



Policy

Contracts by Accredited and Candidate Institutions For Education-Related Services

As institutions seek to improve the ways in which they provide education to their students, they may find that it is more practical or efficient to contract with other institutions or organizations to provide certain components of the educational experience. Many organizations now exist to support institutions by developing courses (including those that use distance technology), recruiting students, or by providing faculty.

Any institution accredited by the Middle States Commission on Higher Education (hereinafter, member institution) is held responsible for all activities carried out under the institution's name. The Commission's accreditation standards, policies, and procedures, especially the Commission's policies regarding outcomes assessment, advertising, and recruitment, apply to any contractual arrangements as well as to the member institution's regular activities.

Principles of Good Practice for All Contracts

The following principles are required for member institutions entering into agreements with other institutions or organizations, whether or not regionally accredited, to provide education-related services:

- The primary purpose of offering a contracted course or program is educational.
- Any course or program involved in any contractual arrangement must be consistent with the member institution's educational purpose and objectives as they were at the time of the last evaluation. The Commission must be notified in accordance with the policy "Substantive Change" if the institution alters its mission, goals, and objectives, or if the contract is with a non-regionally accredited entity.
- Courses to be offered and the value and level of their credit must be determined by the member institution in accordance with established institutional procedures, and under the usual mechanisms of review. Evidence that established institutional procedures have been followed must be available.
- The member institution is responsible for informing the non-MSCHE accredited party that the contract does not imply or extend any accredited status to that entity.

- The member institution is responsible for any activities conducted in its name.
- The member institution is responsible for the accuracy of all advertising and promotional materials.
- In developing any contractual relationship, the member institution follows the Commission's policies that require prior approval of specific institutional changes.
- Although the member institution's faculty might or might not teach the course, faculty or appropriate representatives of the member institution retain overall responsibility for ongoing curriculum planning at the institution, including oversight and general guidance of the process and assurance that the course work is consistent with the overall program design and curriculum intent.
- The member institution is ultimately responsible for the performance of the following functions:
 - admissions criteria
 - appointment of faculty
 - content of courses/programs
 - instructional support resources (library/information resources, etc.)
 - institutional and student learning outcomes assessment
- The contract should assure that conduct of courses meets the standards of the member institution's regular programs as disclosed fully in the institution's publications, and that the credit-granting institution adequately reviews and approves work performed in each functional area by the contractor.

Contracts between Regionally-accredited Institutions Concerning Educational Courses/Programs

This section applies if a member institution is contracting with another regionally accredited institution. It applies also to contracts with non-regionally accredited organizations and international entities, as noted in later sections of this document.

A contract should be executed only by duly designated officers of the institution and their counterparts within the contracting institution. The contract clearly establishes:

- the nature of the services to be performed by each party;
- the period of the agreement, and the conditions under which any possible renewal, renegotiation, or termination of the contract could take place;
- appropriate protection for enrolled students in the event that a contract is terminated or renegotiated;
- the procedures for grievances regarding any aspect of the offerings; and
- appropriate avenue(s) for addressing perceived breaches of the contract.

The contract explicitly defines:

- the institution(s) awarding the credit;
- educational courses, program(s), and services included in the contract;
- how outcomes assessment will be conducted and how the faculties of the contracting entities will periodically review the courses and programs;
- how student support services necessary to the courses/programs(s) will be assured; and
- how student access to the learning resources requisite for the courses/program(s) will be assured.

The contract explicitly states financial arrangements:

- that specify the compensation and other considerations for the services provided by each of the parties;

- that set forth a mechanism to account for the services provided by each of the parties; and
- that meet all legal requirements for federal and state student aid programs that might be used by students or the contracting entities.

The contract is:

- submitted to federal and state agencies when required by regulations;
- submitted to the Commission for approval when required by federal or state regulations;
- submitted, when appropriate, to the Commission as part of a request for approval of substantive change; and
- available on request by the Commission and evaluators acting on its behalf.

Contractual Arrangements with Non-regionally-accredited Organizations

In addition to the principles set forth above, the Commission expects member institutions to use the following guidelines when establishing contractual arrangements with organizations that are not regionally accredited.

- The member institution's appropriate representatives have the responsibility to review and approve the content of the courses/programs, and those representatives have credentials that are appropriate to the level and content of the course or program.
- The member institution follows all of the procedures established by its governance structure and by the Commission for approval of the courses/programs.
- The member institution has not only the contractual obligation, but also systematic processes, to ensure its capacity to carry out its responsibility for oversight of:
 - advertising and recruitment
 - admissions
 - appointment of faculty

- content and rigor of course/program(s)
- evaluation of student work
- award of credit/certificates/degrees
- outcomes assessment
- academic advising
- support services

Contractual Arrangements with International Entities

The contract follows the good practices outlined above. The contract is in English and the primary language of the international contracting entity.

The contract specifically provides that the U.S. institution exercises appropriate oversight for the international program in conformity with the Commission’s policy, “International Programs Offered by Accredited Institutions,” and the Commission’s accreditation standards.