

Policy on Substantive Change

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Background

The U.S. Department of Education regulations require that accrediting agencies have adequate policies and procedures to ensure that any substantive changes to the educational mission, or programs of an institution, maintain the capacity of the institution to continue to meet Accreditation Standards. Membership of the Substantive Change Committee is set forth in the ACCJC Bylaws and represents the composition of academic and administrative personnel, and of public representatives, required of decision-making bodies by the U.S. Department of Education.¹ In addition, educators with specialized expertise may be invited to serve as expert advisors to the committee to facilitate consideration of substantive change applications involving programs or single-purpose institutions that prepare students for a specific profession. These expert advisors are not members of the Substantive Change Committee and do not vote on substantive change requests.

Federal law mandates that accrediting agencies require institutions to obtain accreditor approval of a substantive change before the change is included in the scope of the accreditation granted to the institution. The scope of an institution's accreditation covers all activities conducted in its name. The Commission's Substantive Change Committee is the decision-making body of the Commission for substantive change requests. Unless the Substantive Change Committee decides to refer a matter to the Commission for review and action, the Committee's action on a substantive change request serves as the final decision.

Policy

The Commission, through its Substantive Change Committee and processes, ensures that institutions continue to meet the Standards. The substantive change process requires evidence of institutional planning, resource commitment to the proposed change, and evidence that following the change the institution continues to meet the Eligibility Requirements, Accreditation Standards, and Commission policies.

It is the institution's responsibility to demonstrate the effect of a substantive change on the quality, integrity, capacity and effectiveness of the total institution. Substantive changes must be approved by the Substantive Change Committee prior to implementation.² The Committee will not approve a substantive change to be effective on a date prior to its action on the substantive change. The approval of a substantive change proposal will be effective on the date the Substantive Change Committee votes affirmatively to approve the change.

The Commission publishes a *Substantive Change Manual* that describes the approval process. The institution's accreditation will be extended to areas affected by the change upon review and approval by the Substantive Change Committee. Major substantive changes or the area

¹ 34 C.F.R. § 602.15(a)(3).

² 34 C.F.R. § 602.22.

potentially affected by the substantive change may cause the Substantive Change Committee to decide that a site visit is required or that comprehensive external evaluation is required to make a determination regarding the substantive change³. Situations which may trigger this determination include:

- change of ownership/control/legal status during reaffirmation of accreditation or candidacy status;
- complete or significant change in mission and/or a significant change of mission sought within two years of a change of ownership and change of control;
- any relocation coupled with a change of mission;
- a change of classification from an off-site location to a stand-alone institution;
- student indebtedness compared to program, job market, and salary;
- poor student graduation rates, program quality, performance and/or program outcomes;
- rapid growth in the number of sites where more than 50% of an educational program is offered;
- any change that results in the transition to a 100% distance education institution; or
- other circumstances or the accumulation of changes as determined by the Substantive Change Committee.

Certain circumstances, which may come to the attention of the Substantive Change Committee, may cause the Substantive Change Committee to recommend to the Commission that a special report or comprehensive external evaluation is needed from an institution. These circumstances are:

- information concerning a significant departure from meeting the Eligibility Requirements (ERs), Accreditation Standards and/or Commission policies;
- a substantive change site visit, substantive change request, or special substantive change report that indicates noncompliance with the ERs, Accreditation Standards or Commission policies;
- evidence of unethical practices;
- closure of a program or institution due to loss of state authorization or licensing; or
- lack of effective educational policies and practices;
- other circumstances or the accumulation of changes wherein the Commission concludes the institution, to which it granted accreditation, has effectively ceased to operate under the conditions upon which accreditation is granted.

³ 34 C.F.R. § 602.22(a)(3) Comprehensive external evaluations triggered by a major substantive change will proceed in the same manner as a regularly scheduled comprehensive evaluation, with an institutional self evaluation report, external evaluation and report, and action by the Commission on the accredited status of the institution.

Institutions may not submit a Substantive Change Proposal in the six-month period preceding a comprehensive external evaluation visit. The Substantive Change Committee may defer consideration of a substantive change request if an institution is on a sanction such as Warning, Probation, or Show Cause until the conditions that resulted in a sanction have been resolved and the Commission has reaffirmed accreditation. Institutions which are subject to withdrawal of accreditation, pending the outcome of administrative remedies, may not submit a Substantive Change Proposal.

Substantive Changes include, but are not limited to, the following⁴:

Change in Mission, Objectives, Scope, or Name of the Institution

- a change in the mission or character of the institution; if the mission or character of the institution becomes dramatically different, the Commission reserves the right to require the institution to complete the eligibility, candidacy, and initial accreditation process
- a change in the degree level from that which was previously offered by the institution, i.e., offering a degree at a level higher than the accredited institution offers currently
- any change in the official name of the institution
- a merger of two separately-accredited ACCJC institutions into a single accreditable institution
- a reduction of programs to an extent that the institution's mission cannot be accomplished

Change in the Nature of the Constituency Served

- a change in the intended student population
- closure of an institution or loss of state authorization or licensure for the institution or a program, withdrawal of or from accreditation if such withdrawal will result in closure⁵
- closure of a location geographically apart from the main campus at which students can complete at least 50% of an educational program
- courses or programs offered outside the geographic region currently served

Change in the Location or Geographic Area Served

An institution that moves to a new location or opens a new location geographically apart from the main campus where students can complete 50% or more of a program constitutes a substantive change. The Substantive Change Committee will determine if an institution applying for substantive change for a new location requires a site visit. The Substantive Change Committee will determine if an institution may be exempted from the requirement of a site visit if the following conditions are met:⁶

⁴ Please note that although some change at an institution may not warrant substantive change review, the institution should still take all necessary steps to ensure the Eligibility Requirements, Accreditation Standards, and Commission policies related to that change are being met.

⁵ See the Policy on Closing an Institution for further discussion of requirements related to closing an institution and teach-out plans for institutional or programmatic closures.

⁶ If the new location meets the definition of a branch campus, then a site visit will be required. A

- An institution has successfully completed at least one cycle of accreditation of maximum length offered by the Commission and one renewal or has been accredited for at least ten years and has three additional locations already approved by the Commission through the substantive change process.
- The institution has demonstrated sufficient capacity to add additional locations without individual prior approvals, including at a minimum satisfactory evidence of a system to ensure quality across a distributed enterprise that includes: clearly identified academic control; regular evaluation of the locations; adequate faculty, facilities, resources, and academic and student support systems; financial stability; and long-range planning for expansion.

The Substantive Change Committee must determine the institution's fiscal and administrative capacity to operate the additional location. In addition, the Substantive Change Committee shall arrange a visit, within six months of review, to each additional location the institution establishes if the institution has a total of 3 or fewer additional locations, has not demonstrated to the satisfaction of the Substantive Change Committee that it has a proven record of effective educational oversight of additional locations or has been placed on sanction by the Commission.⁷ The purpose of the site visits is to verify that the additional location(s) has the personnel, facilities, and resources the institution claimed to have in its proposal to the Substantive Change Committee for approval of the additional location(s).

The Substantive Change Committee may not approve an institution's addition of locations after the institution undergoes a change in ownership resulting in a change of control⁸ until the institution demonstrates that it meets the conditions for the Commission to pre-approve additional locations.⁹

Change in the Control or Legal Status of the Institution

- any change in the form of control, legal status, or ownership of the institution
- a merger with another institution¹⁰
- the separation of one unit of the institution into separate institutions, dividing an institution into two or more separately controlled and accredited units
- the acquisition of any other institution or program or location of another institution, and/or the addition of a permanent location at the site of a teach-out the institution is conducting
- contracting for the delivery of courses or programs in the name of the institution with a non-regionally-accredited organization

branch campus is defined in 34 CFR 600.2 as a location of an institution that is geographically apart and independent of the main campus of that institution and that (1) is permanent in nature; (2) offers courses in educational programs leading to a degree, certificate, or other recognized educational credential; (3) has its own faculty and administrative or supervisory organization; and (4) has its own budgetary and hiring authority. [Emphasis added.] In addition to other items of review for new locations, the Substantive Change Committee will review the business plan for a branch campus in determining whether to approve a substantive change or not.

⁷ 34 C.F.R. § 602.22(c)

⁸ as defined in 34 C.F.R. § 600.3.1

⁹ 34 C.F.R. § 602.22

¹⁰ See also Policy on Contractual Relationships with Non-Regionally Accredited Organizations

- a change by a parent institution of one of its off-campus sites into a separate institution

Change in Courses or Programs or their Mode of Delivery that Represents a Significant Departure from Current Practice

- a change in the mode or location of delivery when the courses constitute 50% or more of a program, degree or certificate and/or are offered at a new or different location or through distance education or correspondence education for the total amount of credits awarded for courses or programs; addition of courses that constitute 50% or more of a program or 50% of the institution's courses offered through a mode of distance or electronic delivery
- the addition of courses or new programs that represent a significant departure from existing offerings of educational programs or methods of delivery from those that were offered when the institution was last evaluated
- addition of programs of study at a degree or credential level different from that which is included in the institution's current accreditation or preaccreditation

A Change in Credit Awarded

- a substantial increase or decrease in the number of clock or credit hours awarded for the successful completion of a program
- a change from clock hours to credit hours
- a change in rigor of the credit hour

Implementation of a Direct Assessment Program

- an instructional program that, in lieu of clock hours or credit hours, utilizes direct assessment of student learning
- an instructional program that recognizes the direct assessment of student learning by others
- a program that must obtain USDE approval as a direct assessment program¹¹

A Contractual Relationship with a Non-Regionally-Accredited Organization

A contractual relationship with a non-regionally-accredited organization is considered a substantive change when more than 25 percent of one or more of the accredited institution's educational programs is offered by the non-regionally-accredited organization.¹²

¹¹ See 34 C.F.R. § 668.10

¹² 34 C.F.R. § 602.22(a)(2)(vii)