goals for high quality degree production and economic prosperity.

Clearly, reform is needed in the policies and processes of state regulatory review and approval for postsecondary educational institutions, and especially for those colleges and universities with a regional or national footprint. The ultimate purpose of this Presidents' Forum project is to enhance the capacity of the nation's higher learning infrastructure to address this national goal.

III. Addressing the Problem

The Presidents' Forum project seeks to bring about policy and operational enhancements in the state regulatory environments and encourage consideration by the states of reciprocal agreements that will make more efficient the regulatory process and encourage expanded access for students. This can be accomplished by 1) Defining a shareable model template of requirements and processes; 2) Promoting understanding and discussion of reciprocal institutional evaluation and approval between states; 3) Developing new statutory model laws that provide state authority to participate in reciprocal compacts; 4) Creating efficient financial support for regulatory services and consumer protection.

Significant benefits could accrue to students, institutions **and** states if the current lack of uniformity in the patchwork of state regulation could be improved through sharing in common, high quality and consistently applied processes and standards. Mutual confidence would be increased among the states. Educational institutions seeking approval to operate in multiple state jurisdictions would face a significantly more efficient and consistently demanding process throughout the nation. Many of today's colleges and universities employ online learning and varied degrees of onsite support to offer study on a national, even international

scale. But the state approval processes, though key to maintaining high educational quality and protecting students against fraud, have not kept pace with these new capacities for outreach. Designed originally to regulate brick and mortar *in-state residential* campuses, current regulatory requirements and evaluative measures sharply inhibit institutions that attempt to offer instruction on a regional or national basis. Most can ill afford the considerable staff and resources necessary to respond individually to each of the fifty states' requirements. Movement toward a high degree of reciprocity would help states to offer effective oversight and consumer protection to their citizens, to build confidence across America in the quality of approved educational offerings and institutions, and to reduce the substantial costs and personnel time commitments for **both** states and institutions. Given the individual state histories, significantly different approaches and means of support, and plethora of competing interests, it is timely to promote a cooperative national, but not necessarily federal, effort to address the challenge. Inasmuch as state law governs the approval and regulation of postsecondary education in the respective states, meeting this challenge will also require consideration of model legislation to enable reciprocity compacts by state governments.

Moreover, the states are currently experiencing increasing challenges in financing their own regulatory structures and processes. Currently, a significant portion, if not all, of the states' institutional authorization and consumer protection budget is derived through institutional user fees. Most recently, state fiscal limitations are seriously limiting the ability of individual states to support essential regulatory oversight. Lacking steady state appropriations for this function, states are imposing sharply increasing fees for service. Federal Student Financial Aid Program (Title IV) rules, effective July 1, 2011, will significantly increase the state's costs, and place an unreasonable cost burden upon the institutions. As a consequence, any multi-state plan for reciprocal institutional approval will also require a parallel structure for fiscal support of associated oversight, data collection and enforcement activities.

IV. The Presidents' Forum Project

As noted in Section I above, as a first step in this two year project The Presidents' Forum convened a group of state authorization officials, together with representatives from the Council on State Governments (CSG) and other stake holders in September, 2010 to act as a Multi-State Reciprocity Task Team. The attendees reviewed current institutional approval procedures in the states and considered the processes and institutional data that states indicate are necessary in order to validate the credibility of an institution for the purpose of granting authority to operate in a state. The Task Team expressed interest in a Forum effort to develop a template for a shared data base, similar forms and processes, and shared substantive educational requirements. Importantly, this project is limited to a focus on accredited degree programs, as the structures for regulating non-degree career colleges on an interstate basis are considerably more diverse and so not within the scope of the current project boundaries.

Forum's conviction is that the most effective strategy for promoting reciprocal agreements among states will be for their own regulatory authorization officials to define a common substantive template, policy and enforcement strategy that is closely integrated with the necessity for review and revision of state rules and statute. For that reason, Forum conducted a survey of state authorization officials to establish a basis for the development of a model interstate compact to enable the development and possible implementation of multi-state reciprocity in postsecondary approval and regulation.

Looking forward, as a second step and after completion of a template of regulatory practices and commonly acceptable data as subsequently described in the draft of this paper, Forum will collaborate with the Council on State Governments (CSG).¹ CSG will draft a model interstate compact and undertake an educational program for policymakers and stakeholders to emphasize consideration of the benefits that may be derived from participation in such an

¹ The Council on State Governments, founded in 1933, is a non-partisan, nonprofit organization that represents every elected and appointed official in the three branches of state government in the fifty states and U.S. territories. CSG offers guidance and technical assistance in dealing with interstate compacts and other interstate agreements.

interstate agreement. Selected membership from both the Forum Multi-State Reciprocity Task Team and CSG will join to form a Drafting Team charged to develop the model state statute in support of the Presidents' Forum Multi-State Reciprocity project.

During the second year of the project, CSG will initiate and convene the Drafting Team meetings and provide the legal and policy analysis required in the formulation of a model reciprocity statute or compact for consideration by multiple states and other stakeholders. Upon completion and review of the model, CSG, in collaboration with Forum, will undertake a national outreach initiative and convene a national legislative briefing to acquaint policy makers, state legislators, state regulators, and other affected constituencies with the content and effects of the proposed model interstate compact, and will provide multimedia educational materials to strengthen wider understanding about the potential benefits of the model statute.

The Presidents' Forum will continue to provide policy direction, oversight, coordination and accountability, communications with Forum membership, public information, and will work to inform policy makers, organizations, and stake holders that have a strong interest in the policy outcomes of this project. Forum will also prepare annual and final project reports.

FORUM, in consultation with CSG, will seek to engage additional states with the process, attempting to build a wider consensus across the nation. Additional presentations at national conferences can promote this effort.

At the conclusion of the period for this project (October, 2012), Forum will conduct a post-project follow-up survey, evaluating the effectiveness of the project in increasing the number of states that move toward adoption of compact agreements that provide for multi-state reciprocity in post secondary institutional approval and regulation. The resultant data should also seek to demonstrate whether or not these "compacts" have been instrumental in increasing opportunities for students' access and degree completion.

In summary, *six outcomes will be delivered during and after the term of this project:*

- 1) Creation of a template of commonly required institutional data, institutional standards, and common protocols for regulatory policy and processes.***
- 2) Exploration of a new financial model for supporting state regulatory processes.***

- 3) *Assignment of responsibility for consumer protection and the handling of student complaints in a multi-state model (enforcement).*
- 4) *Model statute addressing participation in reciprocal regulatory compacts.*
- 5) *Meetings and conferences to disseminate non-partisan analyses about the model statute among the states.*
- 6) *Consideration of reciprocal agreements for common acceptance among and between multiple states.*

In the following section The Presidents' Forum notes several earlier efforts to achieve enhanced interstate reciprocity, and offers a model draft template, developed in consultation with state authorization officials and selected other stakeholders, for further consideration and revision.

V. Toward A Model Template

The following summarizes our findings to date and encourages discussion leading to larger agreements as we move forward toward a model template. The model focuses on areas around which the survey indicated much agreement, and poses options in areas where we need to seek agreement. Thus this draft is intended to be a guidepost and not a campsite. The drafters hope that it will generate a useful discussion of what needs to be done and lead to meaningful guidance to those at the Council on State Governments who will be charged to draft model compact legislation.

A. Previous Efforts to Define Common Institutional Templates: National and Regional Models

The 1973 Task Force: The most comprehensive previous attempt to generate a model code for postsecondary oversight was that of the *1973 Task Force on Model State Legislation for Approval of Postsecondary Educational Institutions and Authorization to Grant Degrees*, operated under the aegis of the Education Commission of the States. This report focused on establishing a set of “best practices” that states could use to deal with nonstandard providers,

but the idea of an interstate approach was a significant part of the Task Force's agenda. The Task Force expressly encouraged states to establish reciprocity agreements.

The Southern Regional Education Board: There are several regional models for the provision of postsecondary education among multiple states. One of the well-developed of these is that of the Southern Regional Education Board (SREB). The SREB Academic Common Market has enabled students in 16 states to enroll in a wide variety of programs across state lines for 35 years. The program is designed to allow students to enroll at in-state rates for programs not offered in their home states. The SREB Electronic Campus, operating since 1998, provides students with opportunities to enroll in distance-education offerings. As an "electronic marketplace" of online courses and programs from the South's colleges and universities, The Electronic Campus was designed to offer courses from accredited institutions that exceeded SREB's Principles of Good Practice. This model has operated long enough to have shown its effectiveness. Interstate offerings are becoming the norm, and students in all states benefit from them.

Other Regions: Western states, many of which are geographically large and culturally rural, established the Western Interstate Commission on Higher Education (WICHE) in 1953. Its purpose is primarily to ensure that students in states that cannot operate a full range of educational programs have access to desired opportunities. One of WICHE's interstate programs is the Internet Course Exchange (ICE). This program enables students, through their home institutions, to seamlessly access high quality online courses and programs offered by other four-year and two-year ICE member institutions. The collaborative model fosters faculty engagement, resource sharing, and innovation. Other regions of the U.S. have multi-state programs and initiatives that encourage openness in enrollment opportunity to meet student needs.

It is clear that because multi-state operation of postsecondary providers has become the norm and offers such benefits to learners, states need to follow the suggestions of all of the previous pioneering efforts that indicated the need to develop more effective means of

interstate regulation and oversight by way of reciprocity and interstate compacts. Our goal is to help this to happen.

B. Policy and Structural Considerations

It is clear from our communication with interested states that a wide variety of subjects related to the academic quality and consumer appropriateness of degree programs are currently contained within state regulations. Although there are many possible things to evaluate about a college or university, the core of any model template upon which reciprocity could be based would have to include the broad subjects set forth in this paper and modeled as an example in greater detail in Appendix B. If State A could be certain that State B was doing a good job of enforcement in the core categories set forth below, it is much more likely that State A would join State B in a reciprocity agreement.

There are a few issues that relate not so much to the specifics of program quality but to the issue of how an agreement would operate. Some of these are discussed here; others will be discussed in later communications from the Forum and the Council of State Governments.

First, we are proceeding on the basis that any reciprocity agreement or interstate compact will be mutual and involve at least theoretical two-way traffic. For this reason, any state that participates must be open to consider acceptance of programs in other member states, as well as having other members accept its programs. In practice, certain large states will “export” far more programs and have far more students than will certain states that have few colleges, but the issue in the agreement is not quantity of product, it is comparability of standards.

Forum discussions have focused on colleges and programs that go through standard approval processes in each state. However, in many states there are groups of colleges that are exempt from standard approval processes. Such colleges, which are primarily public institutions and small religious colleges, but in some states also older nonpublic providers, would participate in a compact if they voluntarily chose to do so and met the standards

acceptable under the compact. Out of state institutions not normally required to seek approval would, under the compact, be expected to meet the compact standards as well.

Our discussions and survey results show that states interested in a reciprocity agreement assume that there will be a single “home” or “base” state that will be responsible for conducting a complete evaluation of participating colleges. Although it does not matter which state that is, there is a concern that there be a single source or point of contact for regulatory issues about that college, rather than having twenty states engage in a game of “who’s on first” trying to figure out where the full-scale review was done.

A state is eligible to participate in an Interstate Postsecondary Reciprocity Compact if its own standards fall within the standards established by the member states of the Compact. These standards must be applied to any institution that a state lists as eligible. The state may apply other standards to its institutions that are not listed as eligible. These latter institutions are not eligible for interstate certification under the Compact, but need to apply to each state separately.

This Compact is a model intended to provide a basis for discussion among those States that are considering formation of a compact for interstate reciprocity in the approval and continuing authorization of educational institutions that seek to offer degree programs in the member states. Accordingly, the defining of specific educational requirements and academic standards for institutional approval that would ultimately be applied to compact institutions will be set by the compact states through whatever organizational structure those states create.

However, it is the intention of the Drafting Team *that the standards established by the compact members will reflect significant expectations and quality in application and performance characteristic of generally prevailing standards and practices.* As Paul E. Lingenfelter, President of the State Higher Education Executive Officers has said: “Quality in postsecondary education derives from three components: *Inputs, process and outcomes.* Student outcomes are paramount, but students depend on the quality of institutional inputs

(services and processes) to enable them to acquire knowledge and skill. While institutions should ultimately be held accountable for outcomes and be encouraged to pursue them in innovative, cost-effective ways, their contribution to these outcomes and the connection between student achievement and institutional services and process is the basis of institutional quality.”

C. Areas Addressed in a Model Template

In recognition of such expectations, we list below a number of categories or areas of institutional expectation that should be among those considered by those who establish specific institutional and educational requirements that must be met by Compact participants.

- 1. Institutional Status: Charter, Regional Accreditation, State Approvals**
- 2. Leadership, Governance and Management**
- 3. Faculty Qualifications**
- 4. Curricula**
- 5. Credit Award**
- 6. Admissions**
- 7. Student Services**
- 8. Institutional Information, Marketing, Recruitment**
- 9. Registrar services and Student records**
- 10. Institutional Operational and Student Outcome Data**
- 11. Finances, Tuition and Fees**
- 12. Institutional Infrastructure in Support of Student Study**

The Drafting Team has appended in Appendix B a sample model that details these institutional categories as an example for the consideration of Compact members.

VI. Defining Common Data Requirements and Format

It is this project's intent that once final standards are chosen, a parallel set of data elements will be listed that will contain the information necessary for a state to determine that each standard is met. Once the initial approval is done using standards that meet Compact requirements, any member state of the Compact will have access to the data elements submitted as part of the evaluation. This will allow verification of enforcement as well as providing baseline data for the member colleges or universities. The National Association of State Administrators and Supervisors of Private Schools (NASASPS) has designated a task force to work on the development of common forms. The Task Force is of the opinion that this accomplishment alone would greatly improve the current processes and state regulatory requirements.

VII. CONCLUSION

This project is intended to bring significant benefits to all parties-the nationally operating institutions, the individual states, the philanthropic sector facilitating change, and for all those who have a stake in enhancing access to quality postsecondary education. Most of all, the students and the nation will be the beneficiaries, improving educational access and outcomes, strengthening the workforce and national economy. The overall goal, to broaden the nation's capacity to promote students' successful achievement of a college or university degree, including enhanced degree completion for those who already have completed a portion of a degree, will help advance an urgent national priority.

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Appendix A

Definitions for use in the Model Standards

Accreditation: means accreditation by an accrediting body recognized by the U.S. Department of Education for purposes of determining colleges or university eligibility for Title IV federal student financial aid programs.

Authorized: means licensed, authorized, approved or other similar terms used to mean holding the formal written authority by an institution to grant degrees in or from a given jurisdiction. In general this is done by a state *agency*, not by a legislature. It does not include approval of articles of incorporation.

Chartered: means given a formal written approval by name of the institution to operate as a degree-granting institution by a state *legislature* (in most cases) or other state government branch that has the authority to do so under the constitution or laws of a state. It does not include articles of incorporation.

College, Institution or University: means a degree-granting institution.

College-level work: means study and documented performance demonstrably superior to that provided by state-approved public high schools in the jurisdiction where the college is authorized. College-level work requires consistently accurate use of language, the ability to generalize appropriately from facts, the ability to make logically defensible critical judgments and the ability to synthesize information to achieve rational results.

Credit Hour: *A credit hour is a commonly accepted unit of academic progress toward a degree. Typically, a three credit hour academic course involves approximately 45 hours of classroom instruction during a semester term, or its equivalent, and expects that a student will spend approximately two additional hours in out-of-class preparation for each credit hour of instruction. Under an alternative term calendar (quarter term or other) an equivalent amount of instruction and student work is expected.*

- (a) Approximately 45 hours of student work in a semester for one semester credit;
- (b) Approximately 30 hours of student work in a quarter for one quarter credit;
- (c) An equivalent amount of student work under an alternate term calendar schedule.

Exempt: means an institution that is not required to undergo periodic qualitative oversight by a state education approval agency in its home state that uses the standards incorporated in this agreement.

Foreign equivalent of U.S. accreditation means that:

- (a) a non-U.S. college has the legal authorization or charter to issue degrees in its country of origin,
- (b) the nation of origin has an oversight structure demonstrably capable of qualitative control of postsecondary education at the level at which the U.S.-equivalent degree is issued, and that
- (c) all degrees issued by the college are fully usable within the country of origin (including for professional licensure) on the same basis as degrees issued by that country's other degree-granting institutions, if any.

High School: means a diploma-granting secondary school, generally serving at least grades 10 through 12 that is approved or licensed by the state in which it is located, or whose diplomas are accepted for admission to at least one regionally accredited degree-granting institution in its home state.

Quarter: means an academic term approximately 8-10 weeks in length.

Semester: means an academic term approximately 12-15 weeks in length.

Term: means a fixed calendar unit used for the award of credit hours for a course. The two principal terms are *quarters* and *semesters*, but other term lengths may be specified.

APPENDIX B

A Model Example of Institutional and Educational Standards

The model that follows reflects many of the current requirements that exist in some of the states. For some, these standards may seem too specific or even too demanding. For others, they will appear too lenient and not sufficiently detailed. We present this model not as an endorsement of these specifics, but as a way to indicate the areas that will generally need to apply in forming a compact, and as a reminder that expectations for institutional performance will need to be reasonably specific and of high expectation. Each compact will need to spend considerable time and energy in finding the appropriate common standards for its member states and constituent institutions.

Institutional Status and Oversight

1. **Status.** The Institution shall provide accurate information about the basis for its degree-granting authority (charter or government license bearing the school's name and

stating that it has the authority to issue degrees), the degrees it is authorized to offer, its accreditation status and its most recent financial audit.

2. **Governance.** The institution shall have a governance structure made up of people whose collective background and experience upon appointment includes postsecondary education, financial and management skills suitable to the oversight of a degree-granting institution.

3. **Leadership.** The institution shall have senior leadership whose knowledge, experience and background is appropriate for the management of a degree-granting institution. The institution shall employ a chief academic officer who holds a graduate degree from an accredited college.

Academic Program Standards

4. **Faculty qualifications.** Faculty qualifications shall be determined by either a qualified academic professional holding a graduate degree or by a team of such professionals.

a. All faculty shall hold accredited U.S. or foreign equivalent graduate degrees in the fields in which they teach, except as noted below.

b. Faculty in associate degree programs leading to professional licensure may teach professional courses without holding a graduate degree, provided that they hold at least an associate degree and a valid license in the profession in which courses are taught. This exception does not apply to associate degree faculty teaching general education or other nonprofessional courses.

- c. Faculty teaching in the fine arts may be granted an exception to faculty credential standards based on professional accomplishment.
- d. Degrees used by faculty are at least one level above the level of the highest degree awarded by programs in which they teach, or are the customary terminal degree in the field, except as noted elsewhere in this agreement.
- e. Adjunct or part-time faculty shall not constitute the entirety of the teaching faculty. The college shall employ sufficient full-time faculty to ensure program integrity.
- f. All faculty shall be provided with opportunities for professional development in order to maintain currency of knowledge in the field.
- g. An institution shall publish in its catalog or on its web site at least once a year the names of its full-time faculty, together with the degrees they hold, the field in which each degree was earned and the institutions from which each degree was earned. That information shall remain available to the public.
- h. An institution shall make available upon request the names of its entire teaching faculty, together with the degrees they hold, the field in which each degree was earned and the institutions from which each degree was earned.

5. Curricula.

- a. Curricula are structured in a reasonable way, comparable to the norm at similar institutions accredited by the same accreditor. Courses shall have a logical progression, with basic material preceding more complex material.
- b. Upper-division undergraduate courses shall be demonstrably more complex than lower-division courses and shall be designed for students who have already taken lower-division courses in the subject.
- c. Undergraduate degrees shall include a general education component.

- d. Graduate degrees are designed to focus on a single or defined multi-disciplinary area, require course work above that used for undergraduate degrees and must be taught by faculty holding the doctorate or terminal professional degree.
- e. An associate's degree requires at least 60 semester credit hours or 90 quarter credit hours or its equivalent in postsecondary study. A.A. degrees will normally include a component of General Education courses.
- f. A bachelor's degree requires at least 120 semester credit hours or 180 quarter credit hours or its equivalent in postsecondary study. B.A. and B.S. degrees will normally include a component of General education courses.
- g. A master's degree requires at least 30 graduate credits or its equivalent.
- h. A doctor's degree shall represent a graduate student's ability to perform independently basic or applied research at the level of the professional scholar or to perform independently the work of a profession that involves the highest levels of knowledge and expertise. Requirements for the degree shall include demonstration of mastery of a significant body of knowledge.
- i. Syllabi are available for all regularly-scheduled courses and accurately state the course's learning goals and requirements.
- j. Curricula are approved or overseen by qualified faculty as defined in Section 4.

6. Award of credit.

- a. Credit is awarded based on an appropriate amount of student work based on the Carnegie unit tracking system (set forth in the definition of Credit) or a well-defined method accepted by a regional accrediting commission that requires comparable student work.
- b. Credit for a course is awarded primarily based on teaching and evaluation by the college's or university's own faculty, employed or contracted.
- c. The institution shall publish its policy on the number or proportion of program credits that must be earned from it.
- d. Transfer credits accepted by an approved college or university are limited to credits issued by colleges or universities of demonstrably similar quality. Similarity of accreditation, comparable eligibility for professional licensure, or other widely-

accepted comparative standards are acceptable methods to be used to determine acceptability of transfer credit. The institution shall publish its policies on the use of transfer credit.

e. Credit by examination, validation of credit for prior college-level learning gained through non-formal study or practice, and other non-instructional bases for the award of credit, other than supervised professional *practica*, shall not be used in graduate programs. Exceptions to this require specific justification by the qualified faculty of the institution with approval by the regional accreditor.

f. Credit transferred from a non-U.S. institution is limited to use as a portion of a degree that also includes credits earned at the awarding institution, and such credits must be from an institution that has the foreign equivalent of U.S. accreditation.

g. Recognizing the desirability for innovation and experimentation, alternative patterns for the award of credit may be acceptable if specifically approved and recognized by a regional accrediting commission.

Student Affairs, Related Services, Communications

8. Student Support.

Programs must provide student services and support appropriate to the nature of the programs offered. These areas of support are often overlooked, underfunded or staffed by inexperienced or untrained individuals. Among all of the areas of support, these may be most directly helpful in enabling students to achieve their educational goals.

9. Admissions.

a. Authorized colleges have methods in place to place admitted undergraduate students at appropriate levels in courses.

b. Grades and recommendations issued by a U.S. high school, foreign equivalent high school, ACT or SAT scores, GED scores and federally approved ability-to-benefit tests are the primary methods in use for admissions purposes. An institution must use at least one of these methods in its admission process.

c. Students admitted to a college are expected to perform college-level work.

d. These standards are not intended to preclude dual enrollment by qualified high school students in college courses.

10. Recruitment and Marketing

- a. College public information and admissions materials must be accurate.
- b. Job placement or graduate salary claims must be supported by sufficient data accessible to the public in college publications (including web sites).
- c. Programs leading to a licensed profession must make clear whether the program meets standards for licensure in any state in which the program enrolls students.

11. Record-keeping and registrar services

- a. Student records must be maintained accurately, stored safely, and remain accessible .
- b. The college must abide by any applicable state and federal laws related to student records, including privacy laws.

Financial Issues

11. Finances.

- a. The college's most recent audit shows positive working capital available for all operations and sites.
- b. The college has sufficient resources to make any refunds required upon its closure, or has posted a surety bond sufficient to cover all such costs to students in all states where it has enrolled students.

12. Tuition and fees.

- a. Tuition and program-related fees shall be accurately described in published form.
- b. Tuition and fees are limited to the current term of enrollment and cannot be charged for entire programs longer than six months. Note: This restriction is not intended

to cover fees involved in application for admission to a college or university or which are not related to a specific course or program.

c. Institutions must disclose to the public accurate information regarding the cost of its programs.

d. Financial aid, in addition to federally guaranteed student loans, must be available.

e. Students who apply for student loans must be provided with an estimate of repayment costs and schedules prior to obtaining the loans.

f. A refund schedule for students who leave prior to the end of a term must be established and published.

Program Improvement

13. The institution must have in place methods of assessment to evaluate the effectiveness and outcomes of each degree program that it offers, and must be able to demonstrate that it uses that information to improve programs. In particular, institutions that employ alternative student instructional means shall have available individual outcome data regarding student performance and achievement.

Institutional Information and Support Services

14. The institution must provide access and support to use resources and information services, including library and related information services.

15. Institutional infrastructure, e.g., facilities, communications and technology, must be sufficient to support all programs, sites and delivery modes.

APPENDIX C
THE SURVEY INSTRUMENT

Presidents' Forum Survey of State Authorization Officials

- ***Note: If you are not a state official responsible for institutional authorization, your answers to questions #3 through #23 will be interpreted as advisory and as a “structural preference” unless you indicate otherwise.***

Section I: Background Information and Overall Approach to Issues

1. Your Name, Title, State, and/or Organization:

_____Your address, e-mail and
_____telephone:

_____Scope of responsibility of your
_____office (type of colleges or universities and programs approved).

2. What actions or areas of responsibility consume most of your staff time and expense?

3. Do you see specific ways in which interstate reciprocity agreements that included your state could assist your office in fulfilling its mission, assuming that it met your needs and expectations?

Does your state currently have any interstate reciprocal agreements in the area of institutional approval or certification? Please list.

Does your state currently have interstate agreements that cover licensed professions, e.g. nursing, engineering, architecture? Please list, if known. What differences, if any, exist by

degree level, by professional area, or by academic major in what you consider to be the most important areas or questions?

4. Would your state be likely to accept evaluation done by another state of a degree-granting college, assuming similarity of regulatory requirements agreed upon under an interstate compact?

7. Would your state enter interstate compacts for college regulation for:

- a. Regionally accredited colleges or universities only, nonprofit or for-profit
- b. any accredited colleges or universities, nonprofit or for-profit
- c. regionally accredited nonprofits only
- d. negotiable

8. With consideration of your state's law making capacities, what is the likelihood of adoption of interstate reciprocal agreements?

9. What kinds of problems would participation in interstate reciprocity compacts likely present for your office?

10. What solutions might work for the problems you have noted?

11. Does your agency currently have a consumer protection role, and if so, what are your current methods, policies or instruments used in that role?

12. Would your office require, in addition to interstate reciprocal compacts, additional agreements to share or maintain fees or costs in order to maintain office functions?

13. Are a portion or all of the services provided by your office supported by user fees?

Section II: Substantive Content for a Model Compact

14. Do you believe that it is possible to craft a template, sufficiently detailed, yet broad and flexible enough to address practically and realistically most of the professional judgments you must make?

15. Recognizing that all of the following can be important, please

a. **Mark with the letter A** the **top five** evaluation subjects that, in your opinion, are the most crucial for state oversight.

b. **Mark with a letter B** the next five subjects in importance.

Mark with a letter C any subjects that you believe to be of lesser value.

c. **Mark the letter U** any subjects that you believe to be **unnecessary**.

___ Adequacy of student services other than placement

___ Assessment and program improvement

___ Faculty qualifications

___ Financial management and stability

___ Library and related information services

___ Placement and related job preparation issues

___ Policies on award of credit

___ Qualifications of key mid-level staff (i.e. Financial Aid Director, Librarian, Registrar, etc.)

___ Qualifications of senior management (President, VP's)

___ Qualifications of Board members

___ Record-keeping and registrar services

___ Recruitment and admissions policy

___ Refunds and related fee policy

___ Colleges or university name/reputation

____ Structure of curriculum to assure proper level of work and organization

16. Are there subjects not included in the preceding list that you would place in the top five subjects for state oversight priority?

17. Other issues or concerns you wish to call to our attention

Section III: Approval Processes, Forms and Other Possible Agreements

18. Can you suggest strategies that would provide for mutually acceptable enforcement of consumer protection needs under interstate reciprocal compacts?

19. Assuming that agreements could be established for acceptance of a common template or for institutional submission of common information and data, could you envision development and use of a common application form for institutions?

—

20. Could you suggest below the [five] most critical pieces of information or data that such a common form must require?

a. _____

b. _____

c. _____

d. _____

e. _____

21. Additional Comments?

APPENDIX D

DIGEST OF 2011 SURVEY OF STATES TO EVALUATE AND DETERMINE KEY ISSUES FOR INCLUSION IN A RECIPROCITY AGREEMENT

In January, 2011, the Forum surveyed state regulatory offices to obtain information about what issues are considered most significant by regulators of colleges and universities. This is crucial information because these offices are the ones most likely to oversee any implementation of interstate reciprocity agreements regarding oversight, and because it is these offices that will have the most meaningful comments to offer as a model compact is drafted.

Results of this survey are compiled below. These results were used as guidelines in drafting some of the proposed substantive standards to be incorporated into a proposed model interstate compact. Fourteen states responded to the survey, substantive enough to raise the issues that need to be addressed.

Under each heading, we have digested the principal issues raised by the states. We have generally not retained the exact language of the responses except where a quote seemed the best way to present an issue for this analysis. Standards reflected in this paper are adapted from those circulated to the working group in 2010; some are entirely new and derive from what the states told us they needed.

Do you see specific ways in which interstate reciprocity agreements that included your state could assist your office in fulfilling its mission, assuming that it met your needs and expectations?

States think that interstate agreements could be especially helpful in saving time and money. This improvement could be useful in evaluating such features as institutional finances, governance structures and general management. These are the features of colleges that are the least site-specific and for which work done by one state is the most likely to be very similar to that done by another state. The principal caveat to this general category is that there is considerable state variation in the need and expectation for tuition recovery funds, bonds and the like. However, we think that this subject is best addressed as part of the consumer protection area, and we have done so later in this document.

States tend to be least comfortable allowing another state to evaluate faculty qualifications, “as faculty are more likely to be local and not evaluated by another state.” In addition, faculty qualifications tend to be quite specific and require a more detailed evaluation than do some other aspects of college operations.

States noted that in order to have confidence in the work of other states, there needs to be a mutual respect for each state’s attention to detail and willingness to engage in consumer protection. Personal trust among the state staff who work as part of the oversight network with any agreement is considered crucial.

States that are interested in an agreement see advantages in being able to share information about colleges among member states. This desire includes results of program reviews and complaints, with perhaps a central repository of information on complaints and how they were resolved.

States want any such agreement to be written in such a way as to minimize the need to follow up with colleges to obtain supplementary information. Therefore an agreement should, to the extent possible, cover as fully as possible those areas that it intends to cover, while expressly excluding areas that it does not intend to cover, so that both colleges or universities and states are clear at the outset what information goes to what jurisdiction.

There is a concern that existing relationships between states and accreditors not be upset or replaced by a reciprocity agreement. This is particularly true in regions such as New England in which state regulators and the regional accreditor meet on a regular basis to discuss ways of making their systems work better together.

Although there are some states that have interstate agreements covering professions such as nursing and teaching, not all states have such agreements and they do not all work the same way. We do not think that there will be unnecessary overlap or interference with any such existing processes.

Would your state be likely to accept evaluation done by another state of a degree-granting college, assuming similarity of regulatory requirements agreed upon under an interstate compact?

Responses were mostly supportive of this idea, but only if it included not only acceptable similar standards but an assurance of actual enforcement and the ability to ensure compliance by both colleges or universities and member states. Put another way, some states are not sure how to make sure that problems get fixed, or who would be responsible for fixing them.

A couple of states indicated that mere “similarity” of standards would not be sufficient, because current state laws establish very precise standards that have to be met, and there would need to be assurance that those exact standards are met, which would result in an agreement that has very high standards, or potentially very narrow standards.

We do not find high standards objectionable; indeed, an agreement will not be possible without them. We hope that if the agreement has high enough standards, states may be willing to make minor adjustments in the details of their rules in order to obtain the benefits of the agreement. A couple of states pointed out that “this is a ‘devil is in the details’ kind of question.” We agree.

The area that seemed least likely to bring general acceptance was faculty qualifications. It is not clear whether this discomfort resulted from a perception that *standards* are significantly different or that *enforcement* at an appropriate level of detail was not expected to be adequate. We think that the latter is the more likely issue, but we think this subject needs additional discussion.

Would your state enter interstate compacts for college regulation for:

- **Regionally accredited colleges or universities only, nonprofit or for-profit**
- **Any accredited college or university, nonprofit or for-profit**
- **Regionally accredited nonprofits only**
- **Negotiable**

Most states indicated that they would accept participation by any accredited provider, but a minority indicated that they were interested only in working with regionally accredited and/or nonprofit colleges. A couple of states suggested that the agreement would be more likely

successful if it started as a “pilot,” possibly involving nonprofits only, then after it had proven effective in an operational setting, it could be expanded to include other providers. We think that this is a good approach that is more likely to win widespread political support than a startup agreement that would include any college.

With consideration of your state’s law making capacities, what is the likelihood of adoption of interstate reciprocal agreements?

State expectations of adoption of reciprocity agreements are quite varied. The principal responses can be divided into two rough groups. Those states that are able to conduct most of their work within the administrative rule arena are much more optimistic than are those states that would need to request legislative action to change statutes. There is some willingness to propose change on the part of states requiring statutory action, but it is not universal. In general, doubt relates more to the difficulty and time required for change rather than to the potential advantages of change.

There is a somewhat higher level of doubt regarding taking forward any plan that would include some kinds of colleges, because interested parties are “already skeptical about the integrity of the institutions and quality of the programs offered at non-public institutions, for- and non-profit, even those regionally accredited and licensed; where federal and state investigations have shown irresponsible recruiting activities; and violations of operating requirements for eligibility of Title IV funds.”

Finally, although the survey did not make this a specific issue, we intend to limit the compact solely to degree programs, as the difficulties of regulating non-degree career colleges or universities on an interstate basis are considerably greater and not within the scope of our current efforts.

What kinds of problems would participation in interstate reciprocity compacts likely present for your office?

States whose college oversight capability is supported entirely or partly by fee revenue from applicant colleges are concerned about making sure that operational capacity is maintained, particularly because of the need to handle consumer protection issues. See that discussion below.

One state asked “Whose law would be applicable and who would do the investigation?” The answer is not clear and would need to be specified. How investigative work would be paid for absent a fee structure in states that are fee supported is also not clear.

One state asked whether one state is the “primary” evaluator with regard to review and the rest of the states accept that review? This is in essence the “home state” question that was discussed at some length during the previous meeting of the working group. Although we do not think that the state of incorporation or where the home office is located is *necessarily* the state whose evaluation becomes the “baseline” for reciprocity, it is clear that only a state that does a *full-scale review* of the college could serve as the baseline. Further discussion of this issue is necessary.

A state inquired “What happens if a state official is responsible (or a state agency – thinking of California, which had no agency for a while) and there is a lack of confidence in their ability?” The related issue of what happens when a state becomes a member and then its ability to perform declines below acceptable levels also came up.

The need to have some kind of verification process to ensure that member states were performing needed tasks was mentioned. The need for a high level of trust among member states as to the actual performance of required reviews came up more than once.

The need for a somewhat formal method to ensure ongoing, timely communication was raised by several states.

A couple of states mentioned the need to have a good database of what college or university programs are approved under the compact, and the need to somehow budget for that central information. We are not certain that a database would be necessary for those portions of the compact that simply establish mutual recognition of decisions made by member states.

What solutions might work for the problems you have noted?

To the extent that the reciprocity agreement covers primarily online providers whose programs were not previously regulated, but which now need to obtain state approval, additional workload might be negligible. However, if the agreement were also to cover some physical campuses that are currently a part of the base of colleges in a given state, the potential for a change of status carries with it the potential for significant loss of operational revenue for the college approval office. Because that office may have other duties, such as investigating complaints or gathering college data, it seems likely that some method of revenue preservation will be necessary in those situations. Many states mentioned this issue, as most of them rely in whole or in part on fee revenue.

The principal alternative would be to assign all investigative and oversight work for compact colleges or universities to a central unit of some kind. This would also potentially allow the creation of a central database of actions, complaints and the like. This approach has the advantage of removing some workload from state offices. However, it would be expensive to establish and maintain (essentially requiring its own fee structure).

Again, exceptional attention to detail will be necessary to resolve these issues. Additional issues are discussed under consumer protection, below.

Does your agency currently have a consumer protection role, and if so, what are your current methods, policies or instruments used in that role?

Almost all of the states indicated that they do have a consumer protection role. In most cases the investigation begins within the education agency and often is entirely encapsulated there until resolved. However, in some cases, the state's attorney general or an independent consumer protection office has the lead role, or receives referrals from the education agency.

Along with responsibility for the academic integrity of programs, the process of providing consumer protection is the key issue that any reciprocity compact needs to deal with thoroughly and effectively.

Current consumer protection methods in states vary from informal and interpersonal to highly structured, but the end goal is the same: to provide students and other potentially affected people such as employers an externally-based method (that is, one outside the college's own oversight superstructure) through which problems at state-approved colleges can be corrected. In most states, the education agency or its "handoff" agency has the power to levy a fine or other penalty on a colleges or university, compel it to take certain actions or, ultimately, to close it. If any of those current powers are to be changed as a consequence of a state joining an interstate compact, an acceptable replacement has to be built into the structure of the compact. In our view, this is the most complex and difficult technical issue facing the working group. As one state leader put it, students need to have a person "with a phone number, a physical address, an email address, the appropriate title within the organization, and who is willing to accept what many view as almost a sacred responsibility to accept without judgment, investigate without barriers, and inform without fear" in solving problems.

One specific aspect to this function that some states mentioned is the tuition recovery fund used when a colleges or university closes and compensation is due to students. In at least one state, compensation from this fund is legally limited to residents of the state. In that situation, students in other states taking online classes would have no remedy should the colleges or university close. This is a significant issue.

That said, unplanned closures are very rare at degree-granting colleges, being more an issue at non-degree career colleges or universities, so that in practice the need for such a fund for interstate use would be limited. Finally, degree-granting colleges or universities generally charge by the term, and in some states are prohibited from charging on any other basis. If the compact were to apply only to such programs, the maximum liability for payout would be for students who were owed refunds for a portion of one term, as they would already have earned credit for previous terms and could not have signed contracts for future terms.

The question of responsibility for transcripts in colleges or university-closure cases may arise. Clearly one central location for transcripts is the norm and should be expected and addressed in the compact. A state should not incur responsibility for transcripts for its own students when the instruction is online. That would result in transcripts being scattered among the states. The standard practice of assigning a single repository for transcripts, normally at a college, should be maintained.

It is conceivable that complaint investigation in an interstate setting may require interstate investigative work. This will require an appropriate set of assistance agreements among states, built into the compact.

Would your office require, in addition to interstate reciprocal compacts, additional agreements to share or maintain fees or costs in order to maintain office functions?

One state wrote that “the need for fees to cover costs incurred by a potential interstate compact would depend on the structure of the compact and the additional responsibilities” that could fall to a given state agency. Other states felt that even if some support fees were desirable, obtaining the legal authority to charge them would be difficult.

Is a portion or all of the services provided by your office supported by user fees?

Most states indicated that all or part of the college oversight function resulted in fees assessed on colleges or university, but the portion of staffing supported by those fees varies widely, and

in some cases the agency does not retain the fees, but passes them through to the state treasury and is technically supported by a general fund appropriation. Three of the fourteen responding states have no fee structure.

Section II: Substantive Content for a Model Compact

Do you believe that it is possible to craft a template, sufficiently detailed, yet broad and flexible enough to address practically and realistically most of the professional judgments you must make?

In general, the states are mildly optimistic that the template can be done appropriately. A typical response was “I think this task is daunting, but believe that it is possible.” However, there are doubts about whether everything necessary for a fully integrated reciprocity structure can be built into the agreement. Principal areas of doubt have to do with faculty screening (ensuring proper qualifications) and creating a process equivalent to one that involves visitation teams. As one state said regarding the latter, “it is difficult to envision a template that could replace the professional judgment of this broad group of higher education leaders and experts.”

One state said “I recommend a pilot to work out the kinks before making it too official to start. It will be tempting and easy to overlay yet another bureaucratic process for institutions and states that defeats the original idea.” We concur that care must be taken to ensure that the reciprocity agreement does not *add* another layer of bureaucracy, but in fact *replaces*, or stands in for, existing processes in a way that reduces complexity and time-consuming actions while maintaining proper oversight.

States were asked to rank key issues for state oversight. The table that follows contains the results of that ranking. Because two of the 14 responding states did not follow instructions, the results are a little fuzzy around the edges, resulting in a slight “over-ranking” of some subjects in the lower part of the list. Nonetheless, we think that the outcome of the survey provides a

useful look at those areas that are likely to be most sensitive and require the most detailed assurances in any compact.

In addition, we think that the higher an item ranks on this table, the more likely it is that some states will want to “reserve” that item for possible state control outside of any compact. The alternative would be to base standards in these areas upon the most restrictive standards currently used by any state. We mention this because it seems likely that high-interest, high sensitivity items are going to be the most difficult to include in a reciprocity agreement that must necessarily include some “common denominator” material.

Count	COUNT	
"A"	TOTAL	
13	55	Faculty qualifications
12	54	Structure of curriculum
10	51	Financial management and stability
7	49	Refunds and related fee policy
7	48	Assessment and program improvement
7	47	Record-keeping and registrar services
8	45	Recruitment and admissions policy
6	45	Adequacy of student services
7	43	Policies on award of credit
1	41	Library and related information services
3	39	Placement and related issues
3	36	Qualifications of senior management
1	30	Qualifications of key mid-level staff
1	21	Qualifications of Board members
1	19	College or university name/reputation
2	8	Accreditation history
2	8	Addressing of student complaints

1	4	Duration of presence as online provider
1	4	Inventory of academic programs
1	4	Evaluation of effectiveness
1	4	Governance, reporting & structures
1	4	Acceptance of transfer credits

One state marked all except colleges or university name/reputation as "A" on purpose.

One state did not follow scoring instructions correctly and used more than the correct number of "A" scores.

States added several topics, shown above in italics. In addition, states added some comments; one of these that is particularly detailed is shown below.

The big issue for us is evaluation for effectiveness of programs. Meaningful reviews are time-consuming, costly, and difficult. We believe evaluation should include assessment of outcomes as in evaluation of end-products. We suspect that the institutions are not consistently enrolling students (which involves pre-matriculation screening) who are (1) capable of work at post-secondary level, especially in graduate programs; (2) not advised so that they enroll in programs that will help them reach their goals; (3) are not evaluated consistently and honestly on their progress which means the students are strung-along and incur much debt, then are not able to complete their programs.

What the results tell us is that although faculty qualifications, curricular structure and financial stability are ranked slightly ahead of other issues, there is considerable interest by states in most of the other potential key issues included on this survey.

Other issues or concerns you wish to call to our attention

Two of the more interesting comments follow.

One concern I have is the prevalence of some of these institutions. It is all too easy for these organizations to potentially spiral out of control resulting in the vulnerability of many more students. Would a compact make that better or worse? Some element of an interstate compact should explicitly allow states to share information obtained in the review process. Some element of the compact should create a mechanism for sharing and tracking complaints across states.

Section III: Approval Processes, Forms and Other Possible Agreements

Can you suggest strategies that would provide for mutually acceptable enforcement of consumer protection needs under interstate reciprocal compacts?

States offered a number of suggestions, which are set forth below.

Establish a central repository, usable by all states belonging to the compact, containing information on known complaints against specific colleges or universities and any actions taken.

Require that institutions make meaningful and unambiguous disclosures to students about the programs, that is, tell the students what institution officials know about the potential for completing programs and getting jobs using those credentials. We have multiple cases where institutions published disclosures that it was the student's responsibility to investigate whether a credential would make him or her eligible for employment, certification, or licensure when officials at the colleges or universities knew that it did not meet state requirements.

Each state addresses issues within its own boundaries. States would need to stay in close contact with each other.

Take a look at the enforcement capabilities of all states included in the interstate compact and assemble an enforcement plan for consumer protection.

Some elements of an acceptable interstate compact would likely include an online repository of all materials provided to regional or national accreditors along with all materials related to approval in the home state. Such a repository has the potential for greatly reducing duplication of effort for institutions and for states.

Another potentially useful element would be a searchable online national complaint registry that would allow for tracking of consumer complaints. Provide for notification to other states when a complaint is received or when other issues arise with a colleges or university.

This may be difficult because of state statutes (requirements). As an example – only residents of our state can collect on tuition recovery funds. So, if a colleges or university was authorized (licensed) here and went “belly up,” any students from another state (i.e. via distance education) would not be eligible for reimbursement. How would the compact address this issue?

I would assume there would still need to be some role for the state regulatory agency where the student resides in this process. In general, I think it will be difficult to get state agencies and perhaps legislatures to fund the level of staffing needed to perform nationwide oversight.

Monitoring of accreditation activity, financials, governance changes, faculty credentials.

It is hard to overstate the importance of institutional policies and procedures for faculty control of curricula and for regular, periodic external review of programs of study. Institutions with strong faculty control are confident and sure of their missions; those lacking such control are likely to be weak and unsure of their role.

There needs to be consideration of the “time” factor and mechanisms to check/monitor how an institution is doing. In other words, if an institution begins to deteriorate in a state – how is that handled. What if a college or university chain closes? Again, these are front-end discussion content. There must be consideration of all possibilities with the acknowledgment that in this work – you can do the best possible job and still fail to protect.

Assuming that agreements could be established for acceptance of a common template or for institutional submission of common information and data, could you envision development and use of a common application form for institutions?

States have a variety of views on this issue, with cautious optimism being the norm. There is a sense that some kind of supplemental form might be needed for certain unique local issues. States recommend that we look at the work being done on a common form by the NASASPS committee. It is clear that we need to come to agreement on a baseline of common standards in advance of working on a common form.

Could you suggest below the [five] most critical pieces of information or data that such a common form must require?

States suggested a variety of data elements that a common form should include. These are listed below. When multiple states suggested a similar element, we have grouped them when possible. Most of these items were mentioned by multiple states.

Where and when the ‘original’ licensure was conducted using a complete review, and whether it is in good standing.

Complaint history or unresolved complaints or investigations (from states and also through US Department of Education or accrediting agencies).

List programs leading to what degrees/credentials and how they are offered (on-ground (where), on-line, hybrid).

Program content and requirements for completion, listing each course title and its credits and any other requirements (e.g., thesis, internship, project). Length and structure of terms of instruction.

Basic institution information, structure of the organization/administrative oversight, names of any corporate officers and owners and contact information. Some states mentioned a need for a clear single point of contact with the provider.

Description of program evaluation and assessment systems. Outcomes by Program. Accreditation information including results of most recent review.

Sample student schedule to program completion, showing course titles and credits in each academic term

Faculty assigned to the program, by name, including full- or part-time status; course(s) taught; highest degree, discipline in which it was earned, and institution that awarded it; relevant occupational experience; relevant other experience, certification, and/or licensure; and relevant scholarly contributions. Minimum requirements for faculty credentials for each level of degree.

New faculty positions to be filled, by title, including number in each title, qualifications, and expected hiring date.

Descriptions of academic, physical, and fiscal resources; admission standards and requirements; and procedures for periodic evaluation of the program(s)

Financial Status of the institution.

Student Service Processes – including financial aid.

Evidence that students are appropriately screened for admission.

Making the connection between theory and practice via hands on instruction and/or placement as part of curriculum.

Plans to grow/add campuses

Current programmatic offerings and enrollments

Refund and fee criteria and policies

Basic colleges or university policy disclosures (admission, refund, etc.)

Student Financial Aid information

Each State should be able to provide, from one of its central offices, a listing of the campuses in the State (public or private) which it is administratively responsible for, including the basic demographics of each – programs, accreditation and agency, date put into service, faculty data, contact point for complaints, etc.

Ideally, a common menu of institutional information for those who desire to enable commerce across State lines would be a priceless document, if all affected Title IV granting campuses would be willing and able to accept an information exchange of that nature.

Enrollment information each year by campus/location and program, with detailed faculty information (degree level, discipline and course being taught)

Additional Comments?

States offered some closing comments that were broad in scope.

In our state, many standards are set in statute.

Critical, but ambitious project. I'm anxious to track it as it develops, given that many of us are holding out yet, despite the short time that we have to work on this, hoping for a solution that is less debilitating and onerous than what we must currently work with.

Again, let us begin with better understanding what the distinctions are in each region and have that group develop what might work best for them, otherwise it will quickly become so prescriptive it will not mean much of anything to anyone.

I think this is an opportunity to really clarify the TRIAD and, when at all possible, we need to construct at the state level in concert with the feds and accreditors

How would renewals work? Our current licensing term is typically five years for degree-granting institutions, but they report on the basics (updated publications, confirmation of insurance and bond, and enrollment reports) each year and pay an annual fee.

APPENDIX D

DISCUSSION MODELS FOR COMPACT DEVELOPMENT

Reciprocity Agreement Format

The working group realizes that some aspects of this section will be adjusted to meet norms established by the Council of State Governments for the creation of interstate compacts. These sections are set forth with the intent of showing key policy and operational considerations, not necessarily wording and structure.

Nature of Agreement

The [State/Commonwealth/Province] of _____, through the [agency name], hereby adopts this interstate agreement governing the operation of certain degree-granting institutions in (name of jurisdiction) _____.

Purpose of Agreement

The purpose of this agreement is to facilitate the operation of U.S. degree-granting institutions in multiple states with minimal duplication of effort by the institution or states.

Note: We see no reason why the agreement could not eventually include Canadian provinces, but we think it is advisable to start with U.S. states. We do not anticipate the agreement extending beyond the U.S. and Canada.

Application of Agreement

This agreement applies solely to interstate degree program operations controlled by the home campus or a dedicated distance-education unit of ___regionally accredited nonprofit degree-granting institutions___ that are chartered or approved to issue degrees in at least one U.S. state that has conducted a complete evaluation of the colleges or university and its programs meeting the terms of this compact, and which state is a member of this compact.

Note: States may include regionally accredited for-profit colleges or other colleges under the terms of this agreement, but are not required to do so. See the Modules.

This agreement does not apply to any regionally accredited colleges or university that is not based in the United States as its original site of operation and incorporation, unless that colleges or university subsequently became wholly owned by a qualifying U.S. colleges or university and now operates at least one separate regionally accredited physical campus inside the United States.

This agreement does not apply to any degree-granting institution that issues degrees from outside the United States, whether or not it is incorporated in the United States.

Note: The intent is to require that the entity obtaining reciprocity be the principal U.S. campus of an institution, not a foreign campus of the same institution.

Operational Modules

This agreement has multiple modules. A State participating in this agreement may choose which modules will be operational for that State. States may select as many or as few modules as desired, depending on the needs of that State.

Module A This agreement applies only to accredited nonprofit and publicly owned colleges or universities.

Module B This agreement applies only to accredited for-profit colleges or universities.

Module C This agreement applies to all accredited degree-granting institutions, nonprofit, public and for-profit.

Module D This agreement applies only to colleges or universities that have operated in _____ [receiving state] for at least _____ years.

Note: This Module is intended to allow states to have a “probationary” period in which an otherwise reciprocity-eligible colleges or university would have to go through the regular approval process at least once.

Module E A colleges or university otherwise eligible to be covered by this agreement may choose to operate under the usual postsecondary oversight laws of _____ [receiving state] rather than under this agreement.

Module F Reserved

Module G Reserved

Module H Reserved

Exceptions

The following exceptions are noted by _____ [state]. This state retains the right to apply state regulations _____ [subject matter or citation]

[List as needed]

to _____ [affected colleges or universities notwithstanding that the subject is covered by the Model Template and this agreement.

Substitution of Standards

_____ [receiving state] agrees that except for any exceptions or reservations set forth under **Exceptions**, the requirements of the colleges or university’s accreditor and the laws of the Model Template signatory state which has conducted the complete review required

under this compact are sufficient to meet the academic standards for operation in _____ [receiving state].

Enforcement of Standards

Module J: Accreditor based enforcement

_____ [receiving state] agrees that qualitative standards and processes established by each colleges or university's **accreditor** are the enforcement mechanism for this agreement. Complaints regarding any issue not falling within the Exceptions will be referred to the colleges or university's accreditor for resolution. Cases that the accreditor declines to resolve through a formal process will be handled as though the colleges or university were operating under the postsecondary approval laws of _____ [receiving state]. Accreditors that resolve cases under this provision shall provide copies of any material related to the case to _____ (receiving state] upon request.

Violations of _____ [receiving state's] laws of general application, including consumer protection laws, may also be used as needed to solve problems arising from college operations.

Module K: Home state based enforcement

_____ [receiving state] agrees that qualitative standards and processes established by each colleges or university's Model Code signatory **home state** as identified by any colleges or university seeking to operate under the terms of this agreement are the enforcement mechanism for this agreement. Complaints regarding any issue not falling within the Exceptions will be referred to the colleges or university's home state for resolution.

[home state] _____ agrees that it will enforce its qualitative standards within [receiving state] _____ as needed.

Violations of _____ [receiving state's] laws of general application, including consumer protection laws, may also be used as needed to solve problems arising from college operations.

Module L: Enforcement limited to receiving state's Exceptions and state's general laws

_____ [receiving state] agrees that it does not require any external enforcement mechanisms and that the stated Exceptions are sufficient to ensure adequate local oversight. Violations of _____ [receiving state's] laws of general application, including consumer protection laws, may also be used as needed to solve problems arising from college operations.

Module M Reserved

Module N Reserved

Advisory Committee

Each state participating in IPRA shall appoint one person to represent that state on the IPRA Advisory Committee. If more than five states join IPRA, the Committee may select a subgroup of its members representing no fewer than five states to serve as a management committee for the agreement. This Committee shall report annually to each member state on the operation of the agreement and recommend any necessary changes to the Model Template or the IPRA agreement language. The content of the report shall be a record available to the public.

Dissolution of Agreement

This agreement can be dissolved at any time by any State party as to its effect on that State party, with ninety days written notice to other signatory states and all currently affected colleges or universities. Any Module may also be withdrawn by the receiving state or by all affected states with ninety days written notice to currently affected colleges or universities.

In the event of State withdrawal, complete dissolution or withdrawal of a Module, any colleges or university operating under the terms of the agreement must apply for any required approvals under _____ [receiving state] standard approval process within ninety days of the date of dissolution or withdrawal.