

3.6 ***Contractual Arrangements Between Higher Education Institutions and Other Entities***

3.61 Purpose

The purpose of the *Contractual Arrangements Between Higher Education Institutions and Other Entities* policy is to ensure that appropriate assurances and sufficient information are received to document institutional compliance with the standards and requirements within State Regents policy and within Higher Learning Commission (HLC) Criteria, Assumed Practices, and Obligations of Affiliation.

When contracting certain functions, the institution is responsible for presenting, explaining, and evaluating all significant matters and relationships involving related entities that may affect accreditation requirements and decisions. Although a related entity may affect an institution's ongoing compliance with State Regents or HLC standards, the State Regents will review and hold responsible only the state system institution for compliance to its policy.

3.62 Definitions

The following words and terms, when used in the Chapter, shall have the following meaning, unless the context clearly indicates otherwise:

“Accredited” refers to institutions or entities that have achieved recognition through the process used by the State Regents and other entities recognized by the U.S. Department of Education to ensure postsecondary education providers meet and maintain minimum standards of quality and integrity regarding academics, administration, and related services.

“Contractual Arrangement” is typically one in which an institution enters an arrangement for receipt of courses or programs or portions of courses or programs (i.e., clinical training internships, etc.) delivered by another institution, service provider, or entity.

“Contractual Course Inventory/Technical Crosswalk” refers to the approved technical courses approved systemwide and applicable to degree requirements within contractual arrangements. The inventory of approved technical courses is maintained and updated annually by the State Regents through a faculty-driven process.

“Entity” refers to an organization that has an identity and operation independent, separate and distinct from the institution.

“Institution” refers to any college or university of the Oklahoma State System of Higher Education listed in the State Regents *Governance* policy (1.7).

“Unaccredited” refers to institutions or entities that have not achieved recognition through the process used by the State Regents and other

entities recognized by the U.S. Department of Education to ensure postsecondary education providers meet and maintain minimum standards of quality and integrity regarding academics, administration, and related services.

3.6.3 Principles and Goals

The principle is to allow the institution to best serve the educational needs of its service area while leveraging the resources available through other entities.

The goal of the policy is to prescribe standards and expectations for contractual arrangements that allow an institution to outsource some portion of one or more of its educational programs to any of the following:

- A. an unaccredited, degree-granting institution or entity;
- B. an accredited, non-degree-granting institution or entity;
- C. an institution or entity not accredited by an accrediting agency recognized by the U.S. Department of Education; or
- D. a corporation or other entity.

3.6.4 Requirements of a Contractual Arrangement

A State System institution may lend the prestige and authority of its accreditation to validate courses or programs offered under contractual arrangements with entities not appropriately recognized (as stipulated above) only when the following requirements are met with evidence:

- A. A contractual arrangement is executed only by duly designated officers of the institution (i.e. the president or his/her designee) and their counterparts in the related entity.
- B. The contract establishes definite understandings between the institution and the related entity regarding the work to be performed, the period of the arrangement, and the conditions for renewal, continuation, renegotiation, or termination of the contract.
- C. The primary purpose of offering such a course or program under a contractual arrangement is educational and where the program or course is not available in its entirety at the institution through existing offerings or resources, or where there is sufficient demand to warrant a contractual arrangement in addition to the institutional offering. The institution must employ appropriately qualified full-time faculty to offer the program.
- D. Any course or program offered through a contractual arrangement shall be consistent with the institution's mission and approved function.

- E. Courses offered through a contractual arrangement and the value and level of their credit shall be determined in accordance with established State Regents and institutional procedures and under usual mechanisms of review. A guidance document is available in the *Academic Affairs Procedures Handbook* and pertains to the contractual course inventory that will be annually maintained and updated through a faculty-driven process.
- F. Courses offered for credit shall remain under the sole and direct control of the State System institution granting the credit for the offering, and the institution shall have in place a process to ensure continued responsibility for the quality and academic integrity in the performance of the contractual arrangement. The institution shall provide evidence of provisions to ensure that the content and instruction in the contractual courses meet the standards of regular courses.
- G. The contractual arrangement shall clearly establish the responsibilities of the institution and the related entity regarding elements of the contract.

3.6.5 Elements within Contractual Arrangements

The elements of the contract shall include, but are not limited to, the following:

A. Curriculum

1. Contractual arrangements may be utilized to offer high quality, high demand college-level certificate and degree programs conferred by the State System institution, that comply with applicable policies of the State Regents and meet the certification, licensure, and training standards of business and industry.
2. Programs engaged in contractual arrangements shall be subject to the State Regents *Academic Program Approval* and *Academic Program Review* policies. The Criteria for Evaluation (3.4.5) include centrality to mission, curriculum, academic standards, faculty, support resources, demand for the program, complement existing programs, unnecessary duplication, cost, and review.
3. The institution will participate in a statewide contractual course inventory/technical crosswalk approved for inclusion in contractual arrangements. This contractual course inventory will be maintained and updated as needed by the State Regents through a faculty-driven process. All awarded credit through contractual arrangements shall be appropriately identified by source and method on the transcript.

4. An advisory committee composed of faculty, staff, employers, and practitioners appropriate to each program shall assist in developing curriculum content, in keeping the curriculum current, and in maintaining contact with the business and industry community.

B. Quality Assurance

1. Faculty

- a. The institution shall employ appropriately qualified full-time faculty to provide direct control over the entirety of the college-level certificate or degree program offered in a contractual arrangement. This institutional faculty member will serve as the designated liaison with content expertise to provide oversight of the contractual arrangement.
- b. All faculty teaching in contractual arrangements shall adhere to established HLC standards and assumed practices regarding faculty qualifications. Faculty must possess an academic degree relevant to what they are teaching and at least one degree level above the level at which they are teaching except in programs when equivalent experience is established (i.e. at the Certificate level, the faculty must have an Associate Degree; at the Associate Degree level, the faculty must have a Bachelor Degree, etc.). The appropriate institutional academic administrator reviews all faculty credentials and recommends all faculty for approval prior to approval of the course through a contractual arrangement.
- c. Any exception to the requirements for faculty qualification in this section of policy must be approved by the appropriate designee for Academic Affairs at the institution and evidence of equivalent experience must be provided. When faculty are appointed based on equivalent experience, the institution defines a minimum threshold of experience and an evaluation process that is used in the appointment of such faculty.
- d. In accordance with established guidelines and procedures of the higher education institution, an assessment of faculty and appropriate credentials in contractual arrangements will be conducted routinely.

2. Program Quality

- a. The college-level certificates and degree programs offered in contractual arrangements shall be appropriate to higher education and engage students in collecting, analyzing, and communicating information, in mastering modes of inquiry

or creative work, and in developing skills adaptable to changing environments.

- b. The institution shall offer college-level certificates and degree programs in contractual arrangements only in content areas for which it employs appropriately qualified full-time faculty.
- c. The institution shall refrain from entering into contractual arrangements and/or transcribing credit that will not apply to its own college-level certificate or degree programs.
- d. The institution shall designate specific full-time faculty with appropriate qualifications to oversee contractual arrangement programs.
- e. All contractual arrangements shall be included in the annual institutional program assessment activities.

3. Advisory Committees

- a. Advisory committees shall be composed of faculty, staff, employers, and practitioners appropriate to each program and ensure relevant curricula for the college-level certificate or degree program.
- b. Full-time institutional faculty shall serve on the advisory committee, in addition to representatives from the contractual entity.
- c. Recommendations for additions, changes, and/or deletions to credit offerings within a contractual arrangement shall be based on recommendations from the advisory committee and faculty, and on changes in accreditation and/or certification. These recommendations shall be reviewed and approved by the institution's internal curriculum review process and then provided to the State Regents for final approval.

4. Continuous Improvement

- a. Each contractual arrangement shall be reviewed in accordance with the institution's annual internal assessment program.
- b. The results of the annual internal assessment program shall be used to ensure the continuous improvement of program and course content.

C. Criteria for admissions

- 1. College admission requirements approved by the State Regents (see State Regents' *Institutional Admission and*

Retention policy and Academic Affairs Procedures Handbook) for admission to the institutions or contractual arrangements shall be listed in the institution's catalog and shall apply to high school graduates and adults.

2. High school juniors and seniors are admissible to enroll in only contractual arrangement courses as approved by the State Regents (see State Regents' *Academic Affairs Procedures Handbook*).
3. High school students must provide a letter of support from a counselor at the high school or other entity and written permission from a parent or legal guardian.
4. High school students enrolled in college courses through contractual arrangements may continue enrollment in subsequent semesters if they earn a college CGPA of 2.0 or above on a 4.0 scale (see State Regents' *Institutional Admission and Retention* policy).
5. The contractual arrangement shall explain the role of the contractual partner in admissions and the controls in place to ensure that appropriately qualified students are admitted.

D. Student Support Services

1. The institutions and contractual entity will provide integrated and comprehensive academic advising and support services to students enrolled in contractual arrangements.
2. Counselors and faculty at the institution and the contractual entity may use the ACT PLAN score and ACT PLAN sub-scores (and other available test scores, such as the ACT, SAT, TABE, ACT Compass, Accuplacer), the student's previous academic record, recommendations from high school administrators/counselors/teachers, a high school Plan of Study, and personal knowledge of the student to advise the student.
3. High school students must be advised of the State Regents' *Institutional Admission and Retention* policy (3.9.6.I.1) regarding the workload requirement of enrolling in a total number of credit hours combining college courses, including all courses in the contractual arrangement, and high school courses.

E. Financial

1. The financial arrangements for the contractual arrangement must identify the following elements:
 - a. student costs (tuition, fees, etc.);
 - b. differentiation of tuition costs from other programs at the institution, if any;
 - c. contractual partner to which the student remits payments (tuition, fees, etc.), if any;
 - d. description of how the contractual partner is compensated for involvement in the program, if any;
 - e. allocation of payments (tuition, fees, etc.) among parties, if any.
2. A standardized statewide academic service fee established by the State Regents will apply for contractual arrangements (see State Regents' *Academic Affairs Procedures Handbook*).

F. Marketing and Outreach

1. The marketing goals of the contractual arrangements are to create awareness and to promote the advantages to potential students and to the community, including high school teachers, faculty, staff, administrators, governmental agencies, and employers.
2. All publications and advertisements shall identify the higher education institution that is awarding the credit. Additionally, all publications and advertisements must adhere to the consumer protection requirements listed in the State Regents' *Institutional Accreditation* policy (3.1.7) that prohibit higher education institutions or other entities from making misleading, deceptive, and/or inaccurate statements in brochures, Web sites, catalogs, and/or other publications. Failure to comply with this requirement may result in the nullification of the contractual arrangement(s).

G. Institutional Reporting Requirements

1. The institution shall annually provide an accurate list of college-level certificate and degree programs available through contractual arrangements to the State Regents.
2. The institution shall annually provide an accurate list of courses available through contractual arrangements to the State Regents.
3. An annual summary report to the State Regents on the performance of contractual arrangements during the previous fiscal year is required, including information on enrollment,

retention and graduation, student and program assessment reports, financial arrangements, marketing endeavors, cost, and other notable accomplishments and challenges

3.6.6 Procedures

An Oklahoma State System institution seeking approval for a contractual arrangement upon approval of its governing board shall have the president submit the contractual arrangement to the Chancellor for State Regents' consideration.

3.6.7 Reporting

The State Regents' staff will provide periodic reports to the State Regents summarizing the status of contractual arrangements. Such reports shall contain information about effectiveness and efficiency of the contractual arrangements individually and as a model for offering academic programs. Reporting to the institutions and contractual entities will be conducted during regularly scheduled workshops.

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