

WEST VIRGINIA BOARD OF REGENTS

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*Title 128
Interpretive Rule*

~~POLICY BULLETIN NO.~~

Series 15

~~BULLETIN NO. 15~~
~~15~~

(Replaces Policy Bulletin No. 15, dated October 8, 1971,
Revised May 9, 1972, and April 6, 1976; and Policy
Bulletin No. 41, dated February 20, 1979)

POLICY REGARDING THE ACCREDITATION AND APPROVAL OF DEGREE-GRANTING INSTITUTIONS

RESOLVED, That the West Virginia Board of Regents hereby revises its Policy Bulletin No. 15 and its Policy Bulletin No. 41 and adopts, pursuant to the provisions of Chapter 18, Article 26, Section 13a of the West Virginia Code, the following policy and procedures for the accreditation and approval of degree-granting institutions of higher education.

Section 2 *1.* Definitions:

2.1 *A.* The term "higher educational institution" means any institution as defined by Sections 401 (f), (g), (h) of the Federal Higher Education Facilities Act of 1963, as amended, and also means any private proprietary educational institution located in West Virginia and operated for profit which offers one or more programs leading to a degree. In addition, "higher educational institution" means any institution located outside West Virginia which offers courses or degree programs in West Virginia. Furthermore, "higher educational institution" means any person, firm, corporation, association, agency, institute, trust, or other entity of

any nature whatsoever offering education beyond the secondary level which:

1. Offers courses or programs of study or instruction which lead to, or which may reasonably be understood to be applicable toward, a degree; or
2. Operates a facility as a college or university or other entity of whatever kind which offers degrees or other indicia of a level of educational attainment beyond the secondary level; or
3. Uses the term "college" or "university," or words of like meaning, in its name or in any manner in connection with its academic affairs or business, unless such college or university is not degree-granting and comes under the jurisdiction of the West Virginia Department of Education.

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"Institutional accreditation" means the process whereby one or more of the following institutional accreditation agencies recognized by the U. S. Department of Education has granted public recognition to a higher educational institution indicating that the institution meets established standards of quality, as determined through an initial and periodic self-study and evaluation by peers: the American Association of Bible Colleges, the Association of Independent Colleges and Schools, the Middle States Association of Colleges and Schools, the National Association of Trade and Technical Schools, the New England Association of Schools and Colleges, the North Central Association of Colleges and Schools, the Northwest Association of Schools and Colleges, the Southern Association of Colleges and Schools, and the Western Association of Schools and Colleges. "Institutionally accredited" means that the institution has been granted such accreditation.

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"Accreditation and approval by the Board of Regents" (or "approval by the Board of Regents") means the process whereby a higher educational institution is granted a right to award degrees or offer courses in West Virginia, pursuant to Chapter 18, Article 26, Section 13a of the West Virginia Code. "Accredited and approved by the Board of Regents" (or "approved by the Board of Regents") means that the institution

has been granted such accreditation and approval.

2.4 ~~D.~~

"Degree" means any earned award at the associate, baccalaureate, graduate, or professional level which represents satisfactory completion of the requirements of a program or course of study or instruction beyond the secondary level and shall include certificates and specialist degrees when such awards represent a level of educational attainment above the associate degree level.

2.5 ~~F.~~

Postsecondary "diploma" or "certificate" means an award which represents a level of educational attainment at or below the associate degree level and which is given for successful completion of a curriculum comprised of two or more courses and applies only to those awards for coursework offered within West Virginia by higher educational institutions which are appropriately approved to offer, either within or outside West Virginia, degrees at the associate, baccalaureate, graduate, or professional level. An institution which offers such diplomas or certificates, but not degrees, comes under the jurisdiction of the West Virginia Department of Education.

2.6 ~~F.~~

"Degree program" means a curriculum or course of study in a discipline or field that leads to a degree.

2.7 ~~F.~~

"Course" means a formally organized, structured series of meetings open to the general public, for which a fee is charged and for which credit toward a degree either (1) is awarded or (2) may reasonably be understood to be applicable to a degree with the intent of imparting information or understanding at a level appropriate to a postsecondary audience.

Section 3 ~~I.~~

Accreditation and approval of higher educational institutions:

3.1 ~~F.~~

Any higher educational institution having its principal place of operation in West Virginia (1) which desires to offer degrees, (2) which provides evidence of institutional accreditation by an appropriate institutional accreditation agency identified in Section 2.9 herein, and (3) which has invited an observer from the West Virginia Board of Regents to participate in the process leading to such institutional accreditation, shall be approved by the

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Board of Regents to offer, for the duration of such institutional accreditation, those degrees for which the institution is institutionally accredited.

2.2 B.

Any higher educational institution having its principal place of operation in West Virginia which desires to offer degrees, but which has not received the institutional accreditation specified in subsection A of this Section, may be approved by the Board of Regents for a period of three to ten years following a satisfactory evaluation by the Board, based on the standards of an appropriate institutional accreditation agency identified in Section ~~I.B~~ ⁴ herein, which evaluation shall have been conducted in accordance with the procedures specified in Section ~~III~~ ⁴ herein.

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Any higher educational institution having its principal place of operation outside West Virginia which desires to offer degrees within West Virginia must be approved by the Board of Regents. Such approval may be for a period of three to ten years. The documentation required for this approval shall include, but shall not be limited to: (1) evidence of accreditation by an appropriate institutional accreditation agency identified in Section ~~I.B~~ ⁴ herein, or (2) evidence of a satisfactory evaluation conducted by the Board of Regents and based on the standards of an appropriate institutional accreditation agency identified in Section ~~I.B~~ ⁴ herein, which evaluation shall have been conducted in accordance with the procedures specified in Section III herein. In making its determination, the Board of Regents will consider whether the proposed degree program or programs duplicate existing offerings of West Virginia higher educational institutions at the location or locations for which approval is requested.

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Any higher educational institution which offers degrees at its principal place of operation outside West Virginia and which wishes to offer courses (but not a degree program) in West Virginia, leading to a degree which would be awarded either within or outside West Virginia, must be authorized by the Board of Regents to offer such specified courses. The authorization may be granted for a period of one year at a specified location or locations, with an application for renewal of the authorization required to be filed annually with the Board of

Regents at least 90 calendar days prior to the expiration of the authorization.

1. Such authorization will not constitute accreditation or approval by the Board of Regents or by the State of West Virginia, and any materials provided to prospective or enrolled students must not state or imply that the institution is so accredited or approved.
2. In making its determination, the Board of Regents will consider (in addition to the number and range of courses proposed to be offered) whether the applicant institution is institutionally accredited, whether the proposed courses duplicate existing offerings of West Virginia higher educational institutions at the specified location or locations, and whether diplomas or certificates are proposed to be awarded.
3. At its discretion, the Board of Regents may require the institution to follow the procedures specified in Section III herein.

3.5 *EL*
Any higher educational institution which provides evidence that it has achieved candidacy status, but is not yet accredited by an institutional accreditation agency identified in Section ~~I B~~ ^{2.2} herein, may be granted provisional approval by the Board of Regents to award degrees for a period of one or two years, subject to renewal for additional one-year periods and under such conditions and limitations as the Board may specify. During such period of provisional approval, the institution must file an annual report with the Board of Regents, presenting evidence of satisfactory progress toward institutional accreditation. Upon receipt of evidence of institutional accreditation, the Board of Regents shall grant approval to the institution. Failure to achieve institutional accreditation may result in a suspension of the institution's provisional approval to award degrees until the deficiencies leading to a denial of institutional accreditation have been corrected.

3.4 *EL*
If a higher educational institution is accredited by the Association of Independent Colleges and Schools in the classification of a "business or specialized school" to offer programs leading to a specialized

associate degree in one or more fields, the institution shall be so approved by the Board of Regents. If accredited in the classification of "junior college" to offer programs leading to an associate degree in one or more fields, the institution shall be so approved by the Board of Regents. If accredited in the classification of a "senior college" to offer programs leading to a baccalaureate degree in one or more fields, the institution shall be so approved by the Board of Regents.

1. Notwithstanding ^{3.6} the foregoing provisions of this subsection ~~F~~, any higher educational institution which is seeking a change in its classification by the Association of Independent Colleges and Schools may be granted an exception to these provisions by the Board of Regents for a period not to exceed three years, during which time the Association of Independent Colleges and Schools must have confirmed its accreditation of the institution in the new classification. The Board of Regents may extend its approval under this provision for one additional year for proper cause, as determined following an evaluation by the Board, based on self-study reports, site visits, and other evidence as provided in Section ~~III~~ herein.

2. Any higher educational institution (a) which is accredited by the Association of Independent Colleges and Schools as a "business or specialized school" or by the National Association of Trade and Technical Schools, (b) whose institutional accreditation is limited to the awarding of diplomas, and (c) which is seeking institutional accreditation to award an associate or specialized degree in one or more fields shall be granted approval by the Board of Regents following submission to the Board of satisfactory evidence of such accreditation.

3.7 &

Any higher educational institution which is seeking institutional accreditation from an accrediting agency identified in Section I.B herein may apply for approval by the Board of Regents by submitting the self-study report and other documentation used by the institutional accreditation agency, together with the report of the visiting committee and the final report of the institutional accreditation agency. Following a review of these materials and

upon receipt of satisfactory evidence of institutional accreditation, the Board of Regents shall grant approval to the institution. An institution which is not institutionally accredited, but which is initiating a review by an institutional accreditation agency, shall invite an observer from the Board of Regents to participate in the visitation. The observer shall receive the same set of evaluation documents as do the members of the visiting committee, and the applicant institution shall bear the actual and reasonable expenses associated with the observer's participation in the visitation.

Section 4
III.

Procedures for the accreditation and approval of higher educational institutions which are not institutionally accredited:

- 4.1 A. A preliminary conference will be held, involving the appropriate senior administrators of the institution and members of the staff of the Board of Regents, for the purpose of discussing the guidelines for evaluation. The guidelines will conform with nationally accepted standards appropriate for the degree programs proposed to be offered.
- 4.2 B. The institution will conduct an institutional self-study in accordance with the criteria and standards agreed on during the conference between the institution and the staff of the Board of Regents.
- 4.3 C. The institution must present evidence that it has secured a surety bond, minimally in the amount of \$20,000, issued by a surety company authorized to transact business in West Virginia.
- 4.4 D. The Chancellor of the West Virginia Board of Regents will appoint a visiting committee, composed of three to five members, to visit the institution to verify the findings of the self-study report. The visiting committee will include appropriately qualified persons who may be chosen from public or private higher educational institutions in West Virginia or in other states, and from the staff of the West Virginia Board of Regents or other educational agencies. The institution may challenge the selection of individual visiting committee members for proper cause.
- 4.5 E. The institution will bear the actual and reasonable expenses of the members of the visiting committee.

Travel by private automobile will be reimbursed at the authorized rate. Members of the visiting committee who are not members of the staff of the Board of Regents will receive from the institution an honorarium of \$100 per day.

4.6 ~~§~~. The visiting committee will submit its report and recommendations in writing to the Chancellor for transmittal to the Board of Regents. Comments and recommendations from the staff of the Board of Regents will accompany the report. Before the Board acts on the report, the Chancellor will send the report to the applicant institution for comment.

4.7 ~~§~~. If the Board of Regents denies approval or authorization to the institution, representatives of the institution shall be afforded an opportunity, at the institution's request, to present information, statements, and views which the institution deems appropriate concerning its application for approval or authorization by the Board. The Board's action of denying its approval or authorization will take effect within 90 calendar days, unless the institution appeals the Board's decision, within 30 calendar days of receiving notification of the Board's action, by means of a letter to the Chancellor.

Section 5
IV. Approval to offer new or additional degree programs:

5.1 ~~§~~. Any higher educational institution which is accredited by an institutional accreditation agency identified in Section ^{2.2} ~~I.B~~ herein and which is approved by the Board of Regents in accordance with the policy and procedures set forth herein may modify degree programs which were previously approved, without special action by the Board of Regents. The institution also may offer new or additional degree programs in West Virginia, at the degree level or levels for which it is institutionally accredited, provided the Board of Regents is so notified prior to planned implementation of the new or additional program.

5.2 ~~§~~. Any higher educational institution which is not institutionally accredited by an institutional accreditation agency identified in Section I.B above, but which is approved by the Board of Regents to award degrees, may request approval to offer new or additional degree programs in West Virginia by submitting an application to the Board of Regents, at

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least 120 calendar days prior to planned implementation, requesting that the program or programs be incorporated into the institution's approval by the Board.

Section 6.1
Additional Considerations:

6.1 A Any allegation or complaint of deceptive practices, violation of law, or failure to comply with the standards of institutional accreditation agencies should be submitted in writing to the appropriate institutional accreditation agency for its review and appropriate action, and a copy should be sent to the Chancellor of the Board of Regents. In addition, the institution shall be required to keep the Board of Regents fully informed of all findings and actions which may affect the Board's determination of the institution's approval to grant degrees or authorization to offer courses in West Virginia.

6.2 B In meeting its statutory obligations, the Board of Regents reserves the right to conduct such inquiries as may be required, or to cause such inquiries to be conducted by other agencies or offices. All such inquiries shall comply with due process procedures.

Adopted: West Virginia Board of Regents
December 1, 1982
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