

MEMORANDUM

TO: SACSCOC Membership

FROM: Belle S. Wheelan, President

DATE: September 11, 2020

SUBJECT: Information from the SACSCOC Board of Trustees Meeting

I am writing to give you an update on actions taken by the SACSCOC Board of Trustees at its meeting last week. If you have any questions, please feel free to contact me.

- I. Thirteen (13) policies and one new interpretation were approved by the SACSCOC Board: two were new policies and 11 were revised. The Board also approved or received as information revisions to four guidelines and eliminated two policies that have become obsolete. All of the revised and new documents will be posted on the SACSCOC website by October 1st.

Below is a summary of each for your use and information. Quite a few resulted from new U.S. Department of Education mandates that took effect July 1, 2020, following the negotiated rulemaking that occurred last spring.

(1) **"Arbitration of Adverse Actions"** Policy – This is a new policy

- * New policy to comply with new federal regulations requiring arbitration following an institutional appeal of an adverse action. The federal definition of an adverse action is denial, withdrawal, or termination of accreditation or pre-accreditation (in our language that means applicant or candidacy status).
- * Implements binding arbitration as a part of the SACSCOC appeals process.
- * Imposes a fee similar to the requirement for participating in the appeals process.

(2) **"Antitrust Compliance"** Policy – This is a new policy

- * New policy emanating from new federal regulations regarding the geographic scope of institutional accrediting agencies. With the new federal regulations, the "regional" accrediting commissions are now designated as "institutional" accrediting agencies. With the new designation, the former regional accreditors appear as "competitors."
- * To avoid anyone from transgressing this notion or appearing to collude to disadvantage other institutions outside of this area, the policy identifies general conduct as well as conduct specific to higher education professionals that could subject one to a violation of the antitrust laws.

(3) **"The Appeals Procedures of the College Delegate Assembly"** (revision)

- * Revised to incorporate appropriate reference to the "Arbitration of Adverse Actions" Policy.

(4) **“Sanctions, Denial of Reaffirmation, and Removal from Membership”** Policy (revisions)

- * Clarification of timing and definitions of timing and status, such as:
 - ▶ Clearly defines “Monitoring Period”
 - ▶ Defines maximum consecutive years to be non-compliant as four years
 - ▶ Adds Probation for Good Cause as a sanction separate from Probation
- * Per the new federal regulations, the policy permits the SACSCOC Board to continue accreditation for Good Cause and place the institution on Probation, if an institution began its sanction on Probation and it only had two consecutive years of Probation status (or non-compliance). Such an institution could now be non-compliant for up to three years.
- * Inserts section on the requirement for an “Institutional Contingency Teach-Out Plan” for any institution placed on Probation or Probation for Good Cause per recent changes in the new federal regulations.
- * Codifies the new federal regulation that institutions having a “dispute” with the decision of the Appeals Committee must submit to arbitration before taking legal action.
- * Added cross-references to related policies such as the “Arbitration of Adverse Actions” and the Disclosure policies.
- * Editorial changes for consistent references to SACSCOC.

(5) **“Disclosure of Accrediting Documents and Actions of SACSCOC”** Policy (revisions)

- * Editorial changes for consistent references to SACSCOC.
- * Distinguished between decisions by the SACSCOC Board of Trustees and the SACSCOC staff.
- * Edited section V (p. 2) to conform with new federal regulations for disclosure of “contact” information instead of “name, address and phone number.” This permits the use of email addresses.
- * Added paragraph in Section V (p. 3) to conform with new federal regulations that institutions must disclose the status of Probation, Probation for Good Cause, or removal from membership to current and prospective students within seven (7) business days of receipt of the information.
- * Changes to Section IX (p. 6) to distinguish between “institutional” disclosure statements and disclosure of information of all SACSCOC Board actions.
- * Added that SACSCOC will disclose institutional monitoring reports.
- * Added requirement for submission of an “Institutional Contingency Teach-Out Plan” as a substantive change for institutions placed on Probation, Probation for Good Cause, or removed from membership. Institutions receiving candidacy status must submit such a report as part of its Compliance Certification submission.

(6) **“Distance Education and Correspondence Courses”** Policy (revisions)

- * Revisions related to new federal regulations (primarily reflecting language change from “correspondence education” to “correspondence courses”)
- * Editorial changes for consistent references to SACSCOC.

- (7) **“Guidelines for the Evaluation of Distance Education (On-Line Learning)”** (revisions)
- * Updated SACSCOC website document from one endorsed by the SACSCOC Board in 2000.
 - * Aligned it with current language and practices as it relates to Distance Education.
 - * Usually Guidelines are brought for information; however, since this involves the evaluation of an accreditation-related activity, the SACSCOC Board approved this guideline.
- (8) **Eliminated “Best Practices for Electronically Offered Degree and Certificate Programs”**
- * This document, endorsed by the SACSCOC Board in 2000, is obsolete; therefore, this document was eliminated.
 - * Further, the matters are now addressed in other policies related to Distance Education and programs that offer certificates as well as the *Principles of Accreditation*.
- (9) **Eliminated “Application for SACSCOC Accreditation from an Institution Accredited in Another Region”** Policy
- * This policy is no longer effective in light of the new federal regulations that eliminated the designation of “regional” accreditors.
 - * Now the terminology is either “institutional” or “programmatic” accreditors.
- (10) **“Reaffirmation of Accreditation and Subsequent Reports”** Policy (revisions)
- * Added language regarding visits to international off-campus instructional sites.
 - * Added evaluation criteria for distance education and correspondence courses.
 - * Editorial changes for consistent references to SACSCOC.
- (11) **“Enrollment Growth of an Institution”** Policy (revisions)
- * SACSCOC is required to notify the U.S. Department of Education when a member institution experiences significant Enrollment Growth.
 - * SACSCOC has always monitored significant Enrollment Growth at member institutions in accordance with the federal guidelines; however, we had not captured that information in a “formal” process.
 - * Therefore, a form has been added to the Appendix to the document to meet the revisions to the federal regulations regarding this requirement for SACSCOC.
 - * Institutions which experience significant Enrollment Growth will need to complete the form and SACSCOC will use this information in its report to the U.S. Department of Education.
- (12) **“Ethical Obligations of Evaluators”** Policy (revisions)
- * Revised and added language related to collegiality and professionalism in conduct, particularly related to the use of technological resources and the representation of SACSCOC.
 - * While this was always an expectation, it was not codified in the policy.

(13) **“Institutional Obligations for Public Disclosure”** Policy (revisions)

- * Updates accreditation statements to be used by member and candidate institutions and aligns with new federal regulation adding “contact information” as opposed to “name, address and phone number.”
- * Edits language related to the “exclusive” use of the SACSCOC Logo by SACSCOC, unless it grants “written permission.”
- * Permits institutions to use of the Stamp of Accreditation. (The new Stamp of Accreditation has finally been approved by the U.S. Patent and Trademark Office. Details on its appropriate use and design will be sent to you under a separate email.)

(14) **“Substantive Change for SACSCOC Accredited Institutions”** Policy (MAJOR revisions)

- * Incorporates numerous changes in the new federal regulations regarding the area of substantive change.
- * Incorporates substantive change recommendations from the SACSCOC *ad hoc* committee which met earlier this year and was chaired by Brenda Kays, a member of the Executive Council.
- * The Policy statement has been streamlined to outline the purpose, identifies Compliance by defining what constitutes a “substantive change,” and specifies what constitutes non-compliance.
- * The Procedures section has been expanded to detail the specific requirements attached to the various types of substantive change, with an emphasis on TYPE of change.
- * Procedures One and Procedures Two were deleted; approval is outlined by the TYPE of change.
- * Codifies several procedures required by new federal requirements, to include:
 - ▶ Substantive Change Restrictions for institutions placed on sanction or under provisional certification for participation in federal financial aid programs.
 - ▶ Institutional Contingency Teach-Out Plan required for institutions granted candidacy or placed on Probation or Probation for Good Cause. This plan is an effort at “due diligence” and is not with the expectation of imminent closure. Such a plan does not require Teach-out Agreements.
 - ▶ Teach-Out Plans and requirements for evaluating the plans.
 - ▶ Notification to other accrediting agencies that may accredit a program identified for a teach-out.

(15) **Guidelines for “Emergency Temporary Relocation of Instruction”** (revisions)

- * While SACSCOC has had guidelines for the temporary relocation of instruction, they were primarily focused on natural disasters and did not include the term “emergency.”
- * The revisions clarify the type of notifications required and permits the SACSCOC President to authorize for a longer period of time.
- * Allows for relocation for a maximum of one year for an off-campus instructional site (OCIS) or main campus.

- * For relocations of 120 days or less, a single notification is sufficient.
- * For relocation of 121 days to one year (365 days), SACSCOC Board approval is required.
- * For relocation of more than one year, either the original site must relocate to a single other site OR the relocation site(s) must be either notified or approved as a new OCIS.

(16) **“Interpretation of 8.2.a (Student outcomes: educational programs)”** – This is a new Interpretation

- * Codifies and addresses the issues related to the “transfer” of AA and AS degrees and student learning outcomes.
- * Delineates that if the degree programs contain a “coherent and significant cohort of courses that appear to be a ‘major sequence,’ then the review committee could reasonably expect the institution to consider each iteration of its AA or AS degrees to be separate educational programs.”
- * Each individual program should also be addressing the effectiveness of its “major” sequence with appropriate student learning outcomes.

(17) **“The Quality and Integrity of Educational Credentials”** Policy (revisions)

- * Clarifies that bundling of courses is permissible; however, courses have to be individually credited to the transcript.

(18) **Guidelines for “The Accreditation Liaison”** — For Information

- * Editorial changes for consistent references to SACSCOC.
- * Updates per the 2018 *Principles of Accreditation*

(19) **“Guidelines for Addressing Distance Education and Correspondence Courses”** — For Information

- * Editorial changes for consistent references to SACSCOC.
- * Updates per the 2018 *Principles of Accreditation*

(20) **“Reports Submitted for SACSCOC Review”** Policy (revisions)

- * Within the Procedures section, the procedures regarding the Fifth-Year Interim Report were edited to conform to other reports submitted.
- * Aligned instructions to institutions for submitting a Fifth-Year Interim Report.

- II. For the first time in my professional career, I presented a negative budget to the SACSCOC Board for approval. The reason for this is because, with us moving the SACSCOC Annual Meeting to a virtual platform, I have no way to predict the revenue from the event. Part of the challenge is that we currently have \$2.1 million in potential hotel cancellation fees that we are trying to negotiate. Since the COVID-19 pandemic is not considered an act of God, the hotels are reluctant to forgive the fees. We are working to reschedule the Nashville meeting to 2025 and hope the hotels will take that into consideration.

- III. Registration for the 2020 Virtual SACSCOC Annual Meeting is now open. We have reduced the registration fee to \$250 and, hopefully, that will allow you to encourage more of your staff to participate. In addition to being a major revenue stream for the Commission, it is our largest training opportunity for the year. The schedule will closely follow that in previous years with pre-conference workshops, information sessions, Presidents' Day activities, etc.; however, this year, the activities will cross over a weekend where no activities are planned. Therefore, we will have only two keynote speakers since we will not have an opening session on Sunday evening.
- IV. The Differentiated Review Process for the Class of 2023 is underway. The usual cohort of institutions in Track A and Track B is about 80. There are 43 institutions that expressed interest in participating in the Differentiated Review Process. In October, a peer review group will recommend that the Executive Council approve the participation of those institutions that have met the criteria and they will be notified before Orientation in December.
- V. COVID-19 continues to challenge our institutions as well as the work of the Commission. All of the on-site visits scheduled this fall will be held virtually and those scheduled for the spring will be as well. Thanks to everyone for accommodating this change. I have sent you a survey to complete on the impact the pandemic has had on every area of your institution. Please take time to complete it or assign it to someone so that we can get a complete picture of the issues you've had to face.

Additional catastrophes that hit our region recently were the two hurricanes that came through. Unfortunately, the State of Louisiana was hardest hit though several institutions in Texas were as well. While I don't know exactly how much damage was done to our institutions, I do know that McNeese State University had damage done to every building on campus totaling approximately \$200 million dollars!! Additionally, power and water are slow to return to the area. If you are so inclined, I hope that you will reach out to your colleagues and their families to see if you can be of assistance to them.

- VI. Finally, the Executive Council held my annual performance review and extended my contract an additional year until 2023. I truly appreciate their confidence in my leadership and look forward to working with each of you for another three-year term.