

Substantive Change Procedures

Effective Date: January 1, 2018

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I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) **requires approval for certain types of institutional changes defined as substantive by the United States Department of Education (USDE) prior to their implementation.** The types of substantive change are listed and defined in the *Substantive Change Policy*. The purpose of these procedures is to provide guidance to both institutions and reviewers on the procedures and expectations for submitting and obtaining approval of a Substantive Change or Complex Substantive Change prior to its implementation.

II. Statement

In advance of implementing any change that is deemed to be substantive, accredited and candidate institutions must submit a specific request for substantive change to the Commission for review and approval before the change is included within the scope of accreditation. Other types of notification (e.g., the annual Institutional Profile or Annual Institutional Update, a letter to Commission staff, description in the self-study or follow-up reporting) are not acceptable. If an institution is uncertain about whether a proposed change is substantive, the institution should contact the designated staff liaison with preliminary information on the nature and purposes of the planned change. This should be done as early in the planning process as possible. Based on this preliminary review, the staff liaison will advise the institution about whether or not to submit a substantive change request.

III. Submission of Substantive Change Requests

A *Substantive Change Request Form* is posted on the MSCHE website. It must be completed and submitted pursuant to the directions provided in that document. For complex substantive changes, please see the section of this document labeled Complex Substantive Change Requests as well as the relevant forms available on the MSCHE website.

Substantive change submissions need to be thorough, analytical, and complete; they must include appropriate documentation and supporting evidence. All supporting documentation that accompanies a substantive change request must be specifically referenced, and the relevance of such documentation must be made explicit.

Submissions must be made via an electronic mail attachment and sent to substantivechange@msche.org. All submissions must be submitted by the institution's Accreditation Liaison Officer (ALO). To allow for review and the possibility that additional

information may be required, institutions are advised to submit substantive change requests **at least 3 months before the proposed change is scheduled for implementation.**

For most substantive change requests (**with the exception of complex substantive changes; see Section V. of this document**), the following timetable applies:

Submission deadline:	for anticipated Commission action by the end of:
January 1	February*
March 1	April
May 1	June
July 1	August
September 1	October
November 1	December*

**Please note that meetings occur late in the month and action letters may not be received by the institution until the following month*

IV. Substantive Change Review Procedures

Once all of the required components of the substantive change request submission are received, Commission staff will assign experienced peer evaluators with specialized experience related to the type of substantive change and no known conflicts of interest to conduct the review. In the case of a complex substantive change, staff may assign consultants with expertise such as legal or finance as required.

Staff, peer evaluators, and members of the Commission have the authority to determine whether or not a substantive change request is complete. Staff may request additional information from the institution before proceeding with the review process or staff may consider the submission incomplete and it will not be processed. If requested information is not yet available, the institution may withdraw the substantive change request and re-submit at a later date.

Substantive change requests are first reviewed by peer evaluators who determine that the substantive change request does not adversely affect the institution's compliance with the Commission's Standards for Accreditation, Requirements of Affiliation, and policies, and does not violate federal or state regulations.

Upon the completion of the review, the evaluator(s) will complete the *Substantive Change Reviewer's Report*. In this report, peer evaluators evaluate the request and develop a proposal for action that is subsequently considered by an appropriate committee. The committee's proposal for action is then reviewed by the Commission of the Middle States Commission on Higher Education or the Executive Committee on its behalf (herein after the Commission). Based on its review of a request for substantive change, the Commission may take any action in accordance with the policy [Accreditation Actions](#). The Commission action will specify the effective date of the change as well as the impact on any existing accreditation.

As stipulated in that policy, the Commission may decline to review a substantive change request submitted by an institution that is not in compliance with the Commission's accreditation standards and requirements of affiliation (including institutions that are subject to warning, probation, show cause or withdrawal of accreditation or candidacy), or the Commission's policies, guidelines, or procedures.

The Commission notifies the institution, the USDE, other appropriate accrediting agencies, and

the public of the Commission's action in accordance with the Commission policy, *Communication in the Accreditation Process*.

V. Complex Substantive Change

If the proposed change is sufficiently complex that it requires more in-depth review or requires the Commission to assign or engage a consultant with appropriate expertise to the type of change (e.g., accounting, legal, etc.) it is considered a complex substantive change. The following substantive change types are always considered complex: Changes in legal status, form of control, or ownership, and EQUIP Experimental Site Initiatives with the United States Department of Education (USDE). However, in addition to these, any of the types of substantive change may be considered "complex" by the Commission or staff on its behalf, depending on the nature of the change. Examples include (but are not limited to) change in the status of multiple locations, multiple types of change that are submitted simultaneously, and some institutional closures.

The Commission requires an institution planning a complex substantive change to notify the designated staff liaison as soon as it is aware of the potential change. The designated staff liaison will confirm whether a proposed substantive change is considered "complex." Once it is determined that the institution's change(s) represent a complex substantive change, the institution must submit the *Complex Substantive Change Preliminary Review Form*. The *Preliminary Review Form* describes the complex substantive change to the designated staff liaison. The designated staff liaison will schedule consultation with the institution to review the *Preliminary Review Form*. The staff liaison will then provide guidance to the institution about the content and format of the *Complex Substantive Change Request Form* as well as a potential timetable for submission, review, and Commission action, in accordance with the Commission's meeting schedule and review procedures. The Commission may modify the procedures for submitting a complex substantive change depending on the circumstances.

As with substantive change, complex substantive change requests are reviewed by peer evaluators with expertise in the specific type of substantive change. In addition to requesting additional documentation, the evaluator of a complex substantive change may request a conference call or on-site visit to the institution to interview staff and gather information. Peer evaluators develop a proposal for action which is then reviewed by an appropriate committee.

Complex substantive change requests are reviewed by the Committee on Follow-up Activities, which is comprised of Commissioners. The Committee reviews and considers the complex substantive change request form, Substantive Change Reviewer's Report, Confidential Brief, and Institutional Response. All recommendations of the Committee on Follow-up Activities are submitted to the Commission for consideration. Based on its review of a request for complex substantive change, the Commission may take any action in accordance with the policy *Accreditation Actions*.

Complex substantive changes may be submitted at any time. Staff will determine, based on the circumstances and review required, the next Commission meeting at which it can reasonably be acted upon. The Commission meets three times a year in March, June, and November. Approval of a complex substantive change request may take up to one year.

VI. Advertising Substantive Change

If an institution would like to advertise, market, or recruit students and/or faculty for a substantive change that has been submitted for approval, the institution must include a written

notification on all relevant materials that the proposed change is “pending approval by the Middle States Commission on Higher Education.” The institution should not begin to advertise until the substantive change request is submitted.

VII. Substantive Change Visits

In accordance with federal regulations, certain types of substantive change require a site visit as part of the approval process. The visit must occur before the change is included within the scope of accreditation, although the Commission may provisionally approve the change, contingent on completion of the visit. The purpose of the site visit is to verify information submitted in the substantive change request and to confirm that the institution has sufficient educational, financial, operational, management and physical resources to manage the change. Student and faculty comments may also be solicited during site visits. Please see the Commission guidelines *Substantive Change Visits*.

VIII. Substantive Change Monitoring Activities

The Commission conducts monitoring activities in conjunction with its review of substantive change requests when, in the Commission’s judgment, there are issues that may affect the institution’s ability to implement the proposed change and continue to meet the Commission’s Standards for Accreditation, Requirements of Affiliation. The Commission may request follow-up reporting, visits, or request that the institution undertake an early self-study. Upon review of these monitoring activities, the Commission may take any action provided in the policy *Accreditation Actions*.

IX. Substantive Change Fees

For information about substantive change fees, including complex substantive change fees, the institution should refer to the policy *Schedule of Dues and Fees*, which is posted on the MSCHE website under “Policies.”

Number: N/A

Version: v. 111617

Approved: January 2011

Previously Issued:

Revisions: January 2011; July 2013; July 24, 2015; October 28, 2015; April 19, 2016; January 1, 2018 (technical amendment)

Related Documents: *Becoming Accredited, Dues & Fees, Accreditation Actions, Statement of Accreditation Status (SAS), Substantive Change Policy; Verification of Compliance with Accreditation-Relevant Federal Regulations; Communication in the Accreditation Process*

Federal Regulations: §602.22 *Substantive change*; §602.24 *Additional procedures certain institutional accreditors must have*;

Filepath: <https://middlestates.sharepoint.com/sites/shared/Files/Policy/ACCREDITATION Policies/Sub Change>

Procedures/Revision 2017/SubChangeProcedures 111617 (Tech Amend).docx