

# Idaho State Board of Education

## GOVERNING POLICIES AND PROCEDURES

### SECTION: III. POSTSECONDARY AFFAIRS

#### N. Private In-State, Out-of-State, Non-Accredited Institutions, and other Educational Source Offerings

April 2002

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#### 1. Statutory Authority

Section 33-107(6), Idaho Code, establishes as a general power and duty of the Board the maintenance of a register of courses and programs offered anywhere in the state of Idaho by postsecondary institutions that are: a.) located outside the state and are offering courses or programs for academic credit or otherwise; or b.) located within the state of Idaho but not accredited by a regional or national accrediting agency recognized by the Board and are offering courses for academic credit. The acceptance of academic or non-academic credit at public postsecondary institutions in Idaho is the prerogative of the Board. In addition, Chapter 24, Title 33, Idaho Code, establishes requirements for registration, agent's permit, purchase statement, surety bond and student tuition recovery account.

#### 2. Register of Accredited In-State and Out-of-State Institutions

##### a. Maintenance of Register

A register of courses and programs is maintained at the Office of the State Board of Education. The Office will establish written procedures, available upon request, for compliance with the requirements of Section 33-107(6), Idaho Code. Accredited institutions are exempt from Chapter 24, Title 33, Idaho Code.

##### b. In-State Accredited Institutions

###### (1) Regional Accreditation Bodies (III.M. - Accreditation)

An in-state institution (i.e., is physically located in Idaho) accredited by one of the six (6) regional accreditation agencies (see Section III, Subsection M) is exempt from registering with the Office of the State Board of Education. Furthermore, credits awarded by one of the six regional accreditation agencies will be accepted by the State Board of Education and transferable into Idaho's public postsecondary system.

###### (2) Non-Regional Accreditation Agencies

The State Board of Education also recognizes those national accreditation agencies approved by the U.S. Department of Education.

Private in-state institution(s) that are accredited by one (1) of these national accreditation bodies are exempt from registering with the Office of the State Board of Education. However, the acceptance of programs and/or credits is not assured. Those institutions that wish to have their programs and/or credits accepted that the Board, and hence, the public colleges and universities, must forward an application to the Office of the State Board of Education.

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The Board's Instruction, Research and Student Affairs Committee or its designee will evaluate the application submitted by private, in-state, non-regionally accredited institutions. The evaluation will follow the identical standards by which the State Board of Education evaluates its own public postsecondary institutions. Should the program(s) or course(s) be evaluated as comparable to a program(s) or course(s) offered by an Idaho public institution, it will be accepted by the State Board of Education and hence transferable into the public postsecondary system. Those program(s) and course(s) that are not comparable will not be accepted by the State Board of Education and will not transfer to those institutions under their governance.

The State Board of Education, through its IRSAC, shall set program and course evaluation fees, and any impact fees.

#### **c. Out-of-State Accredited Institutions**

A registration form/application must be submitted by any Board recognized accredited out-of-state institution to the State Board of Education. Critical evaluation of each of the components of such offerings as compared with courses, programs, credit awarded, and faculty of postsecondary institutions under governance of the Board will be accomplished by the Board's Instruction, Research and Student Affairs Committee or its designee. Should the course be evaluated as comparable to a course offered by an Idaho institution, it will be designated as "comparable" on the registration form; should the course not be comparable, it will be designated as "not comparable" on the form. Any interested person who makes inquiry concerning such course will be told whether the course is comparable or not comparable to offerings available from Idaho institutions.

Academic credit for courses evaluated as not comparable shall not be accepted by Idaho postsecondary institutions under the direction and control of the Board. Courses or programs evaluated as comparable will be accepted for academic credit by Idaho's public postsecondary institutions and thus shall be fully transferable among the institutions.

The State Board of Education, through its Instruction, Research and Student Affairs Committee, shall set course and program processing fees, an impact fee, and a registration fee.

### **3. Register of Non-accredited Institutions and Other Educational Source Offerings**

#### **a. Statutory Authority**

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In addition to the powers conferred by Chapter 24, Title 33, Idaho Code, Section 33-107(6) requires the Board to maintain a register of institutions and their courses to be offered anywhere in the state of Idaho by postsecondary institutions which are located outside or within the state of Idaho but not accredited by a regional or national accrediting agency recognized by the Board. Idaho statute does not permit the offering of programs (i.e., degrees) in Idaho by non-accredited institutions. The acceptance of academic and non-academic credit, at public postsecondary institutions in Idaho, is the prerogative of the State Board of Education.

b. Registration without Acceptance of Credit

All trade, correspondence, technical vocational or other schools with a physical presence in Idaho and not accredited by an accrediting agency recognized by the Board must register with the Board. In addition to the requirements of Chapter 24, Title 33, Idaho Code, the registration will include:

- (1) The applying institution shall provide the following: (a) a current financial statement with an opinion audit prepared by a certified public accountant; (b) a description of instructional methods used by the institution including mission statements, methods for assigning, monitoring and evaluating work, design of curriculum, and awarding credit; and (c) submission of credentials for faculty, including the submission of official copies of academic transcripts, verification of educational degrees attained and description of courses taught by that individual.
- (2) Restrictions against an institution's awarding credit, earned or honorary, primarily on the basis of: (a) payment of tuition or a fee, (b) credit earned at another school, (c) credit for life experience or other equivalency, (d) testing out of required course work, (e) research and writing, or (f) any combination of the foregoing.
- (3) Performance/Surety Bond: The performance/surety bond, based upon Idaho student enrollment will be as follows:
  - \$25,000 -- less than 50 students;
  - \$50,000 -- 50 to 99 students; or
  - \$100,000 -- 100 or more students

Chapter 24, Title 33, Idaho Code provides for an exemption for those applicants who can demonstrate through such means as a CPA audit that the institution's annual tuition received is less than \$10,000 per year. In that case, the performance/surety bond will be \$10,000 per year.

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##### c. Registration with Acceptance of Credit

A non-accredited in-state or out-of-state institution or educational source with a physical presence in Idaho desiring to have its academic or non-academic courses accepted by the Board and the Idaho public postsecondary institutions, must submit each course or workshop request to be offered in Idaho to the Board's Academic Affairs and Program Committee for critical evaluation and review. The AAPC shall establish an evaluation and review process in compliance with Section 33-107(6), Idaho Code, Chapter 24, Title 33, Idaho Code and the AAPC *Guidelines for Program Review and Approval*. The registration will include:

- (1) On-site visit requirements (in-state campus, and/or out-of-state home (main) campus or sending site) not less than once every five (5) years. The on-site visitation shall be conducted by a representative of the State Board of Education (SBOE) and may occur more frequently at the Board's discretion. The registered institution is required to pay the costs of the inspection and visitation by Idaho authorities.
- (2) Should the course or workshop be evaluated as acceptable or comparable to a course or workshop offered by an Idaho institution, it will be accepted for academic or non-academic credit by the SBOE and thus be accepted by the public postsecondary institutions in Idaho.
- (3) Academic or non-academic credit evaluated as non-acceptable or not comparable shall not be accepted by Idaho's public postsecondary institutions.
- (4) Course or workshop fees for the evaluation, processing, registration, and impact will be set by the Board through its Academic Affairs and Program Committee and established in Administrative Rules.

##### 4. Referral to the Attorney General

Section 33-107(6), Idaho Code, requires establishment of criteria consistent with generally accepted professional standards relating to use of false or misleading advertising, solicitations, or false promises of employment. The Academic Affairs and Program Committee evaluates each registration of an out-of-state institution or an in-state non-accredited institution for compliance with such generally accepted standards and submits to the Board a recommendation that the office of the attorney general be notified of any violation. The Board itself must forward any such requests for action on violations to the office of the attorney general.

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#### 5. Interpretations

- a. Non-credit or continuing education courses are subject to compliance with Section 33-107(6), Idaho Code, if offered in Idaho by an accredited out-of-state institution or an in-state or out-of-state non-accredited institution.
- b. Accredited out-of-state institutions and non-accredited institutions, either in-state or out-of-state, or their agents or representatives, are exempt from compliance with Section 33-107 (6), Idaho Code, if the courses or programs are offered at a U.S. military installation solely for military personnel.
- c. For purposes of this policy, a non-accredited postsecondary institution or educational source shall be deemed to have a physical presence in Idaho if it owns, rents, leases, or uses any office or other physical location in Idaho from which it, or its representatives sells, offers for sale, or distributes any course or courses for academic credit or otherwise.
- d. Academic credits from in-state accredited institutions will be accepted within Idaho's higher education system with the exception of religious, a vocational or recreational, private vocational courses sponsored by an employer for the training or preparation of its own employees, and aviation schools/instructors under the supervision of the federal aviation administration. Further, intensive review courses designed to prepare students for certified public accountancy tests, law school aptitude tests, bar examinations, graduate record exams, or medical admission tests will be exempt in accordance with Section 33-2402, Idaho Code.
- e. Authority is delegated to the postsecondary institutions under the Board's governance to evaluate and accept credits on behalf of transferring students who have earned those credits from any out-of-state accredited institution or from any non-accredited institution or other educational source. However, if the Board has previously approved credits for courses and programs, those credits are transferable among all Idaho public institutions. Notwithstanding the foregoing, an institution may deny credit transfer to comply with specialized accreditation requirements, or in unique degree requirements.
- f. Credits accepted by one institution under the Board's governance are transferable by the student to any other postsecondary institution under the Board's governance.