

Public Disclosures Policy

Effective Date: September 1, 2019

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I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) seeks to ensure that institutions publicly disclose consumer information in a manner that is honest and truthful. The purpose of this policy is to outline the Commission's requirements for member institutions related to public disclosure. See the accompanying document *Public Disclosures Procedures*.

II. Statement of Policy

The Commission shall require that member institutions publicly disclose truthful consumer information in accordance with Commission standards for accreditation, requirements of affiliation, policies and procedures, and federal regulation *34 CFR §602.16(a)(1)*. The Commission shall require that member institutions accurately represent their current accreditation phase, accreditation status, and scope of accreditation to the public, in accordance with federal regulation *34 CFR §602.23(d)*. The Commission shall require that member institutions correct any misleading information they have released, including information about their accreditation status with the Commission in accordance with federal regulation *34 CFR §602.23(e)*.

III. Procedures

The Commission staff will develop procedures as are necessary to ensure the consistent implementation of policies. See the *Public Disclosures Procedures*.

IV. Definitions

The following definitions are used in this policy and/or procedures:

- A. Accreditation activity.** All activities (reviews, on-site visits, etc.) conducted by Commission representatives related to the institution's accreditation phase, accreditation status, or scope of accreditation occurring throughout the accreditation review cycle and during monitoring activities for a member or applicant institution.
- B. Accreditation materials.** All documentation related to accreditation activities including but not limited to the institution's written reports to the Commission, submitted evidence, team reports, institutional responses, confidential briefs, complaints or third-party comments, action notifications, substantive change requests, and any correspondence of

record. Accreditation materials are treated as confidential by Commission representatives, become part of the institutional record, and are retained in accordance with the Commission's *Maintenance and Retention of Commission Records Policy and Procedures*.

- C. Accreditation phase.** The stage of the institution in the accreditation lifecycle (applicant, candidate, accredited). The phase will also indicate if an institution is a *former* applicant, candidate, or accredited institution. Accreditation phase is posted on the institution's directory listing on the MSCHE website, with the exception of applicant institutions which are not displayed publicly in the institution directory.
- D. Accreditation status.** The member institution's standing with the Commission based on the most recent grant of candidate for accreditation status, grant of accreditation, reaffirmation, non-compliance, or adverse action taken by the Commission. Administrative, procedural, or substantive change actions do not affect the accreditation status of an institution. Accreditation status is posted on the institution's directory listing and the Statement of Accreditation Status (SAS) on the MSCHE website.
- E. Commission representatives.** Individuals who represent or serve the Commission in any capacity including but not limited to peer evaluators, Commission staff, and Commissioners.
- F. Correspondence of record.** Any written communication or correspondence (including email) between the institution's key contacts and Commission staff and any correspondence between other agencies or related entities and the Commission staff related to an institution. Correspondence of record is confidential and part of the institutional record.
- G. Institution directory.** The Commission's online listing of institutions that currently have candidate for accreditation status with or are accredited by MSCHE. The institution directory also provides pertinent information about former candidate or accredited institutions.
- H. Institutional record.** The compilation of all documentation that the Commission has on file related to the institution including but not limited to accreditation materials, and any information received from the government or other quality assurance agencies related to the institution.
- I. Member institution.** All institutions that are accredited by MSCHE and all institutions that have been granted Candidate for Accreditation Status by MSCHE, that are in good standing with respect to payment of dues and fees, shall be institutional members of MSCHE. Accreditation and candidacy shall be established according to the standards for accreditation, requirements of affiliation, policies and procedures, and federal compliance requirements adopted by the Commission. (*MARCHE Bylaws Amended and Restated Effective as of July 1, 2019*)

- J. Related entity.** A non-accredited entity that shares decision making responsibility with the member institution's governing body. A related entity may be a corporate parent, system administration or board, religious sponsor, funding sponsor (which, in some cases, may include an equity or investment fund), or other entity that can affect decisions related to accreditation. Related entities may include institutional or corporate layers or groups. Local, county, and state legislatures, other accreditors, local advisory boards, and government agencies are not considered related entities. Contractual arrangements in which the institution has a written contract for services with a non-accredited entity are not considered related entities.
- K. Scope of accreditation.** The institution's accreditation status covers a defined scope of educational offerings, including but not limited to credential levels, delivery methods, and locations which have been reviewed by the Commission during accreditation activities. Any substantive changes to the scope of accreditation must be reviewed through the substantive change review process before they will be included within the institution's scope of accreditation by the Commission.
- L. Statement of Accreditation Status (SAS).** The Commission's official public statement about each institution's current accreditation status. The SAS is a downloadable, printable statement with information about the institution, including but not limited to the institution's accreditation phase, accreditation status, scope of accreditation, and a history of the accreditation actions taken by Commission for the past ten years.

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Federal Regulations: *34 CFR §602.16(a)(1)(vii-ix) Accreditation and preaccreditation standards*

CHEA: Standard B.1 (2010)

Standards: *Requirement of Affiliation #8; Standard II Ethics and Integrity, criteria 3, 6, 8. Standard III: Design and Delivery of the Student Learning Experience, criterion 3; Standard IV Support of the Student Experience criterion 1.a.*;

Related Documents: *Accreditation Actions Policy; Accreditation Actions Procedures, Communication in the Accreditation Process Policy; Communication in the Accreditation Process Procedures; Transfer Credit, Prior Learning, and Articulation; Teach-Out Plans and Agreements Policy; Teach-Out Plans and Agreements Procedures; Verification of Compliance with Accreditation-Relevant Federal Regulations;*

Public Disclosures Procedures

Effective Date: January 1, 2021

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I. Purpose

The Middle States Commission on Higher Education (MSCHE or the Commission) seeks to ensure that institutions disclose consumer information to the public in a manner that is honest and truthful. The purpose of these procedures is to implement the *Public Disclosures Policy*.

II. Procedures for Public Disclosure of Consumer Information

- A. The institution will publicly disclose consumer information on its website, in accordance with Commission standards for accreditation, requirements of affiliation, policy and procedures, and with state and/or federal regulation, including any information required under HEOA, title IV participation, or any other applicable law or regulation.
 1. The institution is responsible for ascertaining applicable local, state, federal, or other law or regulations that pertain to the institution.
 2. The institution will organize disclosure requirements in an appropriate and efficient manner.
 - a. The institution may consolidate appropriate consumer information in one location with a single Uniform Resource Locator (URL).
 - b. This approach is recommended as it consolidates the information in one convenient location and addresses multiple accountability requirements for a variety of constituents.
- B. The institution will publicly disclose student achievement data on the institution's website that is up-to-date, accurate, and complete.
 1. The institution may provide the traditional IPEDS graduation rate.
 2. The institution may present multi-year data for comparison purposes.
 3. The institution may adjust the traditional graduation rate for variables or factors appropriate to institutional mission, at the institution's discretion.
 4. The institution may use alternative measures if traditional graduation rates do not apply (including but not limited to graduate-only institutions or institutions which do not serve first-time, full-time students).
 5. The institution may provide additional qualitative or quantitative student achievement data that accurately conveys the success of students attending that institution, at the institution's discretion. Examples include but are not limited to

completion rates, retention rates, placement data, employment data, licensure pass rates, student satisfaction data or student learning outcomes data.

6. The institution may provide additional information that provides context for the institution.
 7. The institution will disaggregate data if required by any applicable law or regulation.
 8. The institution will regularly update student achievement data to ensure that data are accurate, consistent, and complete. The institution should be prepared to explain how it validates data and maintains accuracy.
 9. The institution will report to the Commission the URL where the public can access student achievement data. The institution will update this URL whenever necessary through the secure MSCHE portal.
 10. The Commission will post this URL on the institution's directory listing on the MSCHE website.
- C. The institution will publicly disclose information about itself and its educational programs that is up-to-date, accurate, and consistent with institutional mission and goals, including but not limited to the following:
1. catalogs (including a mechanism to ensure the availability of archival editions to serve the needs of alumni and former and returning students);
 2. academic calendars and pertinent information about educational programs and courses, with required sequences of course offerings explicitly stated;
 3. program completion requirements, including length of time normally required to obtain a credential;
 4. if the institution has a written/contractual arrangement, reviewed and approved by the Commission, with a third-party provider to offer twenty-five (25) percent or more of an educational program, a clear statement about the arrangement in accordance with federal regulation § 668.43(a)(12)(i-iv);
 5. any unique requirements for career paths;
 6. any relevant and applicable national and/or state requirements for eligibility for licensure or entry into the occupation or profession related to those degrees or programs in accordance with federal regulation § 668.5(v);
 7. a clear statement if a program does not make the graduate eligible to take required professional examinations in that field or to practice regulated professions.
- D. The institution will publicly disclose relevant policies and/or procedures, including but not limited to:
1. Credit hour (see the Commission's *Credit Hour Policy*)
 2. Transfer of credit (see the Commission's policy *Transfer Credit, Prior Learning, and Articulation*)
 3. Admissions
 4. Complaints or grievances
 5. Withdrawals
 6. Student refunds
 7. Grading
 8. Satisfactory Academic Performance (SAP)

- E. The institution will publicly disclose accurate information regarding the cost of attendance, including tuition, fees, and expenses.
- F. The institution will publicly disclose information about the availability of student financial assistance for those who qualify and the process for disbursements, repayment, and refunds.
- G. The Commission will verify at regular intervals that member institutions have publicly disclosed the required information through the *Verification of Compliance with Accreditation Relevant Federal Regulations* and through accreditation activities.

III. Procedures for Accurate Representation of Accreditation Status

- A. The institution will publicly disclose a comprehensive statement about its accreditation status with MSCHE on its website and wherever accreditation is referenced in publications. This statement should be easily accessible to the public and institutional constituents and be up-to-date, accurate, and complete.
 - 1. The statement will include the institution's current accreditation phase and accreditation status, which are defined in Section V: Definitions and can be found in the Institution Directory on the Commission's website.
 - a. Accreditation phase and status should be updated when changes occur.
 - b. Accreditation phase and accreditation status granted by the Commission applies to the institution as a whole, not to individual programs or locations, nor to any other entity with which the institution is related or has any affiliation.
 - c. Institutions will not imply that specific programs are accredited by MSCHE since it is not a programmatic accrediting agency. The institution should state that the program or degree is offered at an institution that is accredited by MSCHE and provide contact information for the Commission.
 - 2. Institutions will not use the language "fully accredited" since MSCHE does not offer partial accreditation.
 - 3. The institution is required to display a non-compliance (warning, probation, or show cause) or adverse action within 7 calendar days of notification by the Commission in accordance with Commission policy and procedures and federal regulation *34 CFR § 602.26(b) and (e)*.
 - 4. An institution that is closing (will cease operations entirely) or is subject to an adverse action with an approved teach-out plan is required to publicly disclose a statement about the teach-out plan in accordance with *Teach-Out Plans and Agreements Policy and Procedures*.
- B. The institution will publicly disclose information about its scope of accreditation and accurately represent any substantive changes. See the Commission's *Substantive Change Policy and Procedures*.
 - 1. The institution will publicly disclose a list of all other geographic locations in which the institution operates and programs available at those locations.

2. The institution must wait until a substantive change request is submitted before advertising, marketing, or recruiting for the planned substantive change.
 3. Until the change is included within the institution's scope of accreditation, the institution must include a written notification on all relevant advertising, marketing, or recruiting materials that a proposed substantive change is "pending approval by the Middle States Commission on Higher Education."
- C. The institution may use the following sample statement. The required information described above (accreditation phase, accreditation status, non-compliance and adverse actions, and scope of accreditation) must be displayed.
- [Institution name] is a[n] [accreditation phase] institution and a member of the Middle States Commission on Higher Education (MSCHE) www.msche.org. [Institution name's] accreditation status is [Accreditation Reaffirmed/Non-Compliance Warning/ Non-Compliance Probation/Non-Compliance Show Cause]. The Commission's most recent action on the institution's accreditation status on [date] was to [reaffirm accreditation/warn the institution/place on probation/issue show cause/deny accreditation/withdraw accreditation].*
- MSCHE is an institutional accrediting agency recognized by the U.S. Secretary of Education and the Council for Higher Education Accreditation (CHEA).*
- D. The MSCHE logo may be used by member institutions in conjunction with the institution's statement about its accreditation status with MSCHE in accordance with the Commission's *MSCHE Logo Usage Guidelines*.
- E. Organizations that are not institutions of higher education and/or are not accredited and/or are not members of the Commission, including applicant institutions or organizations that may have some affiliation, partnership, or arrangement with a member institution, are prohibited from implying accredited status with the Commission in any way. The term accreditation is to be used only when accredited status is conferred to an institution of higher education by an accrediting agency recognized by the U.S. Secretary of Education and/or the Council for Higher Education Accreditation (CHEA).
- F. The Commission will verify at regular intervals that the member institution has accurately represented its accreditation phase, accreditation status, and its scope of accreditation through the *Verification of Compliance with Accreditation Relevant Federal Regulations* and through accreditation activities.
- IV. Procedures for the Correction of Misleading Information**
- A. The Commission will require an institution that has provided misleading consumer information or misrepresented its accreditation phase, accreditation status, scope of accreditation, the contents of reports or reviews, the institution's standing with the

Commission, or the Commission's accreditation actions to immediately take corrective action as directed by Commission staff.

- B. The Commission reserves the right to take any accreditation action in accordance with its *Accreditation Actions Policy and Procedures* if the institution does not comply with this policy or take corrective action in a timely manner.
- C. The Commission may determine that it is necessary to make pertinent information available to the public, at its discretion, to correct misleading information in accordance with the *Communication in the Accreditation Process Policy and Procedures*.

V. Definitions

The following definitions are used in this policy and/or procedures:

- A. Accreditation activities.** All activities (including but not limited to reviews, reports, visits) conducted by Commission representatives related to the institution's accreditation phase, accreditation status, or scope of accreditation occurring throughout the accreditation review cycle and during monitoring activities for a member (accredited or candidate) or applicant institution.
- B. Accreditation materials.** All documentation related to accreditation activities including but not limited to the institution's written reports to the Commission, submitted evidence, team reports, institutional responses, confidential briefs, complaints or third-party comments, action notifications, substantive change requests, transcripts of proceedings, team rosters, and any correspondence of record. Accreditation materials are considered confidential information and are retained as part of the institutional record in accordance with the Commission's Maintenance and Retention of Commission Records Policy and Procedures.
- C. Accreditation phase.** The stage of the institution in the accreditation lifecycle (applicant, candidate, accredited). The phase will also indicate if an institution is a *former* applicant, candidate, or accredited institution. Accreditation phase is posted on the institution's directory listing on the MSCHE website, with the exception of applicant institutions which are not displayed publicly in the institution directory.
- D. Accreditation status.** The member institution's standing with the Commission based on the most recent grant of candidate for accreditation status, grant of accreditation, reaffirmation, non-compliance, or adverse action taken by the Commission. Accreditation status is posted on the institution's directory listing on the MSCHE website.
- E. Commission representatives.** Individuals who represent or serve the Commission in any capacity including but not limited to peer evaluators, Commission staff, and Commissioners.
- F. Consumer information.** Information needed by consumers of a particular product when researching, purchasing, and completing a purchase.

- G. Correspondence of record.** Any written communication or correspondence related to the process of making decisions about an institution. Correspondence of record is not miscellaneous correspondence with no significant business value including but not limited to notes of appreciation, congratulations, letters of transmittal, plans for meetings, confirmations of dates for staff visits, invitations to attend conferences, and other personal communications of commissioners, peer evaluators, or Commission staff. Correspondence of record is confidential and stored as part of the institutional record. Correspondence of record does not include text messages and instant messages for these purposes, as the Commission staff are prohibited from using text messaging or instant messaging to conduct official commission business.
- H. Institution directory.** The Commission's online listing of institutions that currently have candidate for accreditation status with or are accredited by MSCHE. The institution directory also provides pertinent information about former candidate or accredited institutions.
- I. Institutional record.** The compilation of all materials and data the Commission has on file related to the applicant, candidate, or accredited institution, including but not limited to the all accreditation materials related to any accreditation activity, the record on file and transcripts for any proceeding, complaints, and any information or documents related to the institution collected by the Commission or received from external sources such as the government or other quality assurance agencies as part of ongoing monitoring activities.
- J. Member institution.** All institutions that are accredited by MSCHE or granted Candidate for Accreditation Status by MSCHE that are in good standing with respect to payment of dues and fees. Accreditation and candidacy shall be established according to the standards for accreditation, requirements of affiliation, policies and procedures, and applicable federal regulatory requirements adopted by the Commission.
- K. Related entity.** A non-accredited entity that shares decision making responsibility with the member institution's governing body. A related entity may be a corporate parent, system administration or board, religious sponsor, funding sponsor (which, in some cases, may include an equity or investment fund), or other entity that can affect decisions related to accreditation. Related entities may include institutional or corporate layers or groups. Local, county, and state legislatures, other accreditors, local advisory boards, and government agencies are not considered related entities. Contractual arrangements in which the institution has a written contract for services with a non-accredited entity are not considered related entities.
- L. Scope of accreditation.** The institution's accreditation status covers a defined scope of educational offerings, including but not limited to credential levels, delivery methods, and locations (branch campuses, additional locations, and other instructional sites) which have been reviewed by the Commission during accreditation activities. Any changes proposed by a member institution that are considered substantive must be reviewed

through the substantive change review process prior to implementation in order to be included within the institution's scope of accreditation by the Commission.

M. Statement of Accreditation Status (SAS). The Commission's official public statement about each institution's current accreditation status. The SAS is a downloadable, printable statement with information about the institution, including but not limited to the institution's accreditation phase, accreditation status, scope of accreditation, and a history of the accreditation actions taken by Commission.

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Federal Regulations: *34 CFR §602.16(a)(1)(vii-ix) Accreditation and preaccreditation standards*

CHEA: Standard B.1 (2010)

Standards: *Requirement of Affiliation #8; Standard II Ethics and Integrity, criteria 3, 6, 8. Standard III: Design and Delivery of the Student Learning Experience, criterion 3; Standard IV Support of the Student Experience criterion 1.a.;*

Related Documents: *Accreditation Actions Policy; Accreditation Actions Procedures, Communication in the Accreditation Process Policy; Communication in the Accreditation Process Procedures; Complex Substantive Change Procedures; Credit Hour Policy; Maintenance and Retention of Commission Records Policy; Maintenance and Retention of Commission Records Procedures; MSCHE Logo Usage Guidelines; Substantive Change Policy; Substantive Change Procedures; Transfer Credit, Prior Learning, and Articulation; Teach-Out Plans and Agreements Policy; Teach-Out Plans and Agreements Procedures; Verification of Compliance with Accreditation-Relevant Federal Regulations;*