

Addendum to the NASAD Handbook 2013-14

NATIONAL ASSOCIATION OF SCHOOLS OF ART AND DESIGN

October 2014

The NASAD Membership approved the revisions to the Constitution, Bylaws, Code of Ethics, Standards for Accreditation, and Standards for Accreditation Appendices set forth below during the Plenary Session – Business Meeting on Friday, October 17, 2014. Separately, revisions to the Rules of Practice and Procedure were ratified by the NASAD Board of Directors (Part I) and the Commission on Accreditation (Part II).

CONSTITUTION

— Action by the NASAD Membership —

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Constitution

Article XI. Amendments

Amend Article XI. as follows:

The Constitution of the Association may be amended by a two-thirds vote of the delegates present and voting at an Annual Meeting at which a quorum is present, provided a written notice of the proposed amendment, with Board review and recommendation, be sent with opportunity to comment to all accredited institutional members at least four weeks prior to said meeting.

BYLAWS

— Action by the NASAD Membership —

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Bylaws

Article I. Membership

Section 2. Special Statuses

D. Suspension of Accreditation Status

Amend D. as follows:

- D. Automatic Suspension of Accreditation Status.** This status can be applied only to independent institutions of higher education for which NASAD is the designated institutional accreditor. It cannot be applied to institutions that 1) have designated as their institutional accrediting body, for the purpose of eligibility in Title IV programs, a regional or other national institutional accreditation agency, and 2) have been approved by that agency.

Automatic suspension of accreditation will occur under the following circumstances:

1. The filing of Chapter 11 or Chapter 7 bankruptcy proceedings by the institution.
2. A change in ownership or major change in control with less than five days' advance notice in writing to NASAD. This includes but is not limited to:

- a. The sale of the institution or the majority of its assets.
 - b. The transfer of the controlling interest of stock in the institution or its parent corporation.
 - c. The merger of two or more institutions.
 - d. The division of one or more institution(s) into two or more institutions.
 - e. The transfer of the controlling interest of stock in the institution to its parent corporation.
 - f. Change in over seventy-five (75) percent of board membership during a ninety (90) day period.
 - g. The complete replacement of one set of board members of the accredited institution by another within a six-month period.
3. Failure to report to NASAD in writing any transfer of assets or liabilities between the institution and the parent corporation or other entity that would substantially alter the ability of the institution to (a) remain in compliance with current NASAD standards, or (b) provide information necessary to document current or on-going compliance with NASAD standards.
 4. The establishment without prior notice of a branch campus or other entity offering degrees and programs eligible for accreditation by NASAD.
 5. The designation of NASAD as the institution's gatekeeper for the purpose of eligibility and participation in federal Title IV programs without prior confirmation by the NASAD Commission on Accreditation of the institution's compliance with all applicable standards in Standards for Accreditation XXI.
 6. Significant expansion of affiliative uses of the institution's name without prior notice to NASAD.

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Bylaws

Article III. Governance

Section 2. Duties of Officers

Add the following sentence to the end of A. as follows:

The President shall be an alternate signer of Association checks and shall serve with the Treasurer and Executive Director as the Finance Committee of the Association.

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Bylaws

Article IV. Commission on Accreditation

Section 1. Membership

Amend Section 1. as follows:

Section 1. Membership. The Commission on Accreditation shall consist of a Chair, two public members, ten delegate members, and two at-large members.

Amend Section 1.C. as follows:

C. Delegate Members. The ten delegate members of the Commission on Accreditation shall be individuals who are the official representatives of institutions with Membership in the Association as defined in Article I., Section 1. of the Bylaws.

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Bylaws

Article VII. Meetings and Voting

Section 3.

Remove the current Section 3.:

Section 3. A member institution failing to send an official representative to two (2) successive Annual Meetings may be placed on probation or have its Membership revoked by majority vote of the Commission on Accreditation. Written appeal may be made to the Commission, which shall have discretionary power, after hearing, to reinstate the institution whose Membership has been revoked.

Renumber the remaining Sections 4. through 13. as follows:

Section 3. The annual meeting of the Board of Directors shall take place prior to the Annual Meeting of the Association.

Section 4. A special meeting of the Board of Directors may be called at any time and place by the President, or on the request of a majority of the Board upon not less than two weeks notice to each member thereof.

Section 5. The Executive Committee of the Board of Directors shall meet twice annually and, in addition, may meet at the request of the President or at the request of two members of the Executive Committee.

Section 6. At special meetings of the Board of Directors, Commission, or Committees, only such business may be transacted as has been stated in the call for the meeting.

Section 7. A majority of the members of the Board of Directors or of the Commission or any Committee shall constitute a quorum thereof.

Section 8. A quorum at any regular meeting of the Association shall consist of a majority of official representatives of accredited member institutions holding Membership or Associate Membership.

Section 9. Attendance at all business meetings of the Association may be restricted, by decision of the presiding officer, to official representatives and alternates.

Section 10. Notices of meetings and notices of proposals regarding votes or other actions may be sent by various available means, including electronic communications, to member institutions and to members of the Board, Commission, Committees, and other groups consistent with responsibilities and voting powers designated and authorized for each specific group by the Bylaws or other procedural documents of the Association.

Section 11. A meeting by conference telephone call or other form of electronic communication may be recognized as an approved meeting of the Board of Directors, the Executive Committee, the Commission on Accreditation, and other committees of the Association.

Section 12. Votes may be taken during meetings and through electronic communication as long as any requirements for a quorum and notice required in the Bylaws or other procedural documents of the Association applicable to the vote have been met. Votes on specific proposals are conclusive and self-ratifying irrespective of the manner of voting.

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Bylaws

Article X. Accreditation Standards

Amend Section 1. as follows:

Section 1. The accreditation standards of the Association shall be established and amended by a majority vote of the membership present and voting at an Annual Meeting at which a quorum is present, provided a written

notice of the proposed changes, with Board review and recommendation, be sent with opportunity to comment to all accredited institutional members at least four weeks prior to said meeting.

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Bylaws

Article XV. Amendments

Amend as follows:

These Bylaws may be amended by a majority vote of the delegates present and voting at an Annual Meeting at which a quorum is present, provided a written notice of the proposed changes, with Board review and recommendation, be sent with opportunity to comment to all accredited institutional members at least four weeks prior to said meeting.

CODE OF ETHICS

— Action by the NASAD Membership —

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Code of Ethics

Article VI. Amendments

Amend as follows:

The Code of Ethics may be amended by a majority vote of the delegates present and voting at an Annual Meeting at which a quorum is present, provided a written notice of the proposed changes, with Board review and recommendation, be sent with opportunity to comment to all accredited institutional members at least four weeks prior to said meeting.

RULES OF PRACTICE AND PROCEDURE, PART I

— Action by the NASAD Board of Directors —

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Rules of Practice and Procedure, Part I

Article I. Association Policies

Section 6. Orientation and Training of Personnel

Remove current reference to “correspondence learning,” amending Section 6. as follows:

Section 6. Orientation and Training of Personnel. Prior to or at the beginning of service, and as appropriate as service continues, the Association orients or trains members of the Board of Directors, Commission on Accreditation, Committee on Ethics, and National Office staff in a manner consistent with the nature and scope of their respective duties and responsibilities. For individuals involved in accreditation reviews, orientation and training includes the Association’s responsibilities regarding distance education. Orientation and training is conducted through written materials and through various interactive means. The requirements of this section also apply to the members of any Appeals Committee established for a specific review as provided for in the Rules of Practice and Procedure, Part II., Article VIII.

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Rules of Practice and Procedure, Part I

Article III. Amendments to Part I of the Rules of Practice and Procedure

Amend as follows:

Part I of the Rules of Practice and Procedure may be amended by a majority vote of the Board of Directors, provided a written notice of the proposed amendment be sent with opportunity to comment to all accredited institutional members and all members of the Board at least two weeks prior to the vote.

RULES OF PRACTICE AND PROCEDURE, PART II

— Action by the NASAD Commission on Accreditation —

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Rules of Practice and Procedure, Part II

Article I. Institutional Membership

Section 3. Curricular Requirements

Remove current reference to “correspondence learning,” amending Section 3.C. as follows:

- C. The Commission will grant Membership or renewal of Membership only when every curricular program leading to a degree or other postsecondary credential, or record of completion in a field or specialization of art or design, and the institution’s art and design programs as a whole meet the published standards of the Association. This includes, but is not limited to, programs at the undergraduate and graduate levels, and distance learning programs, if offered. It also includes programs developed in the interim between full reviews.

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Rules of Practice and Procedure, Part II

Article III. Institutional Procedures

Section 2. Closing an Institution or Program

Renumber and retitle Section 2. as follows and move it to Rules of Practice and Procedure, Part II, Article VII.

Section 1. Notification.

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Rules of Practice and Procedure, Part II

Article IV. Commission Policies

Renumber and retitle Section 5. as follows and move it to Rules of Practice and Procedure, Part II, Article VII.

Section 2. Assistance.

Renumber Section 6. as follows:

Section 5. Commission Procedures in Extreme Matters of Institutional Viability and Integrity

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**Rules of Practice and Procedure, Part II
Article V. Substantive Change**

Amend the second paragraph of Section 1. as follows:

The nature and scope of the substantive change or the extent to which the institution demonstrates its ability to meet all applicable standards may necessitate an on-site visit or a comprehensive review either as required by NASAD Handbook provisions or at the discretion of the Commission.

Amend Section 2.B as follows:

- B. Any change in the legal status, form of control, or ownership of the institution.

Amend Section 2.H and 2.I. as follows:

- H. Starting a branch campus or extension program at which the institution offers at least fifty (50) percent of any educational program in art and/or design, regardless of how many such campuses or extension programs have been approved previously by NASAD.
- I. Participation in an agreement to teach-out students from an institution or program that is closing. (Institutions to which Standards for Accreditation XXI. pertains must review and demonstrate compliance with Standard XXI.1.J.)

Add new Section 2.L. and reletter current L. as follows:

- L. An institution's designation of NASAD as its gatekeeper for the purpose of eligibility for participation in federal Title IV programs, irrespective of whether:
 - 1. The institution is accredited as a single-purpose institution by NASAD and does not currently participate in Title IV programs, but plans to apply for participation in federal Title IV, or
 - 2. The institution is accredited as a single-purpose institution by NASAD and a regional or other national institutional accrediting agency, has designated the regional or other national institutional accrediting agency as its gatekeeper for the purpose of eligibility for federal Title IV participation, and plans to relinquish such regional or other national institutional accreditation entirely, or
 - 3. The institution is accredited as a single-purpose institution by NASAD and a regional or other national institutional accrediting agency, has designated the regional or other national institutional accrediting agency as its gatekeeper for the purpose of eligibility for federal Title IV participation, and plans to retain the regional or other national institutional accreditation and relinquish the connection between that accreditation and Title IV participation.
- M. Other major changes that would impact continuing compliance with NASAD standards applicable to degrees and programs being offered.

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**Rules of Practice and Procedure, Part II
Article VII. Teach-Out Plans and Agreements**

Move Article VII. to Standards for Accreditation XXI.1.J. and create a new Article VII. as follows:

**ARTICLE VII
INSTITUTION CLOSURES**

Section 1. Notification. Members of the Association shall advise NASAD as far in advance as possible prior to the closing of an accredited institution or an accredited art/design unit within an institution. Advance notice allows for the development of appropriate procedures to protect the accreditation status of degrees received by former and current students and to provide for safekeeping of important records.

Section 2. Assistance. If an NASAD accredited institution closes without a teach-out plan or agreement, NASAD works with the U.S. Department of Education and the appropriate state agency, to the extent feasible, to assist students in finding reasonable opportunities to complete their education without additional charge.

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**Rules of Practice and Procedure, Part II
Article XII. Printed Recognition of Membership
Section 1. Accredited Membership**

Amend D. as follows:

- D. The institution shall publish in one or more official documents concerning its art and design program, and make available upon request, the name, address, and telephone of NASAD.

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**Rules of Practice and Procedure, Part II
Article XIV. Amendments to Part II of the Rules of Practice and Procedure**

Amend as follows:

Part II of the Rules of Practice and Procedure may be amended by a majority vote of the Commission on Accreditation, provided a written notice of the proposed amendment be sent with opportunity to comment to all accredited institutional members and all members of the Commission on Accreditation at least two weeks prior to the vote.

STANDARDS FOR ACCREDITATION

— Action by the NASAD Membership —

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**Standards for Accreditation
II. Purposes and Operations
M. Operational Standards for All Postsecondary Institutions for which NASAD is the Designated Institutional Accreditor**

Amend M. as follows:

- M. Operational Standards for All Postsecondary Institutions for which NASAD Is the Designated Institutional Accreditor.** Additional operational standards that apply to all postsecondary institutions which designate NASAD as their institutional accreditor may be found in Standards for Accreditation XXI. All institutions to which these standards apply must demonstrate compliance with all applicable standards in Standard XXI.

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**Standards for Accreditation
II. Purposes and Operations
N. Operational Standards and Procedures for Proprietary Institutions**

Amend N. as follows:

- N. Operational Standards and Procedures for Proprietary Institutions.** Additional operational standards that apply to all proprietary institutions may be found in Standards for Accreditation XXII. All institutions to which these standards apply must demonstrate compliance with all applicable standards in Standards for Accreditation XXII.

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Standards for Accreditation

II. Purposes and Operations

O. Operational Standards and Procedures for Branch Campuses, External Programs

Amend O. as follows:

- O. Operational Standards and Procedures for Branch Campuses, External Programs.** Additional operational standards that apply to branch campuses, extension programs, and other external programs may be found in Appendix I.A. All institutions to which these standards apply must demonstrate compliance with all applicable standards in Appendix I.A.

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Standards for Accreditation

III. Art and Design Program Components

G. Independent Study

Remove current reference to “correspondence learning,” amending G.1 as follows:

- 1. Definition.** Each offering institutions must publish information that includes its definitions of independent study and its policies for the conduct of independent study on campus or through distance learning.

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Standards for Accreditation

III. Art and Design Program Components

H. Distance or Correspondence Learning

Remove current reference to “correspondence learning,” amending H. as follows:

H. Distance Learning (*applicable to programs that are partially or entirely delivered by distance learning*)

- 1. Definition.** Distance learning involves programs of study delivered entirely or partially away from regular face-to-face interactions between teachers and students in studios, classrooms, tutorials, laboratories, and rehearsals associated with coursework, degrees, and programs on the campus. Normally, distance learning uses technologies to deliver instruction and support systems, and enables substantive interaction between instructor and student.
- 2. Means.** The distance aspect of these programs may be delivered through a variety of means, including teaching and learning through electronic systems.
- 3. Standards Applications**
 - a.** Distance learning programs must meet all NASAD operational and curricular standards for programs of their type and content. This means that the functions and competencies required by applicable standards are met even when distance learning mechanisms predominate in the total delivery system.
 - b.** Programs in which more than forty (40) percent of their requirements are fulfilled through distance learning will be designated as distance learning programs in NASAD publications.
- 4. Standards**
 - a. Purposes and Resources**
 - (1)** Purposes shall be clear. The institution must demonstrate that such purposes can be delivered through current or proposed systems of distance learning.

- (2) The institution must provide financial and technical support commensurate with the purpose, size, scope, and content of its distance learning programs.
- (3) Any sustained enrollment growth must be accompanied in a timely manner by a corresponding growth in resources and support systems.

b. Delivery Systems, Verification, and Evaluation

- (1) Delivery systems must be logically matched to the purposes of each program. Delivery systems are defined as the operational interrelationships of such elements as program or course content, interactive technologies, teaching techniques, schedules, patterns of interaction between teacher and student, and evaluation expectations and mechanisms.
- (2) The institution must have processes that establish that the student who registers in a distance education course or program is the same student who participates in and completes the program and receives academic credit. Verification methods are determined by the institution and may include, but are not limited to, secure login and password protocols, proctored examinations, and new or other technologies and practices.
- (3) Institutions must use processes that protect student privacy and notify students of any projected or additional student charges associated with verification of student identity at the time of registration or enrollment in distance education programs.
- (4) Specific student evaluation points shall be established throughout the time period of each course or program.

c. Technical Prerequisites

- (1) The institution must determine and publish for each distance learning program or course (a) requirements for technical competence, and (b) any technical equipment requirements. The institution must have means for assessing the extent to which prospective students meet these requirements before they are accepted or enrolled.
- (2) The institution shall publish information regarding the availability of academic and technical support services.

d. Program Consistency and Equivalency

- (1) The institution shall have mechanisms for assuring consistency in the application of policies, procedures, and standards for entering, continuing, and completing the course or program.
- (2) When an identical program, or a program with an identical title, is offered through distance learning as well as on campus, the institution must be able to demonstrate functional equivalency in all aspects of each program. Mechanisms must be established to assure equal quality among delivery systems.

e. Communication with Students. Instructions to students, expectations for achievement, and evaluation criteria must be clearly stated and readily available to all involved in a particular distance learning program. Students must be fully informed of means for asking questions and otherwise communicating with instructors and students as required.

- 5. Notification Rule.** A special notification rule applies to institutions that participate in federal Title IV programs and to which Standards for Accreditation XXI., Section 2.D. apply.

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Standards for Accreditation

III. Art and Design Program Components

J. Majors in or Based on Electronic Media

Remove current reference to “correspondence learning,” amending J.1.c. as follows:

- c. Programs centered on new approaches and combinations will be reviewed by the standards in this section and, as applicable, by those that address distance learning and disciplines in combination.

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Standards for Accreditation

IV. Undergraduate Programs in the Visual Arts and Design

C. Degree Structures

Amend C.5.d. as follows:

- d. **Title Protocols.** NASAD recognizes that some institutions are chartered to offer only the Bachelor of Arts or Bachelor of Science degree. When these institutions offer a baccalaureate degree meeting *professional* degree standards, the degree will be listed by NASAD, and should be listed by the institution, as Bachelor of Arts or Bachelor of Science with a specific major, as outlined in Standards IX. and X., to distinguish it from the liberal arts-oriented Bachelor of Arts or Bachelor of Science with a major in Art or Design.

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Standards for Accreditation

IV. Undergraduate Programs in the Visual Arts and Design

C. Degree Structures

Remove current reference to “correspondence learning,” amending C.7. as follows:

7. **Programs Involving Distance Learning, Disciplines in Combination, or with a Focus on Electronic Media.**

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Standards for Accreditation

VII. The Liberal Arts Degree with a Major in Art or in Design Studies

D. General Studies

Remove current reference to “correspondence learning,” amending D.3.a. as follows:

- a. Distance Learning, Standard III.H.

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Standards for Accreditation

VIII. All Professional Baccalaureate Degrees in Art and Design

A. Principles and Policies

Remove current reference to “correspondence learning,” amending A.5.c.(1) as follows:

- (1) Distance Learning, Standard III.H.

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Standards for Accreditation

XIV. Graduate Programs in the Visual Arts and Design

C. General Degree Requirements and Procedures

Remove current reference to “correspondence learning,” amending C.2. as follows:

2. **Residence.** Residence policies are determined by the institution. Normally, a period of continuous concentrated study within the graduate community is required. Programs based on distance learning, or with a significant distance learning component, must fulfill the function of community by providing experiences that produce interaction among graduate students and faculty.

Remove current reference to “correspondence learning,” amending C.6. as follows:

6. **Programs Involving Distance Learning, Disciplines in Combination, or with a Focus on Electronic Media.** Programs in these categories must meet applicable requirements in Standard III.

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Standards for Accreditation

XVIII. Non-Degree-Granting Programs in Art and Design

D. Programs Involving Distance or Correspondence Learning, Disciplines in Combination, or with a Focus on Electronic Media.

Remove current reference to “correspondence learning,” amending title of D. as follows:

- D. **Programs Involving Distance Learning, Disciplines in Combination, or with a Focus on Electronic Media.**

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD is the Designated Institutional Accrerator

Amend note as follows:

NOTE: The following standards apply to all independent institutions of higher education that offer professional education and training in art and/or design with the exception of those that 1) have designated as their institutional accrediting body, for the purpose of eligibility in Title IV programs, a regional or other national institutional accreditation agency, and 2) have been approved by that agency. They may be degree- and/or non-degree-granting; they may be not-for-profit or proprietary. These standards are in addition to Standards I. through XX. Additional standards apply to proprietary schools (see Standard XXII). All independent institutions to which Standard XXI. applies must demonstrate compliance with all applicable standards in this section.

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD is the Designated Institutional Accrerator

Section 1. Standards for Accreditation

Amend Section 1. as follows:

In addition to meeting all operational and curricular standards of the Association appropriate to the scope of programs offered, as noted in Standards I. through XX., institutions of higher education to which Standard XXI. applies shall meet the following standards:

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD Is the Designated Institutional Accrerator

Section 1. Standards for Accreditation

C. Finances

Amend C.2. as follows:

For the purpose of evaluating the financial stability and business policies of the institution, at least one member will be added to each NASAD visiting team. This member shall have expertise and experience in the management, operation, and assessment of financial practices, and in cooperation with other members of the team, be responsible for reviewing the practices and sufficiency of financial resources of the institution.

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD Is the Designated Institutional Accrerator

Section 1. Standards for Accreditation

D. Governance and Administration

Amend note under D. as follows:

NOTE: D.1.a. and D.3. below apply to not-for-profit institutions only. The remaining paragraphs apply to both not-for-profit and proprietary institutions.

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD Is the Designated Institutional Accrerator

Section 1. Standards for Accreditation

Amend D.4.a. as follows:

- a. The administrative structure of the institution must be sufficient in size and competence to cover business, registrar, maintenance, security, safety, and student services functions.

Remove current reference to “correspondence learning,” amending E.3. as follows:

- 3. Resources and Program Components.** Institutions providing general studies programs must document the presence and application of adequate resources and program components to support the content of each course or type of study offered. These resources include, but are not limited to, qualified faculty, facilities and equipment, library and information resources, and distance learning if applicable. Program components include, but are not limited to, credit and time requirements, program continuity, and forms of instruction. Resources and program components for general education must be in compliance with applicable standards outlined in Standards for Accreditation II. and III.

Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD Is the Designated Institutional Accreditor

Section 1. Standards for Accreditation

J. Teach-Out Agreements

Amend J. and insert text from Rules of Practice and Procedure, Part II, Article VII., Sections 1. through 3, as follows:

J. Teach-Out Plans and Agreements

1. Conditions of Applicability

NASAD requires an accredited institution to which Standard XXI. applies to submit a teach-out plan requesting Commission review and action upon the occurrence of any of the following events:

- a. The U.S. Secretary of Education notifies NASAD that the Secretary has initiated an emergency action against an institution, in accordance with section 487(c)(1)(G) of the HEA, or an action to limit, suspend, or terminate an institution participating in any Title IV, HEA program, in accordance with section 487(c)(1)(F) of the HEA, and that a teach-out plan is required.
- b. NASAD acts to withdraw, revoke, or suspend the accreditation of the institution.
- c. The institution notifies NASAD that it intends to cease operations entirely or close a location that provides one hundred (100) percent of at least one program.
- d. A state licensing or authorizing agency notifies NASAD that an institution's license or legal authorization to provide an educational program has been or will be revoked.
- e. The institution stops offering an educational program before all students enrolled in that program complete the program or transfer to another program.

2. NASAD Actions

If one or more conditions stipulated in Standard XXI., Section 1.J.1.a through Section 1.J.1.e occurs:

- a. NASAD will evaluate the teach-out plan to ensure it provides for the equitable treatment of students under criteria established by NASAD, specifies additional charges, if any, and provides for notification to the students of any additional charges.
- b. If NASAD approves a teach-out plan that includes a program that is accredited by another recognized accrediting agency, it will notify that accrediting agency of NASAD's approval.
- c. NASAD may require an institution it accredits to enter into a teach-out agreement as part of its teach-out plan.
- d. NASAD will require an institution it accredits that enters into a teach-out agreement, either on its own or at the request of NASAD, with another institution to submit that teach-out agreement to NASAD for approval (see Rules of Practice and Procedure, Part II., Article V. Substantive Change). NASAD will review and take positive action on the teach-out agreement only if the agreement is between institutions that are accredited by NASAD or another accrediting agency recognized by the U.S. Secretary of Education; is consistent with all applicable NASAD standards, the NASAD Code of Ethics, and the NASAD Rules of Practice and Procedure, as well as applicable federal and state regulations; and provides for the equitable treatment of students in terms outlined in J.3. below.
- e. If an NASAD-accredited institution plans to establish a teach-out agreement with another institution, the agreement must receive approval from the NASAD Commission on Accreditation prior to ratification of the agreement by the parties.

3. Review Criteria

- a. The institution responsible for teaching-out students must have the necessary experience, resources, and support services to:
 - (1) Provide an educational program that is of acceptable quality and substantially similar in function, content, structure, and scheduling to that provided by the institution that is ceasing operations either entirely or at one of its locations; and
 - (2) Remain stable, carry out its mission, and meet all obligations to existing students.
- b. The institution responsible for the teach-out must demonstrate that it can provide students access to the program and services without requiring them to move or travel substantial distances and that it will provide students with information about additional charges, if any.

Add 4. as follows:

4. Definitions

- a. *Teach-out agreement* means a written agreement between accredited institutions that provides for the equitable treatment of students under certain conditions when an institution [or program] is closing.
- b. *Teach-out plan* means a written plan developed by an institution that provides for equitable treatment of students under certain conditions when an institution [or program] is closing.

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Standards for Accreditation

XXI. Specific Operational Standards for All Institutions of Higher Education for which NASAD is the Designated Institutional Accreditor

Section 2. Procedural Requirements

Page 154

Amend Section 2. text as follows:

In addition to meeting all procedural requirements of the Association appropriate to the scope of programs offered, institutions of higher education to which Standard XXI. applies shall be subject to the following procedures:

Amend Section 2.A. text as follows:

- A. Supplemental Annual Report.** In addition to the annual HEADS Data Survey, Accreditation Audit, and Affirmation Statement (see Rules of Practice and Procedure, Part II, Article III., Section 1.), the institution must file a Supplemental Annual Report at a time and in a format stipulated by the Association, which contains the following information:

Remove current reference to “correspondence learning,” amending Section 2.A.7. as follows:

7. For the current and the previous academic year, the total enrollment of the institution and of any distance education programs it offers.

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Amend Section 2.B. as follows:

B. New Curricula and Substantive Change

Remove current reference to “correspondence learning,” amending Section 2.D. as follows:

- D. Notification Rule.** As a USDE recognized accrediting agency, NASAD is required to report to the U.S. Secretary of Education enrollment information under the following circumstances if the institution offers distance education: an increase in headcount enrollment for the institution of fifty (50) percent or more within the HEADS Data Survey, compiled by NASAD. If the fifty (50) percent threshold is reached or exceeded, this fact is provided to the Secretary within thirty days of the close of the HEADS project each year. The institution will also be notified at the same time NASAD notifies the Secretary, except in cases where provisions of “Policies and Rules Concerning USDE Title IV” are applicable (see Rules of Practice and Procedure, Part II, Article IV., Section 4.)

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Amend Section 2.E. as follows:

E. Starting a Branch Campus or Similar Entity.

1. If an accredited institution plans to establish a new branch campus, or similar entity that functions in the same manner, in the U.S. or elsewhere, that offers postsecondary and/or professional level degrees or non-degree-granting programs in the visual arts/design, the following materials must be submitted at least six months prior to the opening of the branch:

Amend Section 2.E.1.b. as follows:

- b. Information in the standard NASAD format which demonstrates compliance with all applicable standards including but not limited to: operational standards, applicable curricular standards, Standards for Institutions of Higher Education for which NASAD is the Designated Institutional Accreditor, and Specific Operational Standards for Proprietary Institutions of Higher Education.

Amend Section 2.E.3. as follows:

3. Approval of the branch campus or similar entity and its operations will depend upon the institution’s demonstration that it meets requisite NASAD standards applicable to the programs it offers and the operations that support those programs.

Remove the following note currently below Section 2.E.3.:

NOTE: If the proposed branch campus offers types of art/design programs under the purview of NASAD other than those listed in item D.1. above, the review of those programs is conducted under provisions of the Rules of Practice and Procedure, Part II., Article V., Sections 1., 2.H., and 3.

Move current Section 2.F. to XXI.1.J.2.e.:

- F. Teach-Out Arrangements.** If an NASAD-accredited institution plans to establish a teach-out agreement with another institution, the agreement must receive approval from the NASAD Commission on Accreditation prior to ratification of the agreement by the parties.

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Reletter current Section 2.G., and reletter and amend current letters b. through g. as follows:

F. Automatic Actions

1. **Automatic Review.** The following circumstances will cause an automatic review of the institution’s accreditation status:

- a. Declaration or evidence of financial exigency.
- b. Change in ownership or major change in control, provided NASAD is given at least five days' advance notice in writing of the date of the change. This includes but is not limited to:
 - (1) The sale of the institution or the majority of its assets.
 - (2) The transfer of the controlling interest of stock in the institution or its parent corporation.
 - (3) The merger of two or more institutions.
 - (4) The division of one or more institution(s) into two or more institutions.
 - (5) The transfer of the controlling interest of stock in the institution to its parent corporation.
 - (6) Change in over seventy-five (75) percent of board membership during a ninety (90) day period.
 - (7) The complete replacement of one set of board members of the accredited institution by another within a six-month period.

However, the five-day advance notice rule does not apply in cases where transfer of ownership occurs by right of survivorship upon the death of an owner, or similar circumstances. In these cases, NASAD must be notified within five days of the occurrence.

- c. Any transfer of assets or liabilities between the institution and any parent corporation that would substantially alter the ability of the institution to remain current regarding compliance with NASAD standards.
- d. Notice to establish a branch campus or other entity that would offer degrees and programs eligible for review by NASAD, or notice of intent to significantly expand affiliative uses of the institution's name.
- e. Notice of intention to designate NASAD as the institution's gatekeeper for the purpose of eligibility and participation in federal Title IV programs.
- f. State or federal action that results in the removal of the institution's eligibility to participate in state or federal student loan and grant programs.
- g. Failure to gain accreditation or candidacy status upon application to another nationally recognized institutional accrediting agency, or loss of accreditation or candidacy status held with such agency.

- 2. **Automatic Suspension of Accreditation Status.** Automatic suspension of accreditation status will occur under the circumstances articulated in the Bylaws, Article I., Section 2.D.

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Retitle Section 2.H. to Section 3 and renumber/reletter as follows:

Section 3. Policies and Protocols for Institutions Participating in Federal Student Loan Programs

A. Context of Accreditation Reviews. In compliance with Public Law 102-325, the Higher Education Amendments of 1992, the NASAD accrediting Commission must take into account the following information as it considers the accreditation or reaccreditation of any institution that participates in federal student loan programs and for which NASAD is the institutional accrediting agency:

- 1. Default rates in student loan programs under Title IV of the Higher Education Act of 1965 as periodically amended, based on the most recent data provided to the institution and/or to the accrediting body by the U.S. Secretary of Education.
- 2. Records of any student complaints received by NASAD that are eligible for review according to provisions of the NASAD Complaint Procedure.

3. Evidence concerning compliance with program responsibilities under Title IV of the Higher Education Act of 1965 as periodically amended, based on the most recent data provided to the institution and/or to the accrediting body by the U. S. Secretary of Education, including any results of financial or compliance audits, program reviews, and such other information as the U.S. Secretary of Education may provide to NASAD.

- B. Arbitration Rule.** The institution shall provide in writing its agreement to abide by the initial arbitration rule in Section 496 of Public Law 102-325:

“The [U.S.] Secretary [of Education] may not recognize the accreditation of any institution of higher education unless that institution of higher education agrees to submit any dispute involving the final denial, withdrawal or termination of accreditation to initial arbitration prior to any other legal action.”

- C. Change in Ownership or Major Change of Control.** Change in ownership or major change of control will result in an on-site review within six months of the change. The preparation for the visit, the visit, Commission review, and Commission action shall follow regular NASAD procedures. The institution will assume the responsibility for fees and expenses associated with this visit.
- D. Third-Party Comment Rule.** See Rules of Practice and Procedure, Part II., Article IV., Section 1.
- E. Rules Concerning Notification of Action by the NASAD Commission on Accreditation.** Notifications concerning actions by the NASAD Commission on Accreditation are published consistent with the provisions of the NASAD Rules of Practice and Procedure, Part II., Article XI., Section 2.

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Appendix I.A.

Section 2. Guidelines

Amend Section 2.B. as follows:

- B. A branch campus is normally considered 1) a separate institution within the same corporate structure as the main campus, and 2) geographically apart from the main campus.

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Appendix I.D.

Section 2. Standards and Guidelines

Q. Standards for Specific Curricular Programs

Remove current reference to “correspondence learning,” amending Section 2.Q.9. as follows:

9. Programs involving distance learning must meet accreditation standards regarding such programs (see Standards for Accreditation III.H.). This includes programs delivered robotically through interactive tutorials as well as those led by specific faculty members.

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Appendix III.F.

Section 1. Institutions

Amend Section 1. as follows:

Section 1. Institutions Offering Visual Art/Design Curricular Programs Only

- A. NASAD accredits only those independent postsecondary institutions offering degree- or non-degree-granting curricular programs in visual art/design that are legally authorized under applicable state law to provide a program of education beyond the secondary level.

- B. NASAD does not renew the accreditation of an independent postsecondary institution during a period in which the institution:
 - 1. Is the subject of an interim action by a recognized institutional accrediting agency potentially leading to the suspension, revocation, or termination of accreditation or preaccreditation.
 - 2. Is the subject of an interim action by a state agency potentially leading to the suspension, revocation, or termination of the institution's legal authority to provide postsecondary education.
 - 3. Has been notified of a threatened loss of accreditation, and the due process procedures required by the action have not been completed.
 - 4. Has been notified of a threatened suspension, revocation, or termination by the state of the institution's legal authority to provide postsecondary education, and the due process procedures required by the action have not been completed.
- C. In considering whether to grant initial accreditation to an independent postsecondary institution, NASAD takes into account actions by:
 - 1. Recognized institutional accrediting agencies that have denied accreditation or preaccreditation to the institution, placed the institution on public probationary status, or revoked the accreditation or preaccreditation of the institution.
 - 2. A state agency that has suspended or revoked the institution's legal authority to provide postsecondary education.
- D. If the Commission grants accreditation to an independent postsecondary institution notwithstanding the actions described in paragraphs B. or C. of this section, NASAD provides the U.S. Secretary of Education, not later than thirty (30) days after the date of Commission action, a thorough explanation, consistent with its accreditation standards, why the previous action by a recognized institutional accrediting agency or the state does not preclude a grant of accreditation status.
- E. NASAD will promptly review its accreditation of an independent postsecondary institution to determine if it should also take adverse action against the institution if:
 - 1. A recognized institutional accrediting agency takes an adverse action with respect to a dually accredited institution,
 - 2. A recognized institutional accrediting agency places the institution on public probationary status, or
 - 3. A recognized programmatic accrediting agency takes an adverse action, for reasons associated with the overall institution rather than the specific program, against a program offered by an institution or places the program on public probation.

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Appendix III.F.

Section 2. Programs

Amend Section 2. as follows:

Section 2. Multipurpose Institutions Offering Visual Art/Design Curricular Programs

- A. NASAD does not renew the accreditation status of a multipurpose institution offering one or more visual art/design curricular programs during any period in which the institution offering the program(s):
 - 1. Is the subject of an interim action by a recognized institutional accrediting agency potentially leading to the suspension, revocation, or termination of accreditation or preaccreditation.

2. Is the subject of an interim action by a state agency potentially leading to the suspension, revocation, or termination of the institution's legal authority to provide postsecondary education.
 3. Has been notified of a threatened loss of accreditation, and the due process procedures required by the action have not been completed.
 4. Has been notified of a threatened suspension, revocation, or termination by the state of the institution's legal authority to provide postsecondary education, and the due process procedures required by the action have not been completed.
- B. In considering whether to grant initial accreditation to a multipurpose institution offering one or more visual art/design curricular programs, NASAD takes into account actions by:
1. Recognized institutional accrediting agencies that have denied accreditation or preaccreditation to the institution offering the program, placed the institution on public probationary status, or revoked the accreditation or preaccreditation of the institution.
 2. A state agency that has suspended or revoked the institution's legal authority to provide postsecondary education.
- C. If the Commission grants accreditation to a multipurpose institution offering one or more visual art/design curricular programs notwithstanding the actions described in paragraph A. of this section, NASAD provides the U.S. Secretary of Education, not later than thirty (30) days after the date of Commission action, a thorough explanation, consistent with its accreditation standards, why the previous action by a recognized institutional accrediting agency or the state does not preclude a grant of accreditation status.
- D. NASAD will promptly review its accreditation of a multipurpose institution offering one or more visual art/design curricular programs to determine if it should also take adverse action against the program if
1. A recognized institutional accrediting agency takes an adverse action with respect to the institution offering the program.
 2. Places the institution on public probationary status.

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