PART J DEGREE AUTHORIZATION ACT: STATUTES AND POLICIES PERTAINING TO AUTHORIZATION TO OPERATE AS A POSTSECONDARY EDUCATION INSTITUTION AND TO AWARD CREDIS AND DEGREES IN COLORADO, OCTOBER 1995

1.00 Introduction

The Colorado Commission on Higher Education has statutory responsibility for administration of Title 23, Article 2 of the Colorado Revised Statutes, (Amended 1981), which authorizes certain types of institutions to offer degrees and/or degree credits. These are: (1) Colorado publicly-supported colleges and universities; (2) properly accredited private colleges and universities; (3) postsecondary seminaries and bible colleges; and (4) private occupational schools authorized by the Private Occupational School Division to offer associate degrees. Persons or unauthorized organizations which violate the provisions of the statute are subject to legal penalties.

The Commission shall administer the statute by seeking information from any entity offering degrees and/or degree credits to determine its authority under this statute. In order to determine the institutional type and to identify those institutions which are subject to the specific accreditation requirements of the statute, criteria have been established for each institutional type authorized to offer degrees or credits leading toward a degree. Procedures for Commission administration of the statute also have been developed.

In the following sections, the registration and authorization procedures are described, the criteria for each institutional type are defined, the procedures for Commission review of the accreditation status of institutions, when required, are stipulated, the policies on Commission notification to institutions of their status in regard to this act are listed, and the requirement for the maintenance of records is defined.

2.00 Registration and Authorization

2.01 Institutional Registration

All private colleges and universities, private occupational schools, and seminaries or bible colleges shall register with the Colorado Commission on Higher Education, shall meet the authorization criteria, and shall be granted authorization prior to offering any program of instruction, credit, or degree; opening a place of business; soliciting students or enrollees; or offering educational support services. Postsecondary institutions shall register annually as follows:

- Private colleges or universities shall register annually until on-site accreditation in Colorado is received.

- Seminaries or bible colleges shall register annually until the institution's authorization is approved by the Commission.

- Private occupational schools shall register annually until the institution is approved by the Private Occupational School Division under the provisions of Article 59, Title 12, C.R.S.

2.02 Registration of an Agent or Representative

No agent or representative of any postsecondary institution delivering instruction or intending to deliver instruction in Colorado utilizing any method of delivering instruction in which there is physical presence in Colorado, or awarding credits or degrees or intending to award credits or degrees in Colorado shall operate until the agent or representative is registered with the Commission. The institution represented shall hold authorization to operate as a postsecondary institution in the state, province, or country in which its primary campus or headquarters is located and shall document its authorization. It shall be subject to all authorization criteria herein established. All agents and representatives of postsecondary institutions shall register annually until the institution meets the appropriate criterion in the following sub-sections. If the institution employs one or more persons who report to a director or executive officer based in Colorado for the purposes of administering, coordinating, training, tutoring, teaching, counseling, advising, or any other activity on behalf of the sponsoring organization, only the institution's Colorado-based director or executive officer shall be required to register on behalf of the institution.

2.02.01 Any person serving as an agent or institutional representative of a private college or university shall annually register with the Colorado Commission on Higher Education until the institution has been accredited by one of the six nationally recognized regional accrediting associations or by an accrediting association determined by the Commission to be appropriate to the institution's educational purposes and programs.

2.02.02 Any person serving as an agent or institutional representative of a seminary or bible college shall annually register with the Commission until the seminary or bible college has been authorized by the Commission.

2.02.03 Any person serving as an agent or institutional representative of a private occupational school shall annually register with the Commission until the institution is approved by the Private Occupational School Division under the provisions of Article 59, Title 12, C.R.S.

2.03 Granting of Authorization

Authorization shall be granted upon presentation of adequate information by the postsecondary institution seeking authorization to the Colorado Commission on Higher Education. As the first step toward authorization, representatives of a seminary or bible college or a private college or university shall consult in person with the designated

administrator of the Degree Authorization Act at the Colorado Commission on Higher Education prior to submission of required documentation.

2.03.01 No private college or university shall operate until its accreditation is documented or its potential for accreditation is established and accepted by the Commission. Institutions authorized to operate pending full accreditation shall pursue full accreditation continuously and shall make reasonable and timely progress toward accreditation in order to retain authorization.

An out-of-state private college or university that plans to offer half or more of a degree program or credit-bearing certificate program in Colorado via telecommunications technology but with no physical presence in Colorado shall have received authorization in its home state based upon evaluation of the institutional responses in the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs. (See Appendix A). Documentation of home-state authorization should be provided. If the home state does not require that this document be used, the institution shall submit a complete response to this document to the Commission and it may be granted authorization in Category III, Authorized to Deliver Programs Via Telecommunications.

Private colleges and universities authorized at Category I, Ia, or II, may apply for Category III authorization by responding to the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs (see Appendix A) in order to deliver instruction to cooperating states that will recognize home-state authorization based upon response to that document. Category III authorization is not required for any institution authorized to operate in Colorado in order for it to extend instruction from its Colorado base to other sites within the state of Colorado via telecommunications.

2.03.02 A private occupational school shall be authorized to operate upon approval of the Private Occupational School Division.

2.03.03 No seminary or bible college shall operate until the bona fide religious nature of the institution is documented and verified by the Commission.

2.03.04 Colorado public higher education institutions (that will be regarded by other states' authorizing agencies as private institutions) may apply for Category III authorization by responding to the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs (see Appendix A) in order to deliver instruction to cooperating states that will recognize home-state authorization based upon response to that document. Category III authorization is not required for a Colorado public higher education institution in order for it to extend instruction to sites within the state of Colorado via telecommunications.

2.04 Authorization of Institutions Having Physical Presence in Colorado

2.04.01 Any institution that delivers instruction in Colorado and has a physical presence in Colorado shall meet the criteria for state authorization in Colorado. Authorization by the State of Colorado shall not be granted to institutions that do not have a physical presence in Colorado.

2.04.02 An institution has physical presence in the state if it employs in Colorado any person or persons for the purpose of administering, coordinating, teaching, training, tutoring, counseling, advising, or any other activity on behalf of the sponsoring organization regardless of whether or not the person or persons employed receive any form of compensation. In addition, the institution has physical presence in Colorado if it delivers, or plans to deliver, instruction in Colorado, and receives assistance from any other organization within the state in delivering the instruction, such as, but not limited to, a cable television company or a television broadcast station that carries instruction sponsored by the institution.

2.05 Authorization as Both Seminary or Bible College and Private College or University

A postsecondary institution that meets authorization criteria for both private colleges or universities and seminaries or bible colleges may request and be granted authorization in both areas.

3.00 Criteria

3.01 Seminary or Bible College

To qualify as a seminary or bible college, the statute recognizes only a "bona fide religious postsecondary educational institution" which is "exempt from property taxation under the laws of this state." Institutions of this type also shall only offer programs appropriate to a religious institution.

3.01.01 An institution must qualify both as a "bona fide religious institution" and as an "institution of postsecondary education."

A. To qualify as a postsecondary educational institution, as distinguished from an institution operating at the secondary level, it shall require for admission at least a high school diploma or its equivalent.

B. To qualify as a bona fide religious institution, an institution must meet each of the following criteria:

1. Be a nonprofit institution owned, controlled, and operated and maintained by a bone fide church or religious denomination, lawfully operating as a non-profit religious corporation pursuant to Title 7 of the Colorado Revised Statutes.

2. Limit the educational program to the principles of that church or denomination, and the diploma or degree is limited to evidence of completion of that education. Institutions operating under this degree authorization shall not award degrees in any area of physical science or medicine.

3. Only grant degrees or diplomas in areas of study that contain on their face, in the written description of the title of the degree or diploma being conferred, a reference to the theological or religious aspect of the degree's subject area. (See Section 3.01.04, below.)

4. Not market, offer, or grant degrees or diplomas which are represented as being linked to a church or denomination, but which, in reality, are degrees in secular areas of study.

5. Have obtained exemption from property taxation under state law and shall have submitted a copy of the certificate of this exemption to the Commission. (See Section 3.01.02, below.)

C. An institution seeking authorization as a bona fide religious institution shall submit to the Commission a completed and signed Declaration for Religious Authorization, as set forth in Appendix B and shall provide a revised Declaration at any time that information originally submitted no longer is accurate.

D. Additional evidence that may be provided by an institution seeking to substantiate that the institution is a bona fide religious institution:

- Evidence that the school holds at least preaccreditation status with one of the following nationally recognized accrediting associations:

  The Accrediting Association of Bible Colleges; or

  The Association of Advanced Rabbinical and Talmudic Schools; or

  The Association of Theological Schools in the United States and Canada.

- A statement of institutional mission clearly establishing the mission of the institution as solely religious, and curricula and degree, diploma, or certification programs that clearly support that mission singularly.

- Other appropriate, substantial, evidence of qualification for state authorization as a seminary or bible college.

E. If substantive changes are made by the institution after receipt of authorization in its mission or its program it shall reapply for authorization.

3.01.02 To meet the criterion of exemption "from property taxation under the laws of this state" a seminary or bible college located in Colorado shall offer documentation of exemption for the school's site and facilities verified by the Colorado Division of Property Taxation.

The institution seeking authorization should submit a letter of determination, Form 905, signed by the Property Tax Administrator, Division of Property Taxation, Colorado Department of Local Affairs, clearly stating that the institution is exempt from real and personal property taxation under state law. The Commission shall be notified by that department if an institution's exemption is rescinded.

3.01.03 As the first step in the process of obtaining state authorization, institutions seeking to operate in Colorado as a seminary or bible college shall consult in person with the designated administrator of the Degree Authorization Act at the Colorado Commission on Higher Education prior to the submission of required documentation. Following the consultation and review of all documents submitted, the Commission shall determine if the institution qualifies for authorization as a seminary or bible college.

3.01.04 An institution shall not be eligible for authorization as a seminary or bible college if it offers degrees appropriate only for academic institutions, such as, but not limited to, Bachelor of Arts or Bachelor of Science, Master of Arts or Master of Science, Doctor of Philosophy, or other degrees typically offered by academic institutions, regardless of curriculum or course content, unless the degree title includes the religious field of study (e.g., "Bachelor of Arts in Religious Studies"). Institutions authorized as seminaries and bible colleges also shall not offer degrees associated with specific professional fields or endeavors not clearly and directly related to religious studies or occupations. Examples of such degree titles are Bachelor of Business Administration or Master of Business Administration; Bachelor of Education, Master of Education or Doctor of Education; and Doctor of Psychology.

3.01.05 An authorized seminary or bible college, its educational programs, its degrees and diplomas, and its honorary degrees, have no state approval or recognition status whatsoever. An institution operating under this authorization shall not state or imply by any means whatsoever that there exists any recognition by the state or by any agency or agent of the state of the education, documents awarded by the institution, or the institution itself, other than the institution's authorization to operate.

3.01.06 Institutions applying for authorization as a seminary or bible college under the Degree Authorization Act (23-2-101 et seq., C.R.S.) as of October 5, 1995 shall submit a completed and signed Declaration for Religious Authorization, as set forth in Appendix B and document compliance with all policies articulated in section 3.01 of this document.

3.01.07 All institutions authorized under the Degree Authorization Act (23-2-101 et seq., C.R.S.) as seminaries or bible colleges prior to October 5, 1995 may continue to operate with that authorization up to two years, but shall re-apply for authorization by October 5, 1997 by submitting a completed and signed Declaration for Religious Authorization, as set forth in Appendix B and documenting compliance with all policies articulated in section 3.01 of this document. Failure to reapply or to be in compliance with the provisions of Section 3.01 shall result in loss of state authorization to operate in Colorado.

3.02 Private Occupational School

To qualify for the private occupational school exemption, the statute requires that the school be authorized to confer associate degrees by the Private Occupational School Division under the provisions of Article 59, Title 12, C.R.S. The statutory exemption extends to the offering of associate degrees only. The evidence required to enable the Commission to determine that an institution so qualifies is documentation that the institution has been authorized by the Private Occupational School Division to confer associate degrees under the provision of the statute.

3.03 Private College or University

3.03.01 A private college or university, under the statute, is an institution which is "doing business or maintaining a place of business in the state of Colorado" which offers courses of instruction or study wherein credits may be earned toward a degree in a field of endeavor. A publicly-supported college or university in another state (which would not qualify by statutory definition for the "state college or university" exemption) will be treated as a "private college or university" and will be authorized to offer courses of instruction toward a degree, degree credits, or degrees if it qualifies under the criteria for such institutions. An institution that employs an agent or representative in Colorado and delivers instruction by any means within the state shall be regarded as a private college or university and shall be authorized on the same basis as any other such institution.

3.03.02 Criteria to qualify as a private college or university are:

- Accredited on the basis of an on-site review in Colorado by one of the six regional accrediting associations; or

- Accredited by an acceptable alternative accrediting agency determined by the Colorado Commission on Higher Education to be appropriate to its educational purposes and programs; or

- Making reasonable and timely progress toward such accreditation, as determined by or in accordance with standards determined by the Commission.

3.03.03 The Commission hereby determines that any accrediting association recognized by the United States Department of Education will be accepted by the Commission unless the Commission determines that such an association is not appropriate to the educational purposes and programs of the institution.

3.03.04 Authorized private colleges and universities that plan to deliver a degree program or credit-bearing certificate program that originates in Colorado to any other state, of which half or more of credit coursework will use telecommunications or other form of distance learning technology, that submit a complete and satisfactory response to the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs (see Appendix A) may receive Category III authorization, "Authorized to Deliver Degree Programs and Credit-Bearing Certificate Programs Via Telecommunications."

To qualify for Category III authorization the institution shall respond to all items of information in the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs. (See Appendix A). For each item, the Commission shall determine whether the institution will maintain standards (1) comparable to those pertaining to the institution's on-campus program, and (2) consistent with recognized standards in higher education.

4.00 Procedures for Review of Accreditation Status, Private College or University

4.01 Determination of Acceptable Accreditation

4.01.01 The Commission staff shall determine from the United States Department of Education all accrediting associations that may serve as alternatives to the recognized regional accrediting associations. Accreditation by one of the regional accrediting associations or by an accrediting association recognized by the United States Department of Education is a prerequisite for consideration and approval by the Commission.

4.01.02 The Commission staff shall determine whether the institution is accredited either by:

A. one of the six nationally-recognized regional accrediting associations, or

B. an accrediting association recognized by the United States Department of Education and appropriate to the institution's educational purposes and programs.

4.01.03 If the institution does not hold accreditation in accordance with section 4.01.02, above, the Commission staff shall request submission of information verifying its accreditation status and/or evidence of "reasonable and timely progress" toward accreditation. Reasonable and timely progress toward accreditation is understood to be a status with the regional accrediting association or an acceptable alternative accrediting association recognized by the U.S. Department of Education (recognition shall be documented) that indicates that the institution has been determined to hold the potential for accreditation and is actively pursuing accreditation within the timetable established by the regional accrediting association (unless an alternative timetable has been presented to and accepted by the Commission). Institutions that are seeking initial accreditation shall follow the policies and procedures articulated in section 4.04.01, below.

4.02 Consultation, Review of Documents, and Assignment of Institutional Status

4.02.01 As the first step toward state authorization, institutions seeking state authorization to operate in Colorado as a private college or university shall consult in person with the designated administrator of the Degree Authorization Act at the Colorado Commission on Higher Education prior to the submission of required documentation.

4.02.02 After the consultation and review of all documents submitted, the Commission shall assign the institution to one of the following categories:

- Category I, Accredited with On-Site Colorado Review.

  Institutions in this category are accredited on the basis of an on-site review in Colorado by a regional accrediting association or by another accrediting body recognized by the U.S. Department of Education.

- Category I-A, Accredited Without On-Site Colorado Review.

  Institutions accredited by a regional accrediting association or another accrediting body recognized by the U.S. Department of Education but not on the basis of an on-site review in Colorado shall have a period of one year from the date its activities begin in Colorado to obtain such a review. The time limit may be extended upon presentation of documentation of good cause.

- Category II, Maintaining Reasonable and Timely Progress Toward Accreditation.

  Institutions in this category are making reasonable and timely progress toward accreditation in accordance with the statute and continue to make such progress in accordance with the policies and timetable outlined in Section 4.04, F, below.

- Category III, Authorized to Deliver Degree Programs and Credit-Bearing Certificate Programs Via Telecommunications.

  Institutions eligible for this category shall be:

  (1) institutions authorized by the Commission to operate as a private college or university in Colorado under the Degree Authorization Act;

  (2) out-of-state institutions that will not have physical presence in Colorado but plan to deliver instruction in Colorado via telecommunications;

  (3) Colorado public institutions, that will be regarded by other states' authorizing agencies as private institutions, that wish to deliver instruction to cooperating states that require home-state authorization on the basis of satisfactory completion of the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs. (See Appendix A.)

  All institutions seeking Category III authorization shall have submitted to the Commission a complete and satisfactory response to the document Principles of Good Practice for Electronically Offered Academic Degree and Certificate Programs. (See Appendix A.)

4.03 Extension of Authorization to Second Sites

A private college or university which is authorized to offer courses of instruction toward a degree or to award credits and degrees in Colorado, as a result of achieving on-site accreditation in Colorado or documented "reasonable and timely progress" toward accreditation, may extend its program to other Colorado sites. Second sites shall not require separate accreditation if they are coordinated from and overseen from the primary, accredited, Colorado site and if the program offered at the second site is the same or substantially the same program offered at the site visited by the accreditation team. If a private institution whose main campus is in Colorado establishes a second site in Colorado under its direct control, accreditation of the second site is not required.

Accreditation of second sites shall be required under the following circumstances:

- If the program at the accredited site is terminated or moved, accreditation at another site is required; or

- If a private college or university establishes a program at a second site which is not coordinated or overseen from the accredited primary site, its second site must have separate on-site accreditation; or

- If a private college or university establishes a program at a second site which is not offered at the primary, accredited, site; or if the program offered at the second site is substantially different from the program offered at the accredited site, the second site must have separate on-site accreditation

4.04 Authorization Policies and Timetables for Newly-Established Institutions and Currently-Operating Institutions Seeking Accreditation

4.04.01 Procedures for Institutions Applying for Initial State Authorization; Preliminary State Authorization

A. Prior to the acceptance of students, the offering of instruction, the award of credits toward a degree, or the award of a degree (as defined in the Degree Authorization Act), an organization that seeks to be authorized as a "private college or university" under the Degree Authorization Act shall provide to the Commission on Higher Education evidence that clearly and fully documents that it is an institution that can meet the accreditation criterion for state authorization. An institution seeking Preliminary State Authorization shall demonstrate that it is such an institution by providing information as described in section 4.04.01 C, below. The institution shall be neither a "private occupational school" nor a "seminary" or "bible college" as described in the Degree Authorization Act.

B. If the accrediting association from which the applying institution will seek accreditation is determined by the Commission to be an appropriate and acceptable alternative to the regional accrediting association, but the alternative association does not require an accreditation procedure that is

comparable to that required by the regional accrediting association, the institution shall notify the Commission, and guidelines and timetables for the pursuit of accreditation shall be established consistent with both Commission intent and the alternative accrediting association's policies and procedures. (See section 4.04.03 B, below.) The information requested by the Commission for Preliminary State Authorization is required for all institutions. The Commission may also request additional information that can be used to determine the institution's potential for the achievement of accreditation.

C. To apply for Preliminary State Authorization an organization must provide to the Commission full documentation that demonstrates fulfillment of each of the criteria below.

(1) Familiarity With Accreditation and State Authorization Policies and Procedures

The institution shall be, and shall so state, that it is familiar with and understands accreditation procedures and state authorization policies and procedures. It shall state the name of the accrediting association from whom accreditation will be sought.

(2) Statement of Mission

A statement of mission shall have been developed, formally adopted by the institution's governing body and made public, which defines the basic character of the institution including a brief description of the educational programs to be offered and their purposes, the students for which the programs are intended, the geographical area served by the institution (or the particular constituency it serves), and a description of how the institution will fit within the broader higher education community. The mission shall be appropriate to an institution of higher education and the institution must plan to award degrees. The mission statement shall be provided to the Commission.

(3) Institutional Organization

(a) A governing board that possesses and exercises necessary legal power to establish and review basic policies that govern the institution shall have been formally established. The board shall include among its members some who represent the public interest and are sufficiently autonomous from the administration and ownership to assure the integrity of the institution. The Commission shall be provided a list of the members of the board with a brief resume of each.

(b) An executive officer shall be designated by the governing board to provide administrative leadership for the institution. This officer's name and title, and the address of the administrative office, shall be provided to the Commission.

(c) If faculty members are employed at the time the application is filed with the Commission, the faculty members themselves, their academic credentials (degrees, previous experience, etc.), and teaching fields shall be identified. If no faculty members have been employed the institution shall describe the qualifications of the faculty that is to be recruited and the procedures that will be used to find and contract with faculty members.

(4) Degrees and Academic Programs

(a) A degree (as defined in the Degree Authorization Act, 23-2-101 et seq., C.R.S.) shall be awarded upon successful completion of an educational program. The institution shall provide a list of the degrees it proposes to award.

(b) The planned educational programs shall be compatible with the proposed institutional mission. The relationship shall be described in documents provided to the Commission.

(c) The academic program proposed for offering shall be appropriately named and be based on fields of study recognized as appropriate for a postsecondary institution. Evidence shall be provided to the Commission that the fields of study upon which the academic programs are to be based are, in fact, so recognized. Such recognition, for example, could be demonstrated by the existence of professional literature in the field; the offering of similar programs in already-accredited institutions, generally; and by the existence of professional organizations related to the field.

(d) The content and length of the proposed academic program shall follow practices common to institutions of higher education. Normally, the proposed academic program shall include at least: (1) one undergraduate program planned for two or more years in length; or, (2) one graduate program of at least one academic year in length. Documentation shall be provided to the Commission that lists all requirements for a degree and the curricula offered leading to the degree, showing planned typical student programs by semester or term.

(e) Any proposed undergraduate degree program shall include a coherent general education component that is consistent with the institution's mission and appropriate to its educational programs. The undergraduate general education component shall be documented.

General education is defined as follows:

General Education is "general" in several clearly identifiable ways: it is not directly related to a student's formal technical, vocational or professional preparation; it is a part of every student's course of study, regardless of his or her area of emphasis; and it is intended to impart common knowledge, intellectual concepts, and attitudes that every educated person should possess. (From 1983 Statement on General Education, Commission on Institutions of Higher Education, North Central Association of Colleges and Schools.)

(f) Student access to all necessary learning resources and support services shall be provided.

Necessary resources and support services vary by type of program, but all require some use of library resources. Laboratories may be required for some programs. Support services such as academic advising, financial aid counseling, and support for special, targeted, constituencies may be needed. The institution shall describe the learning resources and support services that it will provide and state how they will be provided to students on a regular, dependable basis.

(5) Admission Policies

Admission policies shall be consistent with the institution's mission and appropriate to the educational program. The Commission shall be provided with a copy of the institution's admission policies.

(6) Financial Resources

The institution shall have financial resources adequate to support start-up activities and sources of funds sufficient to ensure that the institution can sustain itself once students have been admitted.
The Commission shall be provided with a current financial statement, an audit report of a financial audit completed within the previous twelve months by a certified public accountant, or other substantial evidence.

D. An institution that provides satisfactory information will be granted Preliminary State Authorization by the Commission for a period of time up to six (6) months. The Commission shall notify the institution in writing. Within that period of time the institution shall satisfactorily complete preliminary information as required by the regional or other appropriate, acceptable, accrediting association, and shall not accept students, offer instruction, award credits toward a degree, or award a degree until granted Category II authorization status. ("Degree" is defined in the Degree Authorization Act).

E. An organization or institution that violates these proscriptions shall have its Preliminary State Authorization revoked by the Commission and shall be subject to statutory penalties. If, within the six months period in which Preliminary State Authorization is held, the institution fails to satisfactorily complete preliminary information required by the regional accrediting association, its Preliminary State Authorization is terminated. An institution that has lost its Preliminary State Authorization because of failure to satisfactorily complete accreditation information may re-apply to the Commission for Preliminary State Authorization but not earlier than 90 days after the termination of preliminary authorization.

F. Upon presentation of documentation that the preliminary information submitted to the accrediting association is complete and satisfactory,[1] the Commission will grant the institution Category II state authorization, "Making Reasonable and Timely Progress Toward Accreditation." The institution shall continue the accreditation process immediately.

Upon receipt of Category II authorization the institution shall:

- Immediately establish an evaluation schedule with the NCA;
- Initiate the institutional self-study;
- Host the on-site accreditation visit within 24 months of receipt of Category II authorization status unless that time limit has been expressly modified by the Commission because of extenuating circumstances.

Failure to pursue accreditation continuously shall result in loss of state authorization.

[1]General Institutional Requirement 3 (adopted August 7, 1992) of the North Central Association of Colleges and Schools cannot be met fully until the institution receives Category II state authorization. Requirement 13 (adopted August 7, 1992) cannot be met fully until the institution is in operation. The granting of Category II state authorization will depend only upon the satisfaction of all other General Institutional Requirements.

G. Following the on-site accreditation visit the institution shall be continued in Category II status pending action (normally taken within 5 to 8 months following the site visit) by the NCA Commission on Institutions of Higher Education. When that action has been taken the institution shall immediately notify the Colorado Commission on Higher Education which will then assign the institution an authorization status from among the following:

- Category I, Accredited, as a result of the NCA decision to accredit the institution. This status shall change only if the accrediting association changes the institution's accreditation status. An accredited private college or university shall notify the Colorado Commission on Higher Education following each formal action of the NCA with respect to its accreditation.

- Continuation of Category II, Maintaining Reasonable and Timely Progress Toward Accreditation, based upon the NCA decision to grant the status of Candidate for Accreditation, to the institution. An institution that holds candidacy for accreditation shall submit semi-annual reports to the Commission documenting its progress toward the achievement of accreditation consistent with NCA policy. Continuation of Category II status, in accordance with NCA policy, shall not extend beyond 6 years.

- Not authorized as a result of denial of accreditation by the NCA.

- Continuation of Category II status pending an appeal of denial of accreditation by the NCA Executive Board. Continuation on these grounds shall only be granted upon showing good cause to the Commission. An institution's final authorization status will be based upon the action taken by the NCA.

An institution that does not attain either accreditation or candidate for accreditation status after its initial on-site accreditation review, but can fully demonstrate continuing progress toward accreditation and the likelihood of achieving a satisfactory status upon a second on-site review, may be continued in Category II. The institution shall have no longer than 24 months to schedule a second on-site review in order to attempt to achieve accreditation or candidate for accreditation status. Failure to achieve either result in the second attempt shall result in loss of state authorization.

4.04.02 Institutions Currently Operating Without Required Accreditation Seeking Accreditation from the North Central Association of Colleges and Schools (NCA).

In the event of a private college or university having been in operation prior to the enactment of these policies without holding the accreditation required by the statutes and these policies:

A. The institution shall have a period of one year commencing with the enactment of these policies to continue to operate as long as the potential for accreditation is determined to exist and demonstrable and continuous progress is made toward accreditation. The following timetable within that one-year period shall be observed:

- Within the first 90 days of that one-year period the institution shall compile and submit the Preliminary Information as currently described by the NCA in its official documents to the NCA and to the Commission.

- Written verification shall be submitted to the Commission of the Potential for accreditation as determined by the NCA. The institution shall be granted Category II status if the potential for accreditation is determined to exist. If the potential to achieve accreditation is found to be absent the private college or university at that time shall not be authorized to offer courses of instruction toward a degree or to award credits or degrees.

- At not less than 3-month intervals throughout the one-year period the institution shall submit additional documented reports of progress toward accreditation to the Commission.

- Before the close of the one-year period the institution shall have scheduled an on-site accreditation visit.

- Before the close of the one-year period the institution shall have initiated or prepared to initiate the institutional self-study.

- Failure to comply with the points included in this section shall result in the determination that the institution is not authorized to offer courses of instruction toward a degree or to award credits or degrees.

B. The accreditation process shall follow the NCA timeline beginning with the scheduled on-site accreditation visit:

i. Within 24 months of receipt of Category II authorization, unless that time limit has been expressly modified by the Commission because of extenuating circumstances, the institution shall host the on-site accreditation visit.

ii. Following the on-site accreditation visit, the institution shall be continued in Category II status pending action (normally taken within 5 to 8 months following the site visit) by the NCA Commission on Institutions of Higher Education. When that action has been taken the institution shall immediately notify the Colorado Commission on

Higher Education which will then assign the institution an authorization status from among the following:

- Category I, Accredited, as a result of the NCA decision to accredit the institution. This status shall change only if the accrediting association changes the institution's accreditation status. An accredited private college or university shall notify the Colorado Commission on Higher Education following each formal action of the NCA with respect to its accreditation.

- Continuation of Category II, Maintaining Reasonable and Timely Progress Toward Accreditation, based upon the NCA decision to grant the status of Candidate for Accreditation to the institution. An institution that holds candidacy for accreditation shall submit semi-annual reports to the Commission documenting its progress toward the achievement of accreditation consistent with NCA policy. Continuation of Category II status, in accordance with NCA policy, shall not extend beyond 6 years.

- Not authorized as a result of denial of accreditation by the NCA.

- Continuation of Category II status pending an appeal of denial of accreditation by the NCA Executive Board. Continuation on these grounds shall only be granted upon showing of good cause to the Commission. An institution's final authorization status will be based upon the action taken by the NCA.

An institution that does not attain either accreditation or candidate for accreditation status after its initial on-site accreditation review, but can fully demonstrate continuing progress toward accreditation and the likelihood of achieving a satisfactory status upon a second on-site review, may be continued in Category II. The institution shall have no longer than 24 months to schedule a second on-site review in order to attempt to achieve accreditation or candidate for accreditation status. Failure to achieve either result in the second attempt shall result in loss of state authorization.

4.04.03 Accreditation From Alternative Associations -- Newly Established Institutions and Institutions Operating Without Required Accreditation.

A. To meet the accreditation criterion for private colleges and universities as stipulated in the statutes [23-2-102(3)] a private college or university shall be accredited by or be making reasonable and timely progress toward accreditation by one of the following types of accrediting associations:

i. One of the six nationally recognized regional accrediting associations; or,

ii. An accrediting association that is recognized by the U.S. Department of Education and deemed by the Commission to be appropriate to the institution's educational purposes and programs.

B. Timetable for accreditation from alternative accrediting associations.

All newly-established institutions shall submit all required information to obtain Preliminary State Authorization and shall have a period up to six months thereafter to establish a timetable for the pursuit of accreditation from the alternative accrediting association. The Commission shall be notified of the timetable in writing.

Category II state authorization, "Maintaining Reasonable and Timely Progress Toward Accreditation," will be granted by the Commission when the alternative accrediting association has set a date for the institution's site visit and when the institution's specific accreditation process and timetable has been approved by the Commission. An accreditation site visit by the accrediting association is required within 24 months of the receipt of Category II authorization unless that time limit has been expressly modified by the Commission because of extenuating circumstances. Failure to pursue accreditation continuously shall result in loss of state authorization.

5.00 Notification of Institution: Authorization and Termination of State Authorization

5.01 Notification of Authorization Status

Any institution that is granted authorization may receive written notification of acceptable status under the Act upon request. Private colleges or universities authorized in Category I-A shall receive written notification of the time limits for a satisfactory on-site Colorado accreditation review.

5.02 Termination of Authorization; Notification; Appeal

5.02.01 Private Colleges or Universities

Private colleges or universities shall be notified of the termination of authorization by the Commission if at any point the staff of the Commission on Higher Education determines that an institution is no longer making reasonable and timely progress toward accreditation. The institution shall be so notified in writing. A phase-out period of not more than one additional academic term shall be permitted. An appeal to the Commission may be filed; (see 5.02.03). In the absence of a timely appeal the termination shall be final.

Authorized private colleges or universities whose accreditation upon which their state authorization was based is terminated by the accrediting agency for any reason shall no longer be authorized, effective the date of termination of

accreditation. A phase-out period of not more than one additional academic term shall be permitted.

5.02.02 Seminaries or Bible Colleges

An institution authorized as a seminary or bible college that fails to continue to meet the criteria for a bona fide religious institution shall have its authorization terminated. The institution shall be so notified in writing. A phase-out period of not more than one additional academic term shall be permitted. An appeal to the Commission may be filed; (see 5.02.03). In the absence of a timely appeal the termination shall be final.

5.02.03 Appeals to the Commission by Private Colleges or Universities, or by Seminaries or Bible Colleges

Appeals to the Commission by institutions notified of the termination of their authorization shall be in writing and must be received within 30 days of the date of the mailing of the notice by the Commission to the institution of termination of the institution's state authorization. Upon appeal, a hearing shall be held by the Commission at a regular monthly meeting of the Commission. The Commission's decision shall be final.

5.03 Notification to Cease Offering Degrees or Degree Credits

Institutions that are not authorized but offer degrees and/or degree credits in Colorado shall be notified by certified mail that they shall cease immediately to offer degrees and/or degree credits. The Commission shall initiate appropriate legal action if institutions fail to comply.

6.00 Notification and Deposit of Records Upon Discontinuance of a Program or Institution

If an authorized institution, branch campus, or extension program of an authorized institution discontinues operation in this state, its chief executive officer shall notify the Colorado Commission on Higher Education of the date of discontinuance and the name and address of the agency where records will be maintained.

Records shall be permanently maintained and copies may be obtained by authorized parties. Such records shall include but not be limited to information pertaining to the admission of each student and former student and the educational record of each student and former student. Financial aid records of each student and former student shall be retained consistent with state and federal regulations.

Appendix A

PRINCIPLES OF GOOD PRACTICE FOR ELECTRONICALLY OFFERED ACADEMIC DEGREE AND CERTIFICATE PROGRAMS

CURRICULUM AND INSTRUCTION

- Each program of study results in learning outcomes appropriate to the rigor and breadth of the degree or certificate awarded.
- An electronically offered degree or certificate program is coherent and complete.
- The program provides for appropriate real-time or delayed interaction between faculty and students and among students.
- Qualified faculty provide appropriate oversight of the program electronically offered.

INSTITUTIONAL CONTEXT AND COMMITMENT

Role and Mission

- The program is consistent with the institution's role and mission.
- Review and approval processes ensure the appropriateness of the technology being used to meet the program's objectives.

Faculty Support

- The program provides faculty support services specifically related to teaching via an electronic system.
- The program provides training for faculty who teach via the use of technology.

Resources for Learning

- The program ensures that appropriate learning resources are available to students.

Students and Student Services

- The program provides students with clear, complete, and timely information on the curriculum, course and degree requirements, nature of faculty/student interaction, assumptions about technological competence and skills, technical equipment requirements, availability of academic support services and financial aid resources, and costs and payment policies.
- Enrolled students have reasonable and adequate access to the range of student services appropriate to support their learning.

- Accepted students have the background, knowledge, and technical skills needed to undertake the program.

- Advertising, recruiting, and admissions materials clearly and accurately represent the program and services available.

Commitment to Support

- Policies for faculty evaluation include appropriate consideration of teaching and scholarly activities related to electronically offered programs.

- The institution demonstrates a commitment to ongoing support, both financial and technical, and to continuation of the program for a period sufficient to enable students to complete a degree/certificate.

EVALUATION AND ASSESSMENT

- The institutions evaluates the program's educational effectiveness, including assessments of student learning outcomes, student retention, and student and faculty satisfaction. Students have access to such program evaluation data.

- The institution provides for assessment and documentation of student achievement in each course and at completion of the program.

Appendix B

Colorado Commission on Higher Education
1380 Lawrence Street, Suite 1200
Denver, Colorado 80204
(303) 866-2723

Declaration for Religious Authorization

Name of Institution: _____

Address (Physical Location): _____

_____

City State Zip Code

Mailing Address, If Different from Above: _____

_____

City State Zip Code

Address of Ownership, If Different from Above: _____

_____

City State Zip Code

INSTRUCTIONS:

This form, completed and signed, along with all necessary accompanying material, should be enclosed in a folder or binder with each section separated by a divider. Loose or irregularly sized documents should be placed in an 8 2 x 11" envelope and inserted in the appropriate section. Information that merely refers to separate publications that are not enclosed is not complete.

The administrator submitting this material should enclose this form, completed, with each of the six items initialed and the declaration signed and dated at the bottom.

SECTION 1 Initialed:

The institution is a nonprofit institution and operating as a nonprofit religious corporation.

Submit a letter of determination, Form 905, signed by the Property Tax Administrator, Division of Property Taxation, Department of Local Affairs, clearly stating that the institution is exempt from real and personal property taxation under state law.

SECTION 2 Initialed:

The institution is owned, controlled, operated and maintained by a bona fide religious church or denomination, lawfully operating as a nonprofit religious corporation pursuant to Articles 20 through 29 and/or 50 through 52 of Title 7 of the Colorado Revised Statutes.

Submit the articles of incorporation, bylaws, copy of filing with the Secretary of State, and any publications describing the aims, goals, principles and beliefs of the institution; what is expected of the institution's ministers, counselors, and teachers, if any, relative to promotion of the institution's purposes; any advertisements placed in the various media; a chart or narrative of the organizational structure of the institution and its relationship with the religious denomination; and any other documentation that will substantiate institutional status.

SECTION 3 Initialed:

The education offered is limited to the principles of that church or religious denomination and the degrees awarded are not in any area of physical science or medicine; or that the courses are offered pursuant to the provisions of Article 59 of Title 12, Colorado Revised Statutes (the Private Occupational Education Act of 1981), as amended, and/or pursuant to separate authorization as a private college or university pursuant to section 23-2-102(3), C.R.S. (1988) as amended.

Submit either an outline for each degree or certificate offered which indicates that a substantial portion of the education offered is limited to its specified principles together with a statement of its principles; or documentation substantiating that courses are being offered pursuant to the provisions of Article 59 of Title 12, Colorado Revised Statutes (the Private Occupational Education Act of 1981), as amended, and/or pursuant to separate authorization as a private college or university pursuant to section 23-2-102(3), C.R.S. (1988) as amended.

SECTION 4 Initialed:

The applicant should submit evidence that it has at least one of the following attributes. Check those that apply.

__ Imposes religious restrictions on admissions.

__ Requires attendance at religious activities.

(Section 4 Continues)

__ Compels obedience to the doctrine and dogmas of the faith.

__ Requires instruction in theology and doctrine.

__ Propagates the principles of the church or denomination.

SECTION 5 Initialed:

The titles of all degrees to be conferred contain a reference to the theological or religious aspects of the degrees' subject areas.

List the titles of all degrees exactly as they appear on the degree or diploma and submit an exact copy of each degree or diploma.

SECTION 6 Initialed:

If the applicant's institution grants or intends to grant honorary degrees, describe the criteria used in determining the merit of the particular achievements and the relationship of the achievement to the principles of the institution.

DECLARATION:

I declare under penalty of perjury that the foregoing and all attachments hereto are true and correct, except as to those matters stated on information and belief, and as to those matters, I believe them to be true.

PRINTED NAME_____

SIGNATURE_____DATE_____

Administrator, Degree Authorization Act
Colorado Commission Higher Education
1380 Lawrence Street, Suite 1200
Denver, Colorado 80204
Tel. (303) 866-2723 FAX (303) 866-4266

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→ Copy of Degree Authorization Act